

Rulemaking Hearing Rules
of
Tennessee Department of Environment and Conservation
Bureau of Environment
Division of Air Pollution Control

Chapter 1200-03-26
Administrative Fees Schedule

Amendment

Subparagraph (d) of paragraph (9) of rule 1200-03-26-.02 Construction and Annual Emission Fees is amended by striking "\$33.00" in the first sentence and inserting "\$37.00" in its place; by striking "\$22.50" in the second sentence and inserting "\$26.50" in its place; by striking the two citations to the period "July 1, 2006 through June 30, 2007" and inserting in their places "July 1, 2007 through June 30, 2008;" and in the third sentence by striking "\$5,000" and inserting "\$7,500" in its place and by striking the citations to the period "July 1, 2006 through June 30, 2007" and inserting in their places "July 1, 2007 through June 30, 2008;" so that, as amended, the subparagraph shall read:

- (d) The rate at which major source actual-based annual emission fees are assessed shall be \$37.00 per ton for the annual accounting period July 1, 2007 through June 30, 2008. The rate at which major source allowable-based annual emission fees are assessed shall be \$26.50 per ton for the annual accounting period July 1, 2007 through June 30, 2008. Notwithstanding any calculation of an annual fee using these rates, the annual fee that each major source is to pay shall not be less than \$7,500 for the annual accounting period July 1, 2007 through June 30, 2008. An annual revision to these rates and the minimum fee must result in the collection of sufficient fees to fund the activities identified in subparagraph 1200-03-26-.02(1)(c). These annual rates and the minimum fee shall be supported by the Division's annual workload analysis that is approved by the Board.

Authority: T.C.A. §§68-201-105, 4-5-202 et. Seq.

The rulemaking hearing rule set out herein was properly filed in the Department of State on the 16th day of April, 2008, and will become effective on the 30th day of June, 2008. (FS 04-10-08; DBID 2863)