Non-Title V Fee
Third Webinar

June 15, 2018
Topics Covered

- Stakeholders & Agency Collaboration
- APC Cost Saving Initiatives
- Updated Revenue and Expense Projections
- Non-Title V Fee Strawmen
- How to Provide Input
- Website
Stakeholders & Agency Collaboration

- Previous webinars
- Initial Survey
- Comments received via email and during our webinars
Cost Saving Initiatives

- Participation in Statewide Alternative Workplace Solutions Pilot Project
  - Preliminary results show an increase of productivity
  - Real estate cost savings to be realized upon leases ending or renegotiation
- Select staff positions will remain unfilled due to personnel retirements
- Maintain a staff vacancy rate of 16% through FY2019
  - Fill only limited positions to ensure vital services are provided and succession plans are maintained
- Diligent review of monthly expense reports to ensure accuracy
- Evaluation of all aspects of APC operations to find efficiencies and savings
  - Reorganization to Sector-based Permitting
  - Permit-by-rule & General Permit
- Reduction of staff travel not related to critical work functions
Historical and Projected Income vs. Expenses and End-of-Year Reserve*

*Updated with revenue and expense data as it becomes available
<table>
<thead>
<tr>
<th>Fee</th>
<th>Current</th>
<th>Strawman #1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Emissions Fee</td>
<td>$18.75/ton</td>
<td>$18.75/ton</td>
</tr>
<tr>
<td>Annual Conditional Major Review Fee</td>
<td>$250 to $2,000, depending on allowable emissions</td>
<td>$1,000 to $5,000, depending on allowable emissions</td>
</tr>
<tr>
<td>Annual Base Fee</td>
<td>None</td>
<td>$250 to $1,000 per facility, depending on allowable emissions</td>
</tr>
<tr>
<td>Construction Permit Fee</td>
<td>$100 to $5,000 per application, depending on emissions listed in application</td>
<td>$200 to $5,000 per application, depending on emissions listed in application</td>
</tr>
<tr>
<td>Modification Permit Fee</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $500</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $2,500</td>
</tr>
</tbody>
</table>
Strawman #1
Variable Base and Variable Conditional Major Review Fees

- Developed with Assistance from TDEC Small Business Ombudsman

<table>
<thead>
<tr>
<th>Fee System Statistics</th>
<th>Current Fee System</th>
<th>Strawman #1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Annual Fee - True Minor Source*</td>
<td>$1,097/yr</td>
<td>$1,502/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - True Minor Source*</td>
<td>$186/yr</td>
<td>$436/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - True Minor Source*</td>
<td>$22,160/yr</td>
<td>$23,160/yr</td>
</tr>
<tr>
<td>Average Annual Fee - Conditional Major Source**</td>
<td>$3,220/yr</td>
<td>$5,606/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - Conditional Major Source**</td>
<td>$436/yr</td>
<td>$1,436/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - Conditional Major**</td>
<td>$11,592/yr</td>
<td>$14,592/yr</td>
</tr>
</tbody>
</table>

*Current System Includes Emissions Fee; Strawman Includes Emission Fee + Base Fee
**Current System Includes Emission Fee + CM Review Fee; Strawman Includes Emission Fee + Base Fee + CM Review Fee
## Strawman #2

### Flat Base Fee and Variable Conditional Major Review Fee

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Strawman #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Emissions Fee</td>
<td>$18.75/ton</td>
<td>$18.75/ton</td>
</tr>
<tr>
<td>Annual Conditional Major Review Fee</td>
<td>$250 to $2,000, depending on allowable emissions</td>
<td>$1,000 to $5,000, depending on allowable emissions</td>
</tr>
<tr>
<td>Annual Base Fee</td>
<td>None</td>
<td>$475 per facility</td>
</tr>
<tr>
<td>Construction Permit Fee</td>
<td>$100 to $5,000 per application, depending on emissions listed in application</td>
<td>$200 to $5,000 per application, depending on emissions listed in application</td>
</tr>
<tr>
<td>Modification Permit Fee</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $500</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $2,500</td>
</tr>
</tbody>
</table>
Strawman #2
Flat Base Fee and Variable Conditional Major Review Fee

• Similar to Strawman #1, but with Fixed Base Fee instead of Base Fee that varies with Allowable Emissions

<table>
<thead>
<tr>
<th>Fee System Statistics</th>
<th>Current Fee System</th>
<th>Strawman #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Annual Fee - True Minor Source*</td>
<td>$1,097/yr</td>
<td>$1,572/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - True Minor Source*</td>
<td>$186/yr</td>
<td>$661/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - True Minor Source*</td>
<td>$22,160/yr</td>
<td>$22,635/yr</td>
</tr>
<tr>
<td>Average Annual Fee - Conditional Major Source**</td>
<td>$3,220/yr</td>
<td>$5,422/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - Conditional Major Source**</td>
<td>$436/yr</td>
<td>$1,661/yr</td>
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<tr>
<td>Maximum Annual Fee - Conditional Major**</td>
<td>$11,592/yr</td>
<td>$14,067/yr</td>
</tr>
</tbody>
</table>

*Current System Includes Emissions Fee; Strawman Includes Emission Fee + Base Fee
**Current System Includes Emission Fee + CM Review Fee; Strawman Includes Emission Fee + Base Fee + CM Review Fee
## Strawman #3
Variable Base Fee and Flat Conditional Major Review Fee

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Strawman #3</th>
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</thead>
<tbody>
<tr>
<td>Annual Emissions Fee</td>
<td>$18.75/ton</td>
<td>$18.75/ton</td>
</tr>
<tr>
<td>Annual Conditional Major Review Fee</td>
<td>$250 to $2,000, depending on allowable emissions</td>
<td>$2,700 per facility</td>
</tr>
<tr>
<td>Annual Base Fee</td>
<td>None</td>
<td>$250 to $1,000 per facility, depending on allowable emissions</td>
</tr>
<tr>
<td>Construction Permit Fee</td>
<td>$100 to $5,000 per application, depending on emissions listed in application</td>
<td>$200 to $5,000 per application, depending on emissions listed in application</td>
</tr>
<tr>
<td>Modification Permit Fee</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $500</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $2,500</td>
</tr>
</tbody>
</table>
Strawman #3
Variable Base Fee and Flat Conditional Major Review Fee

- Similar to Strawman #1, but with Fixed CM Review Fee instead of CM Review Fee that varies with Allowable Emissions

<table>
<thead>
<tr>
<th>Fee System Statistics</th>
<th>Current Fee System</th>
<th>Strawman #3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Annual Fee - True Minor Source*</td>
<td>$1,097/yr</td>
<td>$1,502/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - True Minor Source*</td>
<td>$186/yr</td>
<td>$436/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - True Minor Source*</td>
<td>$22,160/yr</td>
<td>$23,160/yr</td>
</tr>
<tr>
<td>Average Annual Fee - Conditional Major Source**</td>
<td>$3,220/yr</td>
<td>$5,639/yr</td>
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<tr>
<td>Minimum Annual Fee - Conditional Major Source**</td>
<td>$436/yr</td>
<td>$3,136/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - Conditional Major**</td>
<td>$11,592/yr</td>
<td>$13,292/yr</td>
</tr>
</tbody>
</table>

*Current System Includes Emissions Fee; Strawman Includes Emission Fee + Base Fee
**Current System Includes Emissions Fee + CM Review Fee; Strawman Includes Emission Fee + Base Fee + CM Review Fee
<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Strawman #4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Emissions Fee</td>
<td>$18.75/ton</td>
<td>$18.75/ton</td>
</tr>
<tr>
<td>Annual Conditional Major Review Fee</td>
<td>$250 to $2,000, depending on allowable emissions</td>
<td>$1,000 to $5,000, depending on allowable emissions</td>
</tr>
<tr>
<td>Annual Base Fee</td>
<td>None</td>
<td>$200 to $500 per facility, depending on allowable emissions</td>
</tr>
<tr>
<td>Construction Permit Fee</td>
<td>$100 to $5,000 per application, depending on emissions listed in application</td>
<td>$700 to $7,500 per application, depending on emissions listed in application</td>
</tr>
<tr>
<td>Modification Permit Fee</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $500</td>
<td>50% of Construction Permit Fee, depending on emissions listed in application, not to exceed $3,750</td>
</tr>
</tbody>
</table>
**Strawman #4 - Lower Variable Base Fee, Variable CM Review Fee, and Higher Construction & Modification Fees**

- Similar to Strawman #1, but with Higher Construction Permit Fee and Modification Fee and Lower Base Fee (which varies based on allowable emissions)

<table>
<thead>
<tr>
<th>Fee System Statistics</th>
<th>Current Fee System</th>
<th>Strawman #4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Annual Fee - True Minor Source*</td>
<td>$1,097/yr</td>
<td>$1,380/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - True Minor Source*</td>
<td>$186/yr</td>
<td>$386/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - True Minor Source*</td>
<td>$22,160/yr</td>
<td>$22,660/yr</td>
</tr>
<tr>
<td>Average Annual Fee - Conditional Major Source**</td>
<td>$3,220/yr</td>
<td>$5,335/yr</td>
</tr>
<tr>
<td>Minimum Annual Fee - Conditional Major Source**</td>
<td>$436/yr</td>
<td>$1,386/yr</td>
</tr>
<tr>
<td>Maximum Annual Fee - Conditional Major Source**</td>
<td>$11,592/yr</td>
<td>$14,092/yr</td>
</tr>
</tbody>
</table>

*Current System Includes Emissions Fee; Strawman Includes Emission Fee + Base Fee  
**Current System Includes Emissions Fee + CM Review Fee; Strawman Includes Emission Fee + Base Fee + CM Review Fee
## Comparison of Strawmen Base Fee

<table>
<thead>
<tr>
<th>Facility Emissions</th>
<th>Current</th>
<th>SM#1</th>
<th>SM#2</th>
<th>SM#3</th>
<th>SM#4</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 &lt;= tons &lt; 10</td>
<td>$0</td>
<td>$250</td>
<td>$475</td>
<td>$250</td>
<td>$200</td>
</tr>
<tr>
<td>10 &lt;= tons &lt; 25</td>
<td>$0</td>
<td>$250</td>
<td>$475</td>
<td>$250</td>
<td>$200</td>
</tr>
<tr>
<td>25 &lt;= tons &lt; 50</td>
<td>$0</td>
<td>$250</td>
<td>$475</td>
<td>$250</td>
<td>$200</td>
</tr>
<tr>
<td>50 &lt;= tons &lt; 100</td>
<td>$0</td>
<td>$500</td>
<td>$475</td>
<td>$500</td>
<td>$350</td>
</tr>
<tr>
<td>100 &lt;= tons &lt; 150</td>
<td>$0</td>
<td>$500</td>
<td>$475</td>
<td>$500</td>
<td>$350</td>
</tr>
<tr>
<td>150 &lt;= tons &lt; 250</td>
<td>$0</td>
<td>$1,000</td>
<td>$475</td>
<td>$1,000</td>
<td>$500</td>
</tr>
<tr>
<td>250 &lt;= tons &lt; 500</td>
<td>$0</td>
<td>$1,000</td>
<td>$475</td>
<td>$1,000</td>
<td>$500</td>
</tr>
<tr>
<td>500 &lt;= tons &lt; 1000</td>
<td>$0</td>
<td>$1,000</td>
<td>$475</td>
<td>$1,000</td>
<td>$500</td>
</tr>
<tr>
<td>1000 &lt;= tons &lt; 5000</td>
<td>$0</td>
<td>$1,000</td>
<td>$475</td>
<td>$1,000</td>
<td>$500</td>
</tr>
<tr>
<td>tons &gt;= 5000</td>
<td>$0</td>
<td>$1,000</td>
<td>$475</td>
<td>$1,000</td>
<td>$500</td>
</tr>
</tbody>
</table>
## Comparison of Strawmen Conditional Major Review Fee

<table>
<thead>
<tr>
<th>CM Review Fee</th>
<th>Current</th>
<th>SM#1</th>
<th>SM#2</th>
<th>SM#3</th>
<th>SM#4</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 &lt;= tons &lt; 10</td>
<td>$250</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$2,700</td>
<td>$1,000</td>
</tr>
<tr>
<td>10 &lt;= tons &lt; 25</td>
<td>$250</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$2,700</td>
<td>$1,000</td>
</tr>
<tr>
<td>25 &lt;= tons &lt; 50</td>
<td>$250</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$2,700</td>
<td>$1,000</td>
</tr>
<tr>
<td>50 &lt;= tons &lt; 100</td>
<td>$500</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$2,700</td>
<td>$2,000</td>
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<tr>
<td>100 &lt;= tons &lt; 150</td>
<td>$1,000</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$2,700</td>
<td>$3,000</td>
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<tr>
<td>150 &lt;= tons &lt; 250</td>
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<td>$3,000</td>
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<td>$3,000</td>
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<tr>
<td>250 &lt;= tons &lt; 500</td>
<td>$2,000</td>
<td>$4,000</td>
<td>$4,000</td>
<td>$2,700</td>
<td>$4,000</td>
</tr>
<tr>
<td>500 &lt;= tons &lt; 1000</td>
<td>$2,000</td>
<td>$4,000</td>
<td>$4,000</td>
<td>$2,700</td>
<td>$4,000</td>
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<tr>
<td>1000 &lt;= tons &lt; 5000</td>
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<td>$4,500</td>
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<td>$2,700</td>
<td>$4,500</td>
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<td>tons &gt;= 5000</td>
<td>$2,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$2,700</td>
<td>$5,000</td>
</tr>
</tbody>
</table>
## Comparison of Strawmen Construction Permit Fee

<table>
<thead>
<tr>
<th>Const. Permit Fees</th>
<th>Current</th>
<th>SM#1</th>
<th>SM#2</th>
<th>SM#3</th>
<th>SM#4</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 &lt;= tons &lt; 10</td>
<td>$100</td>
<td>$200</td>
<td>$200</td>
<td>$200</td>
<td>$700</td>
</tr>
<tr>
<td>10 &lt;= tons &lt; 25</td>
<td>$500</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$1,500</td>
</tr>
<tr>
<td>25 &lt;= tons &lt; 50</td>
<td>$500</td>
<td>$1,500</td>
<td>$1,500</td>
<td>$1,500</td>
<td>$2,000</td>
</tr>
<tr>
<td>50 &lt;= tons &lt; 100</td>
<td>$500</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>100 &lt;= tons &lt; 150</td>
<td>$1,000</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$4,000</td>
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<tr>
<td>150 &lt;= tons &lt; 250</td>
<td>$1,000</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>250 &lt;= tons &lt; 500</td>
<td>$2,000</td>
<td>$3,500</td>
<td>$3,500</td>
<td>$3,500</td>
<td>$6,000</td>
</tr>
<tr>
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<td>$4,000</td>
<td>$4,000</td>
<td>$4,000</td>
<td>$7,000</td>
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<tr>
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<td>$4,500</td>
<td>$4,500</td>
<td>$4,500</td>
<td>$7,500</td>
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<tr>
<td>tons &gt;= 5000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$7,500</td>
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</tbody>
</table>
# Comparison of Strawmen Modification Permit Fee

<table>
<thead>
<tr>
<th>Source Mod Fee</th>
<th>Current</th>
<th>SM#1</th>
<th>SM#2</th>
<th>SM#3</th>
<th>SM#4</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 &lt;= tons &lt; 10</td>
<td>$50</td>
<td>$100</td>
<td>$100</td>
<td>$100</td>
<td>$350</td>
</tr>
<tr>
<td>10 &lt;= tons &lt; 25</td>
<td>$250</td>
<td>$500</td>
<td>$500</td>
<td>$500</td>
<td>$750</td>
</tr>
<tr>
<td>25 &lt;= tons &lt; 50</td>
<td>$250</td>
<td>$750</td>
<td>$750</td>
<td>$750</td>
<td>$1,000</td>
</tr>
<tr>
<td>50 &lt;= tons &lt; 100</td>
<td>$250</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$1,000</td>
<td>$1,500</td>
</tr>
<tr>
<td>100 &lt;= tons &lt; 150</td>
<td>$500</td>
<td>$1,250</td>
<td>$1,250</td>
<td>$1,250</td>
<td>$2,000</td>
</tr>
<tr>
<td>150 &lt;= tons &lt; 250</td>
<td>$500</td>
<td>$1,500</td>
<td>$1,500</td>
<td>$1,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>250 &lt;= tons &lt; 500</td>
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<td>$2,000</td>
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<td>$3,500</td>
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<tr>
<td>1000 &lt;= tons &lt; 5000</td>
<td>$500</td>
<td>$2,250</td>
<td>$2,250</td>
<td>$2,250</td>
<td>$3,750</td>
</tr>
<tr>
<td>tons &gt;= 5000</td>
<td>$500</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$3,750</td>
</tr>
</tbody>
</table>
**Permit Modifications**

- **Definition** - A physical or operational change of an air contaminant source which increases the amount of regulated air contaminant emitted or which results in the emission of a regulated air contaminant not previously emitted.

- **A New Construction Permit is Required.** Payment of Construction Permit Fee when the Application is Submitted

- **Permit Modification Examples** –
  - Increase production rate above permitted limit or above design capacity provided in permit application
  - Increase emission rate
  - Addition of a new coating line if it will use the same control device as the existing line
Permit Amendments

• Existing Construction Permit Amended
• Currently NO Fees Required
• Examples:
  – Extend the expiration date (construction permits only, 63 requests in FY17)
  – Change of ownership
  – Facility name change
  – Add or revise a monitoring parameter (i.e., change minimum pressure drop)
  – Address change due to revision of street number (for e-911) or street name (not a change in location, which requires a new construction permit)
  – Remove a source(s) from a multi-source construction or operating permit
  – Extend a testing deadline
  – Correct typographical errors made by the Division
• Construction Permit Amendment Request Filed by an Applicant may incur an Application Fee
  – No Fee Required for Permit Amendment Initiated by Division of Air Pollution Control (e.g., to correct an error made by DAPC)
  – Fee Due with Request/Application

• In Fiscal Year 2017, APC issued 77 amendments of construction permits to non-Title V sources
General Permit Fee Option

- Currently no Fee Charged for General Permits
- General Permit Fee Option
  - Specific Fees Set for Each General Permit Type
  - Construction Permit Fee and Annual Emission Fee Less than that for a Traditional Permit
Visible Emissions Evaluation Course (Smoke School) Fees

• Current Fees
  – Initial Certification Tennessee Applicant - $125.00
  – Initial Certification Out-of-State Applicant - $175.00
  – Recertification Tennessee Applicant - $95.00
  – Recertification Out-of-State Applicant - $125.00

• Payment is due when registering for Smoke School (held twice per year per the EPA Method 9 certification requirements)

• Proposed Fees
  – Initial Certification - $180.00
  – Recertification - $150.00

• Current Amount Collected ~ $23,825/yr
• Estimated Collections with Proposed Fees ~ $37,040/yr
We Want Your Input

• Respond to survey provided by web link via email and on the Non-Title V fee website by Wednesday, June 27, 2018
  1. Select a Preference of Strawman:
     • # 1 – Variable Base Fee and Variable Conditional Major Review Fees
     • # 2 – Flat Base Fee and Variable Conditional Major Review Fees
     • # 3 – Variable Base Fee and Flat Conditional Major Review Fees
     • # 4 – Lower Variable Base Fee, Variable Conditional Major Review Fees, and Higher Construction & Modification Fees
  2. Questions about other services & fees
     • Submit comments and questions via email to:
       – air.permitting.permits@tn.gov
       – Include phrase “non-Title V fees” in subject line of email
     • Small businesses may contact Tennessee’s Small Business Environmental Assistance Program at:
       – bgsbeap@tn.gov
Non-Title V Fee Website

- https://www.tn.gov/environment/program-areas/apc-air-pollution-control-home/apc/permits-air/permit-fees/non-title-v-permit-fees.html

- Go to www.tn.gov/environment
  1. Select “Permitting”
  2. Select “Air Permits”
  3. Select “Permit and Annual Emission Fees”
  4. Select “non-Title V Annual Fees “ or “Construction and Modification Application Fees”
Face-to-Face Meetings at TDEC Environmental Field Offices:

- Jackson, 6/18/2018, 9:00 am central time
- Knoxville, 6/20/2018, 9:00 am eastern time
- Nashville, 6/22/2018, 9:00 am central time
Rulemaking Process – Tentative Time Frame

- Initial Board Briefing – 3/14/18
- Stakeholder Process – April through July, 2018
- Second Board Briefing with proposed rule – 8/8/2018
- Public Notice with Proposed Rule – No Later than 8/22/2018
- Webinar to Discuss Proposal ~ two weeks after public notice
- Public Hearing – 10/16/2018
- Board Adoption – 11/14/2018
- File with Secretary of State – No Later than 1/16/2019
- Effective Date of Rule – 4/16/2019
- Change in Fees Effective FY2020 (starts 7/1/2019)
Questions