

TITLE 326 AIR POLLUTION CONTROL DIVISION

Rule Information Sheet

Air Permit Fee Updates
LSA Document #20-21

Overview

On August 14, 2019, the Environmental Rules Board (board) approved a 27% increase in the fees associated with the Indiana Department of Environmental Management's (IDEM) Title V air permit program. This increase was in response to a statutory requirement included in Public Law 19-250, which directed the board to increase Title V air permit fees to cause the annual aggregate fee revenue to be two million dollars (\$2,000,000) greater than the aggregate fee revenue actually received from Title V air permit fees in the year immediately preceding the fee increase. The board's approval of a 27% increase in Title V air permit fees will increase fee revenue by approximately two million dollars (\$2,000,000) as compared to Fiscal Year 2018 fee revenue.

This rulemaking amends 326 IAC 2-1.1-7 to codify the 27% increase in Title V air permit fees which was approved by the board so that the Indiana Administrative Code reflects fee amounts actually being charged to regulated entities by IDEM. This rule was preliminarily adopted on September 9, 2020.

Affected Persons

Title V air permit holders and applicants will benefit from this rule since fees that are currently being charged by IDEM will be accurately reflected in the Indiana Administrative Code.

Reasons for the Rule

The increase in fees is statutorily required by Public Law 19-250 and was approved by the board on August 14, 2019. This rule would amend the Indiana Administrative Code to properly reflect the statutorily required and board-approved fee amounts.

Economic Impact of the Rule

Updating the Indiana Administrative Code to reflect the statutorily required fee increase would not have any impact on any individuals or business that are not already required to obtain a Title V air permit. To that end, there are nearly 700 sources in Indiana that require permits specifically described by Title V of the Clean Air Act. These sources will only be affected in that the Indiana Administrative Code will properly reflect the fee amounts that they are currently required to pay.

Scheduled Board Action and Hearings

First Public Hearing: September 9, 2020, at 1:30 p.m.

Second Public Hearing: November 18, 2020 at 1:30 p.m. through Zoom.

Join Zoom Meeting

<https://zoom.us/j/93846345845?pwd=eklqWHVKRk1LU1hGMVVzaStldDVxZz09>

By phone:

(312) 626-6799

(929) 205-6099

Meeting ID: 938 4634 5845

Password: 963768

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Seth Engdahl, Rules Development Branch, Office of Legal Counsel, (317) 234-9535, (800) 451-6027 (in Indiana), or SEngdahl@idem.in.gov.