

Rulemaking Hearing Rules

Tennessee Department of Environment And Conservation
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 the two citations to the period "July 1, 2005, through June 30, 2006," and inserting in their places "July 1, 2006, through June 30, 2007;" striking the value "\$4,500" in the third sentence and inserting in its place the value "\$5,000" and in the third sentence striking the two citations to the period "July 1, 2005, through June 30, 2006," and inserting in their places "July 1, 2006, through June 30, 2007;" 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, 2006, through June 30, 2007. 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, 2006, through June 30, 2007. 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 \$5,000 for the annual accounting period July 1, 2006, through June 30, 2007. 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 1200-3-26-.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.

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

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 16th day of April, 2007, and will become effective on the 30th day of June, 2007. (FS 04-13-07, DBID 2507)