



Bureau of Air Pollution Control

**Annual Permit Emission Reporting & Fees:
Guidance and Important Deadlines**

As a source issued an Air Quality Operating Permit subject to the provisions of NAC445B.287, there is an annual emissions reporting requirement and a permit fee payment requirement that you must fulfill by the dates specified in regulation each year to maintain your air quality operating permit.

Annual Emissions Reporting Due March 1st

Throughout the life of your permit, you will annually receive an *Actual Production/Emissions Reporting Form* by the end of January. You must submit your completed report to the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP/BAPC) by March 1. A fact sheet entitled [How to Complete the Actual Production/Emissions Reporting Form](#) is available to assist you in this effort. This information is important to a wide array of issues including air quality planning, emissions modeling and economic development. It also provides a basis for assessing annual fiscal year fees as detailed in the next section.

In addition to the fact sheet, several NDEP staff members are available to provide technical assistance. You may contact Patrick A. Anderson at 775-687-9351 for Class 1 permits, and Joshua Martinez at 775-687-9367 or Andrew Tucker at 775-687-9499 for Class 2, 3 and 4 permits.

Annual Permit Fees Due June 30th

Throughout the life of your permit, you will annually receive a *Fiscal Year Invoice* by the end of May. You must submit the appropriate fee as detailed in your invoice by June 30. Prompt payment of this fee is a condition of retaining your facility's air quality operating permit for the upcoming fiscal year (July 1 through June 30) period. Failure to pay your fiscal year fees on time will result in an additional late penalty being added to your fee. Failure to pay your fees altogether will result in your facility's Air Quality Operating Permit (AQOP) being terminated and as a source subject to the provisions of NAC445B.287, you may not operate without a valid air quality operating permit.

For all permits, the annual permit fee is comprised of a regulatory-defined "maintenance" fee. Class 1 stationary source fees are comprised of this maintenance fee and also a regulatory-defined "emissions" fee. The maintenance fee will vary depending on the type of permit you have and the emissions fee is determined by multiplying your reported emissions by a regulatory-defined emissions fee multiplier.

Maintenance Fee

Class 1 Air Quality Operating Permit (AQOP). There are four annual maintenance fee tiers as follows:

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| • Major Stationary Source with PSD Permit | \$30,000 |
| • Major Stationary Source without/PSD Permit | \$25,000 |
| • Major Source with Title V Permit | \$20,000 |
| • Major Source with Title V Permit – Landfills | \$15,000 |

Class 1 Operating Permit to Construct. For new Class 1 sources, an Operating Permit to Construct (OPTC) may be issued prior to authorize construction before the issuance of a Class 1 AQOP. In this case, the OPTC becomes the billable permit until the Class 1 AQOP is issued. The OPTC annual maintenance fee is \$20,000 unless that facility is a Class 1 landfill site, in which case the annual maintenance fee is \$15,000.

Class1 Mercury Permit. The annual maintenance fee is the sum of an annually calculated per-thermal unit fee multiplied by the number of permitted thermal units at each applicable precious metal mine. Thermal units include roasters, autoclaves, carbon reactivation kilns, retorts, induction furnaces and electro winning systems. Each year \$500,000 is divided by the total number of applicable thermal units permitted industry-wide. The resultant value is the annual billable per-thermal unit fee for that year. (NAC 445B.3689.2(b))

Class 2 Air Quality Operating Permit. The Class 2 annual permit maintenance fee for a stationary source is based upon your facility's potential to emit (PTE) for any single regulated air pollutant excluding Carbon Monoxide (CO) or Greenhouse gases (GHGs) as defined in your facility's current permit. Please note that "PTE" is synonymous with your permit limit and that the maintenance fees are based on the permitted/PTE amount you may emit, not the actual amount you emit. The Class 2-stationary source maintenance fee tiers are as follows:

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| • PTE \geq 80 tpy of any 1 regulated pollutant (except CO & GHGs) | \$5,000 |
| • PTE for any single HAP \geq 8 tpy but $<$ 10 tpy | \$5,000 |
| • PTE for any combination of HAPs \geq 20 tpy but $<$ 25 tpy | \$5,000 |
| • PTE \geq 50 tpy of any 1 regulated pollutant (except CO & GHGs) but $<$ 80 tpy | \$3,000 |
| • PTE \geq 25 tpy of any 1 regulated pollutant (except CO & GHGs) but $<$ 50 tpy | \$1,000 |
| • PTE $<$ 25 tpy of any 1 regulated pollutant (except CO & GHGs) | \$500 |

Class 2 Surface Area Disturbance (SAD) Permit. The annual maintenance fee is based on the amount of acreage regulated in your permit. The SAD maintenance fee tiers are as follows:

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| • 500 acres and above | \$5,000 |
| • 200-499.9 acres | \$2,000 |
| • 100-199.9 acres | \$1,000 |
| • 50-99.9 acres | \$750 |
| • 20-49.9 acres | \$500 |
| • 5-19.9 acres | \$250 |

<u>Class 2 General Permit.</u> The annual maintenance fee is fixed.	\$500
<u>Class 3 Air Quality Operating Permit.</u> The annual maintenance fee is fixed.	\$250
<u>Class 4 Air Quality Operating Permit.</u> The annual maintenance fee is fixed.	\$50

Emissions Fee

Class 1 stationary sources (only) are subject to an emissions fee. The emissions fee is based on actual tons of pollutants emitted and therefore is a variable cost based on production levels. The emissions fee portion is based on historical emissions from the last full calendar year of operations for your facility and is determined by multiplying reported emissions, excluding carbon monoxide (CO) or greenhouse gases, by \$16.00 a ton.

Regulatory Authority

These fees have been determined based upon the provisions established in the Nevada Administrative Code (NAC) 445B.327 “Fees; late penalty” and the information you provide in your *Actual Production/Emissions Reporting Form*. In accordance with NAC 445B.327, both the AQOP maintenance fee and emissions fee is subject to a 2% inflationary adjustment multiplier to be triggered at the discretion of the Director of the NDEP.

Reminder

Payment of the full invoice amount is due on or before June 30, annually. An additional 25% late penalty will be assessed for all annual fees not paid within 30 days of the due date. Again, failure to pay your annual fiscal year fees may result in the termination of your air quality operating permit. Payments to the State for \$10,000 or more must be paid electronically. To submit electronic fee payments, the NDEP uses E-check payments through our secure website www.ndep.nv.gov/epayments. Payments must be made payable to the “Nevada State Treasurer, Environmental Protection” and include the full invoice # on the remittance. The following table summarizes the important dates you need to be aware of:

Actual Production/Emissions Reporting Form and Annual Fiscal Year Invoice Deadlines		
Report/Correspondence	NDEP/BAPC Issuance Deadline	Source Response Deadline
Actual Production/Emissions Reporting Form	January 31	March 1
Fiscal Year Invoice	May 30	June 30
Revised Fiscal Year Invoice w/25% late penalty	August 7	August 31
30 Day Notice of Intent to Terminate Permit	September 7	October 15
Termination of Permit w/10 day Appeal Window	October 7	October 31