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## **ENVIRONMENTAL PROTECTION**

### **ENVIRONMENTAL MANAGEMENT**

#### **DIVISION OF AIR QUALITY**

##### **Air Pollution Control**

##### **Fees for Permits and Certificates for Minor Facilities (and Major Facilities without an Operating Permit), and Operating Permits**

##### **Proposed Amendments: N.J.A.C. 7:27-8.6 and 22.31**

Authorized By: Bob Martin, Commissioner, Department of Environmental Protection.

Authority: N.J.S.A. 13:1B-3.e, 13:1D-9, and 26:2C-1 et seq., in particular 26:2C-9.b(7)(b) and 9.5.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

DEP Docket Number: 05-14-07

Proposal Number: PRN 2014-137.

A **public hearing** concerning this proposal, and the proposed revision to the New Jersey State Implementation Plan that it represents, will be held on Monday, September 22, 2014, at 10:00 A.M., at:

New Jersey Department of Environmental Protection

Hearing Room, 1st Floor

401 East State Street

Trenton, New Jersey 08625

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- ii. The Supplementary Fee shall be the Supplementary Fee operative on the date performance of the supplementary activity is completed.

A. BASE FEE TABLES

Table A-1  
Registration fees

<u>Activity</u>	<u>Basis</u>	
	Electronic Registration <sup>[1]</sup>	[Paper Registration <sup>1</sup> ]
Registration for initial authorization, or renewal of authorization, to act under a General Permit:		[Note: The Department will not accept paper registrations on or after January 1, 2010]
	[Through December 31, 2009]	[Through December 31, 2009]
	January 1, 2010, through December 31, 2014	<b>January 1, 2015, through December 31, 2019</b>
Listed at N.J.A.C. 7:27-8.8(c), other than (c)12	[\$350.00] \$410.00	<b>\$820.00</b> [\$500.00]



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Application for a preconstruction permit and operating certificate	Per first piece of equipment per initial permit application	[\$1,500]	\$1,755	<b>\$2,527</b>
	Per each additional piece of equipment per initial permit application	[\$350.00]	\$410.00	<b>\$590.00</b>
Application for environmental improvement pilot test	Per application	[\$500.00]	\$585.00	<b>\$842.00</b>
Renewal of an operating certificate	Per first piece of equipment per operating certificate	[\$750.00]	\$880.00	<b>\$1,267</b>
	Per each additional piece of equipment per operating certificate	[\$200.00]	\$235.00	<b>\$338.00</b>

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Application for a preconstruction permit and operating certificate revision	Per first new or changed piece of equipment per permit revision application	[\$1,500]	\$1,755	<b>\$2,527</b>
	Per each additional new or changed piece of equipment per permit revision application	[\$350.00]	\$410.00	<b>\$590.00</b>
Application for a compliance plan change	Per application	[\$500.00]	\$585.00	<b>\$842.00</b>
Notice of a seven-day- notice change	Per notice	[\$500.00]	\$585.00	<b>\$842.00</b>

Table A-3

Notice of amendment fees

Activity                      Basis                                      Amount

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			[Through December 31, 2009]	January 1, 2010, through December 31, 2014	<b>January 1, 2015, through December 31, 2019</b>
Change in identifying information under N.J.A.C. 7:27-8.21(b)1	Per facility	[\$100.00]	\$120.00	<b>\$173.00</b>	
Transfer of ownership under N.J.A.C. 7:27-8.21(b)2	Per facility	[\$100.00]	\$120.00	<b>\$173.00</b>	
Change in equipment or stack designation under N.J.A.C. 7:27-8.21(b)3	Per preconstruction permit and operating certificate amended	[\$100.00]	\$120.00	<b>\$173.00</b>	
A change listed in N.J.A.C. 7:27-8.21(b)4, 5, 6, or 8	Per preconstruction permit and operating certificate amended	[\$500.00]	\$585.00	<b>\$842.00</b>	
Correction of a typographical error under N.J.A.C. 7:27-8.21(b)7	Per preconstruction permit and operating certificate amended	[\$100.00]	\$120.00	<b>\$173.00</b>	
Change in identifying information on a	Per facility	[\$100.00]	\$120.00	<b>\$173.00</b>	

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registration form as

specified under N.J.A.C.

7:27-8.21(d)1

Transfer of ownership of a	Per facility	[\$100.00]	\$120.00	<b>\$173.00</b>
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registered facility under

N.J.A.C. 7:27-8.21(d)2

#### B. SUPPLEMENTARY FEE SCHEDULE

[Activity] <b><u>Activity</u></b>	[Basis] <b><u>Basis</u></b>	[Amount] <b><u>Amount</u></b>
		[Through January 1, <b>January 1,</b> December 2010, <b>2015,</b> 31, 2009] through <b>through</b> December <b>December</b> 31, 2014 <b>31, 2019</b>

#### 1. Prevention of Significant Deterioration

a. <b>Determine</b> PSD Applicability	<b>\$8,417</b>
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[i. Screen for PSD Applicability	[Per Applicable Air Contaminant	[(Reserved)	[(Reserved)
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ii. Determine PSD Applicability]	Per Review]	(Reserved)]	(Reserved)]	
b. Perform BACT Evaluation	Per Applicable Air Contaminant	[\$5,000]	\$5,845	<b>\$8,417</b>
2. Sub 18 Emission Offsets				
a. Determine Sub 18 Applicability	Per Review	[\$5,000]	\$5,845	<b>\$8,417</b>
b. Perform LAER Evaluation	Per Applicable Air Contaminant	[\$5,000]	\$5,845	<b>\$8,417</b>
3. RACT - AEL				
a. Review Technology	Per Applicable Air Contaminant	[\$5,000]	\$5,845	<b>\$8,417</b>
b. Prepare SIP Revision	Per SIP Revision	[\$2,500]	\$2,925	<b>\$4,212</b>
4. Perform MACT Evaluation	Per MACT Standard	[\$1,500]	\$1,755	<b>\$2,527</b>
5. Perform NSPS	Per NSPS	[\$1,500]	\$1,755	<b>\$8,417</b>



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Evaluation

6. Perform SOTA Case-by-Case Evaluation	Per Applicable Air Contaminant	[\$5,000]	\$5,845	<b>\$8,417</b>
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7. Public Comment

a. Post Public Notices	Per Public Comment Period	[\$500.00]	\$585.00	<b>\$842.00</b>
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b. Conduct Public Hearing	Per Hearing	[\$5,000]	\$5,845	<b>\$8,417</b>
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c. Prepare Response to Comments Document	Per Response	[\$250.00]	\$295.00	<b>\$425.00</b>
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Maximum Per Document	[\$5,000]	\$5,845	<b>\$8,417</b>
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8. Ambient Air Monitoring

a. Review Protocol

i. For criteria pollutants, or for other pollutants or parameters for	Per Protocol	[\$1,500]	\$1,755	<b>\$2,527</b>
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which EPA has				
provided guidance				
ii. For other pollutants or	Per Protocol	[\$2,500]	\$2,925	<b>\$4,212</b>
parameters for which				
EPA has not provided				
guidance				
b. Inspect Monitoring	Per Inspection	[\$500.00]	\$585.00	<b>\$842.00</b>
Locations and				
Equipment				
Installation				
c. Review Quality Assurance Plan				
i. For criteria pollutants,	Per Plan	[\$1,500]	\$1,755	<b>\$2,527</b>
or for other pollutants				
or parameters for				
which EPA has				
provided guidance				
ii. For other pollutants or	Per Plan	[\$2,500]	\$2,925	<b>\$4,212</b>
parameters for which				
EPA has not provided				
guidance				
d. Review Data	Per Required Report	[\$500.00]	\$585.00	<b>\$842.00</b>
e. Audit [equipment]	Per Audit	[\$500.00]	\$585.00	<b>\$842.00</b>

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## Equipment

### 9. Air Quality Impact Analysis - PSD

a. Evaluate Protocol	Per Protocol	[\$2,000]	\$2,340	<b>\$3,370</b>
b. Review Screening	Per Review	[\$1,000]	\$1,170	<b>\$1,685</b>
	Modeling			
c. Review Refined	Per Review	[\$3,500]	\$4,095	<b>\$5,897</b>
	Modeling			

### 10. Air Quality Impact Analysis - non PSD

a. Evaluate Protocol	Per Protocol	[\$1,000]	\$1,170	<b>\$1,685</b>
b. Review Screening	Per Review	[\$1,000]	\$1,170	<b>\$1,685</b>
	Modeling			
c. Review Refined	Per Review	[\$1,500]	\$1,755	<b>\$2,527</b>
	Modeling			

### 11. Risk Assessment

a. Evaluate Protocol	Per Protocol	[\$1,500]	\$1,755	<b>\$2,527</b>
b. Review Risk	Per Review	[\$1,500]	1,755	<b>\$2,527</b>

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Assessment

12. Testing

a. Stack Test

i. Evaluate Protocol	Per Protocol Per Stack	[\$750.00]	\$880.00	<b>\$1,267</b>
(up to three probes)				
ii. Evaluate	Per Protocol Per Stack	[\$1,000]	\$1,170	<b>\$1,685</b>
Protocol (more than three probes)				
iii. Review Testing	Per Report Per Stack	[\$750.00]	\$880.00	<b>\$1,267</b>
Report (up to three probes)				
iv. Review Testing	Per Report Per Stack	[\$1,000]	\$1,170	<b>\$1,685</b>
Report (more than three probes)				

b. Continuous Emission Monitors

i. Evaluate	Per Protocol Per Stack	[\$500.00]	\$585.00	<b>\$842.00</b>
Equipment				

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	Protocol				
ii.	Evaluate	Per Protocol Per Stack	[\$500.00]	\$585.00	<b>\$842.00</b>
	Performance				
	Specification				
	Test Protocol				
iii.	Review Testing	Per Report Per Stack	[\$500.00]	\$585.00	<b>\$842.00</b>
	Report				
c.	On-site Monitoring	Per Day Per Person	[\$750.00]	\$880.00	<b>\$1,267</b>
	of Sample Collection				
	Pursuant to an				
	Approved Source-				
	Specific Testing				
	Protocol				
d.	Periodic Monitoring	Per Protocol	[\$250.00]	\$295.00	<b>\$425.00</b>
	Equipment Protocol				
13.	Periodic Compliance	Per Inspection Per	[\$400.00]	\$470.00	<b>\$677.00</b>
	Inspection	Certificate			

SUBCHAPTER 22. OPERATING PERMITS

7:27-22.31 Fees

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**10. From January 1, 2015, through December 31, 2019, the adjusted fees are set forth at (y) through (aa) below.**

(v) – (x) (No change.)

**(y) Effective January 1, 2015, through December 31, 2019, the adjusted Base Fee Schedule for significant modification applications shall be (y)1 through 4 below.**

**Applications subject to the \$50,000 application fee in (y)4 below are not subject to (y)1 through 3 below and the supplementary fees at (z) below.**

<u>Activity</u>	<u>Basis</u>	<u>Amount</u>
<b>1. Application for a significant modification for which the change meets the definition of modification at N.J.A.C. 7:27-22.1, and for which a PSD or N.J.A.C. 7:27-18 applicability determination is not required</b>	<b>Per first new or changed piece of equipment per significant modification application</b>	<b>\$2,527</b>
	<b>Per each additional new or changed piece of equipment per significant modification application</b>	<b>\$590.00</b>
<b>2. Application for a significant modification in which the change does not meet the definition of modification at</b>	<b>Per significant modification application</b>	<b>\$842.00</b>

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**N.J.A.C. 7:27-22.1**

<b>3. Application for environmental improvement pilot test</b>	<b>Per application</b>	<b>\$842.00</b>
<b>4. Application for a significant modification for which the change meets the definition of modification at N.J.A.C. 7:27-22.1 and for which a PSD or N.J.A.C. 7:27-18 applicability determination is required</b>	<b>Per application</b>	<b>\$50,000</b>

(z) Effective January 1, 2015, through December 31, 2019, the adjusted Supplementary Fee Schedule for significant modification applications shall be (z)1 through 12 below.

<u>Activity</u>	<u>Basis</u>	<u>Amount</u>
<b>1. Prevention of Significant Deterioration</b>		
<b>a. PSD Applicability</b>		<b>Included</b>
<b>i. Screen for PSD Applicability</b>	<b>Per Applicable Air Contaminant</b>	<b>N.J.A.C. 7:27-</b>

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<b>ii. Determine PSD Applicability</b>	<b>Per Review</b>	<b>22.31(y)4</b>
<b>b. Perform BACT Evaluation</b>	<b>Per Applicable Air Contaminant</b>	
<b>2. Sub 18 Emission Offsets</b>		
<b>a. Determine Sub 18 Applicability</b>	<b>Per Review</b>	<b>Included</b>
<b>b. Perform LAER Evaluation</b>	<b>Per Applicable Air Contaminant</b>	<b>in N.J.A.C. 7:27-22.31(y)4</b>
<b>3. RACT - AEL</b>		
<b>a. Review Technology</b>	<b>Per Applicable Air Contaminant</b>	<b>\$8,417</b>
<b>b. Prepare SIP Revision</b>	<b>Per SIP Revision</b>	<b>\$4,212</b>
<b>4. Perform MACT Evaluation</b>	<b>Per MACT Standard</b>	<b>\$2,527</b>
<b>5. Perform NSPS Evaluation</b>	<b>Per NSPS</b>	<b>\$2,527</b>
<b>6. Perform SOTA Case-by-Case Evaluation</b>	<b>Per Applicable Air Contaminant</b>	<b>\$8,417</b>



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## 7. Public Comment

<b>a. Post Public Notices</b>	<b>Per Public Comment Period</b>	<b>\$842.00</b>
<b>b. Conduct Public Hearing</b>	<b>Per Hearing</b>	<b>\$8,417</b>
<b>c. Prepare Response to Comments Document</b>	<b>Per Response</b>	<b>\$425.00</b>
	<b>Maximum Per Document</b>	<b>\$8,417</b>

## 8. Ambient Air Monitoring

### a. Review Protocol

<b>i. For (1) criteria pollutants or (2) other pollutants or parameters for which EPA has provided guidance</b>	<b>Per Protocol</b>	<b>\$2,527</b>
<b>ii. For other pollutants or parameters for which EPA has</b>	<b>Per Protocol</b>	<b>\$4,212</b>

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**not provided guidance**

<b>b. Inspect Monitoring Locations and Equipment Installation</b>	<b>Per Inspection</b>	<b>\$842.00</b>
<b>c. Review Quality Assurance Plan</b>		
<b>i. For (1) criteria pollutants or (2) other pollutants or parameters for which EPA has provided guidance</b>	<b>Per Plan</b>	<b>\$2,527</b>
<b>ii. For other pollutants or parameters for which EPA has not provided guidance</b>	<b>Per Plan</b>	<b>\$4,212</b>
<b>d. Review Data</b>	<b>Per Required Report</b>	<b>\$842.00</b>
<b>e. Audit Equipment</b>	<b>Per Audit</b>	<b>\$842.00</b>

**9. Air Quality Impact Analysis - PSD**

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<b>a. Evaluate Protocol</b>	<b>Per Protocol</b>	<b>Included</b>
<b>b. Review Screening Modeling</b>	<b>Per Review</b>	<b>in</b>
<b>c. Review Refined Modeling</b>	<b>Per Review</b>	<b>N.J.A.C.</b>
		<b>7:27-</b>
		<b>22.31(y)4</b>

**10. Air Quality Impact Analysis - non PSD**

<b>a. Evaluate Protocol</b>	<b>Per Protocol</b>	<b>\$1,685</b>
<b>b. Review Screening Modeling</b>	<b>Per Review</b>	<b>\$1,685</b>
<b>c. Review Refined Modeling</b>	<b>Per Review</b>	<b>\$2,527</b>

**11. Risk Assessment**

<b>a. Evaluate Protocol</b>	<b>Per Protocol</b>	<b>\$2,527</b>
<b>b. Review Risk Assessment</b>	<b>Per Review</b>	<b>\$2,527</b>

**12. Testing**

<b>a. Stack Test</b>
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<b>i. Evaluate Protocol (up to three probes)</b>	<b>Per Protocol Per Stack</b>	<b>\$1,267</b>
<b>ii. Evaluate Protocol (more than three probes)</b>	<b>Per Protocol Per Stack</b>	<b>\$1,685</b>
<b>iii. Review Testing Report (up to three probes)</b>	<b>Per Report Per Stack</b>	<b>\$1,267</b>
<b>iv. Review Testing Report (more than three probes)</b>	<b>Per Report Per Stack</b>	<b>\$1,685</b>
 <b>b. Continuous Emission Monitors</b>		
<b>i. Evaluate Equipment Protocol</b>	<b>Per Protocol Per Stack</b>	<b>\$842.00</b>
<b>ii. Evaluate Performance Specification Test Protocol</b>	<b>Per Protocol Per Stack</b>	<b>\$842.00</b>
<b>iii. Review Testing Report</b>	<b>Per Report Per Stack</b>	<b>\$842.00</b>

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**c. On-site Monitoring of Sample                      Per Day Per Person                      \$1,267**  
**Collection Pursuant to an**  
**Approved Source-Specific Testing**  
**Protocol**

**d. Periodic Monitoring Equipment                      Per Protocol                      \$425.00**  
**Protocol**

(aa) Effective January 1, 2015, through December 31, 2019, the adjusted fee schedule for a registration is set forth at (aa)1 and 2 below.

<u>Activity</u>	<u>Basis</u>
	<u>Per Electronic Registration</u>
<b>1. Registration for initial authorization, or renewal of authorization, to act under a General Operating Permit</b>	<b>\$820.00</b>
<b>2. Registration for, or five-year renewal of, authorization to operate a used oil space heater under N.J.A.C. 7:27-20.3</b>	<b>\$820.00</b>