

**ALASKA DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION**

**Standard Permit Condition I – Emission Fees**

**Permit Condition for Air Quality Permits**

**Adopted by Reference in 18 AAC 50.346**

**April 1, 2002**

**Revised July 22, 2020**

## **Standard Permit Condition I – Emission Fees**

**Stationary Source Categories This Condition Applies to:** All stationary source types.

The Department will use Standard Permit Condition (SPC) I in any construction permit or operating permit unless:

- 1) the stationary source does not have a potential to emit an assessable amount of any air pollutant;
- 2) the permit does not establish, or revise a previously established, assessable emission fee (this is limited to Title I permits); or
- 3) the Department determines that stationary source-specific fee conditions more adequately meet the requirements of 18 AAC 50.

**Circumstances where stationary source-specific conditions more adequately meet 18 AAC 50 include:**

1. if there is a stationary source-specific reason for establishing an alternative date for submitting an estimate of the stationary source's assessable emissions; the submission date must still allow the Department to review the calculations and complete billing before July 1.

**The following apply to this standard permit condition:**

1. Condition 1.1 must show the total potential to emit of all pollutants emitted in assessable amounts. Listing the potential to emit of each pollutant separately is optional.
2. Assessable emissions include any air pollutant as identified in the applicable portions of 18 AAC 50.410, whether or not there is a limit in the permit for that air pollutant.
3. Assessable emissions do not double count any emissions. For example, benzene, which is a VOC, is not counted a second time because it is a hazardous air pollutant.
4. For non-major stationary sources that only need a permit because they have an emission unit subject to EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP; e.g., Subparts EEEEEEE, GGGGGG, YYYYYY, etc.) or New Source Performance Standards (NSPS; e.g., Subparts CCCC, EEEE, LLLL, etc.), only the emissions from the emissions unit subject to the NESHAP and/or NSPS standards are counted as assessable emissions.
5. Condition 2.3 applies only to permitted new stationary sources that have not yet commenced construction or operations or existing stationary sources that are inactive but are keeping their operating permits current.

**Permit Wording:**

**1. Assessable Emissions.** For each period from July 1 through the following June 30, the Permittee shall pay to the Department an annual emission fee based on the stationary source's assessable emissions, as determined by the Department under 18 AAC 50.410. The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit in quantities 10 tons per year or greater. The quantity for which fees will be assessed is the lesser of the stationary source's

- 1.1 potential to emit of \_\_\_\_\_TPY; or
- 1.2 projected annual rate of emissions, in TPY, based upon actual annual emissions for the most recent calendar year, or another 12-month period approved in writing by the Department, when demonstrated by credible evidence of actual emissions, based upon the most representative information available from one or more of the following methods:
  - a. an enforceable test method described in 18 AAC 50.220;
  - b. material balance calculations;
  - c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or
  - d. other methods and calculations approved by the Department, including appropriate vendor-provided emissions factors when sufficient documentation is provided.

[18 AAC 50.040(j)(4), 50.035, 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

**2. Assessable Emissions Estimates.** The Permittee shall comply as follows:

- 2.1 No later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions, as determined in Condition 1.2. Submit actual emissions estimates in accordance with the submission instructions on the Department's Standard Permit Conditions web page at <webpage>.
- 2.2 The Permittee shall include with the assessable emissions report all the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates.
- 2.3 If the stationary source has not commenced construction or operation on or before March 31st, the Permittee may submit to the Department's Anchorage office a waiver letter certified under 18 AAC 50.205 that states the stationary source's actual annual emissions for the previous calendar year are zero TPY and provides estimates for when construction or operation will commence.
- 2.4 If no estimate or waiver letter is submitted on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit in Condition 1.1.

[18 AAC 50.040(j)(4), 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]