

List of services that are charged time-and-expense based fees for administration fees under 18 AAC 50.400(j) of Regulations of February 2015

The list currently found in 18 AAC 50.400(j) will be removed from the proposed regulations, as it no longer serves its original purpose; the authority for charging time-and-expense based fees still exists in the proposed regulations under the readopted section 18 AAC 50.400 in proposed 18 AAC 50.400(h). This list is being removed from 18 AAAC 50.400 in the proposed regulations but is provided here to provide clarity as to what types of services are subject to time-and-expense based fees for administration fees below:

“Designated regulatory services subject to time-and-expense based fees include, but are not limited to, regulatory services for:

(1) an original permit for a Title V source, with the potential to emit more than 100 and less than 250 tons per year of any one pollutant, and that is an oil-and-gas source or thermal soil remediation unit;

(2) an original permit for a small power plant with the potential to emit more than 100 and less than 250 tons per year of any one pollutant;

(3) an asphalt plant described in 18 AAC 50.502(b)(1);

(4) a thermal soil remediation unit described in 18 AAC 50.502(b)(2);

(5) a rock crusher described in 18 AAC 50.502(b)(3);

(6) an incinerator described in 18 AAC 50.502(b)(4);

(7) A Port of Anchorage stationary source;

(8) a coal preparation plant;

(9) a minor permit under 18 AAC 50.502(c)(1), if a construction permit is not required under AS 46.14.130(a) for that stationary source;

(10) a minor permit under 18 AAC 50.502(c)(3);

(11) a minor permit establishing or revising a plantwide applicability limitation (PAL) without an ambient air quality analysis;

(12) a minor permit establishing or revising a plantwide applicability limitation (PAL) with an ambient air quality analysis;

(13) an adjudicatory hearing under 18 AAC 15.195 – 18 AAC 15.340, if requested under 18 AAC 50.260(m), 18 AAC 50.306(e), 18 AAC 50.326(k), or 18 AAC 50.542(d) by the permit applicant; at the request of the permittee, and if the permittee is current on all other billings in the

Department, the Department will hold in abeyance a fee charged under this paragraph during the course of the adjudicatory hearing;

(14) a minor modification to a Title V permit under 40 C.F.R. 71.7(e)(1), adopted by reference in 18 AAC 50.040;

(15) a significant modification to a Title V permit under 40 C.F.R. 71.7(e)(3), adopted by reference in 18 AAC 50.040;

(16) revision or rescission of terms or conditions of a Title I permit;

(17) department observation of a source test conducted;

(18) pre-application assistance, including services under 18 AAC 50.260;

(19) Department review of a modeling protocol;

(20) Department review of a request for open burning under 18 AAC 50.065, if the department determines that smoke incursion into a public place, into an airport, into a Class I area, into a nonattainment area for carbon monoxide or PM-10, or into a maintenance area for carbon monoxide or PM-10 is likely;

(21) compliance and enforcement activities, including preparation of a notice or violation, compliance order by consent, settlement agreement, or consent decree; however, for purposes of this paragraph, compliance and enforcement activities do not include activities after the filing of a complaint in court;

(22) completion of a permitting action that was requested before January 29, 2005, except as provided in 18 AAC 50.405;

(23) the reopening of permit terms or conditions at the request of the permittee, owner, or operator before issuance of a permit;

(24) a minor permit issued using the fast track procedures in 18 AAC 50.542(b) – (e);

(25) an administrative amendment of a Title I permit or approval to operate under AS 46.14.285;

(26) an owner requested limit associated with a Title I permit under 18 AAC 50.508(5).”