

RULE 301.4 Greenhouse Gas Fee - Adopted 1/12/2012

I. Applicability

Requirements of this Rule shall apply to any stationary source that has actual Greenhouse Gas (GHG) emissions, in the prior calendar year, greater than or equal to 100,000 tons of Carbon Dioxide Equivalent (CO₂e) as calculated in accordance with 40 CFR Part 98.

II. Fee

Each source subject to this Rule shall pay a CPI Adjusted GHG fee per ton of CO₂e being emitted. This fee is in addition to any permit or other fees authorized to be collected from such sources. Payment shall be made in full within 30 days after receiving GHG fee invoice from District.

III. CPI Adjusted GHG Fee

CPI Adjusted means adjusted by the percentage, if any, by which the Consumer Price Index (CPI) for the year exceeds the CPI for calendar year 1989. The CPI Adjusted GHG Fee shall be one-tenth of one percent (0.1%) of the CPI Adjusted Part 70 Presumptive Minimum Fee (\$/ton), published each year by the Environmental Protection Agency (EPA), and rounded down to the nearest one-tenth of one cent.

Example: EPA's CPI Adjusted Part 70 Presumptive Minimum Fee (\$/ton) effective for the 12-month period of September 1, 2011 through August 31, 2012 is \$45.55. For a June 2012 permit renewal the CPI Adjusted GHG Fee would be rounded down to 4.5 cents (\$0.045) per ton of CO₂e.

IV. Fee Determination

Sources subject to this Rule shall submit an annual report of GHG emissions to the District no later than the thirty-first day of March. Annual GHG fee shall be determined by multiplying the actual CO₂e emissions of all GHG as determined in Section IV.A. or IV.B. below by the CPI Adjusted Fee for GHG (Annual GHG Fee = CO₂e tons/yr * CPI Adjusted GHG Fee).

A. For a Source that has been issued a Title V Permit:

The source shall provide the actual CO₂e emissions as required in District Rule 201.1, Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act Amendments of 1990, Section VII.B.7.f.

B. For a source subject to Title V that has not yet been issued a Title V Permit:

Actual CO₂e emissions for the prior calendar year shall be calculated in accordance with 40 CFR Part 98, Mandatory Greenhouse Gas Reporting and reported to the District.