

## Description of the Proposed Changes to 18 AAC 50

### Fee Regulations

February 2022

Section	Discussion	Reason for Change
18 AAC 50.030(a)	18 AAC 50.030(a)—Update Volume III, Appendix to Volume II, Section II.A to adopt the revised regulations into the SIP.	DEC is amending the adoption date of the section to reflect the adoption of updated regulations.
18 AAC 50.400	18 AAC 50.400—Adjust fees and establish new fees throughout 18 AAC 50.400 based on the 2021 Fee Study Report. Clarify language. Repeal and replace section due to the repeal of some paragraphs throughout section.	Revised and new fees are being set based on the 2021 Fee Study and Report. Some language is being revised for consistency throughout the section. Significant enough changes are being made to this section that the Dept. of Law drafting manual recommends repeal and reoption of the whole section.
18 AAC 50.400(a)	18 AAC 50.400(a)—Adjust fees based on the 2021 Fee Study Report.	Revised fees are being set based on the 2021 Fee Study and Report.
18 AAC 50.400(b)	18 AAC 50.400(b)—Clarify language.	Language is being revised for consistency throughout the section.

18 AAC 50.400(c)	18 AAC 50.400(c)—Clarifying general permit fees, including compliance fees.	DEC is clarifying general permit fees, including how compliance fees for new and renewed/revised general permits will be billed.
18 AAC 50.400(d)	18 AAC 50.400(d)—Adjust fees based on the 2021 Fee Study Report.	Revised and new fees and fee calculation procedures are being set based on the 2021 Fee Study and Report.
18 AAC 50.400(e)	18 AAC 50.400(e)—Eliminate fee for fee review under 18 AAC 15.190	DEC is eliminating this fee because it determined in the 2021 Fee Study that it is no longer necessary.
18 AAC 50.400(f)	18 AAC 50.400(f)—Adjust fees based on the 2021 Fee Study Report.	Revised fees are being set based on the 2021 Fee Study and Report.
18 AAC 50.400(g)	18 AAC 50.400(g)—Adjust fee based on the 2021 Fee Study Report.	Revised fee is being set based on the 2021 Fee Study and Report.
18 AAC 50.400(h)	18 AAC 50.400(h)—Add compliance to the fees that can be charged under this section.	DEC is clarifying that compliance fees for which there is no established flat fee will be charged as a designated regulatory service under this section.

18 AAC 50.400(i)	18 AAC 50.400(i)—Revise definitions and add new definitions for fee types.	DEC is revising definitions for consistency and adding new definitions for clarity.
18 AAC 50.400	18 AAC 50.400—Add Editor’s note to explain where application fees for general permits can be found on the department’s webpage.	DEC is making it clear where applicants can find the application fees for general permits.
18 AAC 50.410(a)	18 AAC 50.410(a)—Eliminate the exemption from emission fees for pollutants emitted at less than 10 tons per year (TPY).	In the Fee Study, DEC determined that emission fee exemption for pollutants emitted at < 10 TPY is outdated, adds unneeded complexity to the emissions fees accounts, and is a potential loss of revenue for the Program. Therefore, the less than 10 TPY limit is proposed to be eliminated
18 AAC 50.410(b)	18 AAC 50.410(b)—Revised emission fee rates.	DEC is revising the emission fee rates based on the results of the 2021 Fee Study.
18 AAC 50.410(g)	18 AAC 50.410(c)—Revised emission fee rates.	DEC is revising the emission fee rates based on the results of the 2021 Fee Study.
18 AAC 50.420	18 AAC 50.420—Clarifying the billing procedures and amending the dates for supplemental billing.	DEC is amending the dates for supplemental billing to allow for the billing or crediting of prorated revised fees that will come into effect in the middle of a fiscal year.