

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL**

**SUBCHAPTER 5. REGISTRATION, EMISSION INVENTORY AND ANNUAL
OPERATING FEES**

252:100-5-2.3. Annual operating fees for area sources of air pollution.

(a) Applicability.

Area sources as defined in 40 CFR § 63.2 that are not subject to the permitting requirements in OAC 252:100-7 or 252:100-8 but are subject to one or more National Emission Standards for Hazardous Air Pollutants at 40 CFR Part 63, are subject to annual operating fees as provided in this section.

(b) Fee schedule.

(1) Gasoline dispensing facilities. Gasoline dispensing facility area sources that are subject to 40 CFR Part 63, Subpart CCCCCC, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, but not subject to the permitting requirements in OAC 252:100-7 or 252:100-8 shall pay an annual operating fee based on average monthly gasoline throughput.

(A) Gasoline stations with throughput of 10,000 gallons or less shall pay an annual operating fee of \$250.

(B) Gasoline stations with throughput of more than 10,000 gallons but less than 100,000 gallons shall pay an annual operating fee of \$500.

(C) Gasoline stations with throughput of 100,000 gallons or more shall pay an annual operating fee of \$750.

(2) Gasoline distribution bulk terminals, bulk plants, and pipeline facilities. Area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities that are subject to 40 CFR Part 63, Subpart BBBBBB, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, but not subject to the permitting requirements in OAC 252:100-7 or 252:100-8 shall pay an annual operating fee of \$500.

(3) Other existing area sources. Area sources as defined in 40 CFR § 63.2 that are not subject to the permitting requirements in OAC 252:100-7 or 252:100-8 but are subject to one or more NESHAP shall pay an annual operating fee of \$250.

(c) Payment. Stationary sources that are assessed annual operating fees for regulated toxic air pollutant emissions are subject to the provisions of OAC 252:100-5-2.2(c).

(d) Provisions for fee adjustment. The invoiced annual operating fees shall be discounted appropriately in any given year if the Department determines that other revenues, including appropriated state general revenue funds, have increased sufficiently to adequately fund the air program.