



Regional Air Pollution Control Agency
Serving Clark, Darke, Greene, Miami, Montgomery and Preble Counties
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Date: December 21, 2018
From: Regional Air Pollution Control Agency (RAPCA)
Subj: Maintenance fees proposed for local air pollution control program
To: Regulated industries, asbestos contracts, and demolition contractors

RAPCA is a part of Public Health – Dayton and Montgomery County and is the local air pollution control agency serving Clark, Darke, Greene, Miami, Montgomery and Preble counties in southwest Ohio. RAPCA is directly funded by U.S. EPA and has a grant with Ohio EPA to perform ambient air monitoring, investigate environmental complaint, and permit and inspect industries that have air pollution sources. RAPCA has contracts with each of the county Boards of Health to implement the air program within their counties. These local Boards of Health agreements allow the counties to maintain local control and influence over the air program.

RAPCA's state and federal funding requires a local match and RAPCA is in the process of proposing and implementing user fees in our 6-county jurisdiction to meet this funding requirement. The fees became effective in Montgomery County on October 22, 2018 and RAPCA anticipates proposing the fees in the other 5 counties in early 2019. Attached is the proposed schedule of fees.

If you have any questions about the proposed fees, please contact Jenny Marsee at 937-496-7540 or jmarsee@rapca.org or Eileen Moran at 937-225-4004 or emoran@rapca.org.

REGIONAL AIR POLLUTION CONTROL AGENCY PROPOSED FEES

Any owner and/or operator of a regulated entity shall pay maintenance fees in accordance with the following schedule.

MAINTENANCE FEES:

ANNUAL BASE FACILITY CHARGE

Each facility shall be subject to a fee of \$125 per air emissions unit¹. Facilities that are only subject to OAC rule 3745-31-03 Permit by Rule regulations shall be subject to a fee of \$100 per facility.

ANNUAL FACILITY SURCHARGES

Requirement or Category	Title V Facility Fee	FEPTIO ² Facility Fee	Minor Facility Fee
Title V Facility	\$1500	n/a	n/a
FEPTIO ² Facility	n/a	\$500	n/a
40 CFR Part 60	\$500	\$500	\$250
40 CFR Part 63	\$500	\$500	\$250
Compliance Assurance Monitoring	\$500	n/a	n/a
Continuous Emissions Monitoring/Low Mass Emissions	\$500	\$500	\$500
Continuous Opacity Monitoring	\$500	\$500	\$500
PSD/NSR ³ Permitting	\$1000	n/a	n/a
Power Utility ⁴	\$1000	\$1000	n/a
Used oil or hazardous waste burner	0.01 per gallon	0.01 per gallon	0.01 per gallon

¹ For purposes of this fee schedule, an air emissions unit is defined as any permitted or permit by rule source located at a minor facility or FEPTIO facility and any significant source, insignificant source, and permit by rule source located at a Title V facility.

² Federally Enforceable Permit to Install and Operate

³ Prevention of Significant Deterioration/New Source Review

⁴ Power utilities included power generation and peaking stations identified by NAICS code 221112.

PERMIT FEES

Permit Type	Fee
Title V Renewal	\$3000
Title V Modification	\$1500
FEPTIO ² Renewal	\$1500
Minor Renewal	\$500
Deminimus Determination	\$500

EMISSIONS TESTING

Retest/cancellation/reschedule	\$500
Requested observation	\$500
Nonconforming work hours (any hours outside of 8:00 am – 4:30 pm)	\$50/hr

ENVIRONMENTAL SAMPLING

A facility shall be billed the actual cost, including but not limited to equipment rental, laboratory analysis, sampling supplies, and personnel costs, of any environmental sampling performed by RAPCA in response to a complaint or suspected public health threat.

ASBESTOS NOTIFICATIONS*

The fees for processing demolition and/or asbestos renovation notifications shall be based upon the regulated asbestos abatement project size as follows:	
Demolition only notifications	\$75
Less than 160 square feet or 260 linear feet of Regulated Asbestos Containing Materials (RACM)	\$75
Greater than or equal to 160 square feet or 260 linear feet and less than 5,000 feet (square, linear, or combination) of RACM	\$200
Greater than or equal to 5,000 feet (square, linear, or combination) of RACM	\$350

*This fee does not apply to unregulated projects or to volunteer fire departments submitting a demolition notice for fire training exercises conducted in asbestos-free residential structures. Payments and an appropriate survey should be sent in with the completed notification form.

Facility maintenance fees totaling the sum of the base and all applicable surcharges shall be assessed based on the facility status as of December 31 and invoiced annually for the calendar year. Permit, environmental sampling, and emissions testing fees shall be invoiced quarterly.

If payment of a fee established under this section is not received by the day on which payment is due, the board of health shall assess a penalty. The amount of the penalty shall be equal to twenty-five (25%) per cent of the applicable fee.

The fee structure shall apply to all governmental units unless the imposition and collection of fees are prohibited by law.

No fee shall be demanded or collected for any church, public or parochial school.

In the event a facility is shutdown, idled, the facility status changes, or the fee causes undue hardship, adjustments to the fees may be made at the discretion of the RAPCA Supervisor provided sufficient documentation is submitted. Any such reduction or waiver of the fee requirement shall be reviewed annually.

12/21/2018