

# Draft Rules – Edits Highlighted

## Key to Identifying Changed Text:

~~Strikethrough: Deleted Text~~

Underline: New/inserted text

### Division 216 AIR CONTAMINANT DISCHARGE PERMITS

#### 340-216-8020

#### Table 2 — Air Contaminant Discharge Permits

(1) Sources referred to in Table 1 of OAR 340-216-8010 are subject to air contaminant discharge permit fees in Table 2. Title V sources may be subject to the Cleaner Air Oregon annual fees and the specific activity permit fees in Table 2, if applicable.

(2) Requests for waiver of fees must be made in writing to the Director, on a case-by-case basis, and be based upon financial hardship. Applicants for waivers must describe the reason for the request and certify financial hardship. The Director may waive part or all of a fee.

[NOTE: For the history of these tables prior to 2014 see the history under OAR 340-216-0020.]

[\[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.\]](#)

**Statutory/Other Authority:** ORS 468.020, 468A.025, 468A.040 & 468A.310

**Statutes/Other Implemented:** ORS 468A

#### History:

DEQ 17-2023, amend filed 11/16/2023, effective 11/16/2023

DEQ 19-2022, amend filed 11/18/2022, effective 03/01/2023

DEQ 17-2020, amend filed 09/21/2020, effective 09/21/2020

DEQ 15-2019, amend filed 06/25/2019, effective 06/25/2019

DEQ 13-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018

DEQ 60-2017, minor correction filed 12/20/2017, effective 12/20/2017

DEQ 7-2015, f. & cert. ef. 4-16-15

DEQ 9-2014, f. & cert. ef. 6-26-14



State of Oregon Department of Environmental Quality

**OAR 340-216-8020****Table 2: Air Contaminant Discharge Permits**

<b>OAR 340-216-8020</b>		
<b>Table 2</b>		
<b>Air Contaminant Discharge Permits</b>		
<b>Part 1. Initial Permitting Application Fees: (in addition to first annual fee)</b>		
Short Term Activity ACDP		\$4,500.00
Basic ACDP		\$180.00
Assignment to General ACDP <sup>1</sup>		\$1,800.00
Simple ACDP		\$9,000.00
Construction ACDP		\$14,400.00
Standard ACDP		\$18,000.00
Standard ACDP (Major NSR or Type A State NSR)		\$63,000.00
1. DEQ may waive the assignment fee for an existing source requesting to be assigned to a General ACDP because the source is subject to a newly adopted area source NESHAP as long as the existing source requests assignment within 90 days of notification by DEQ.		
<b>Part 2. Annual Fees: (Due date 12/1<sup>1</sup> for 1/1 to 12/31 of the following year)</b>		
<b>(applicable July 1, 2022)</b>		
Registration – Motor vehicle surface coating operations		\$288.00
Registration - Dry cleaners using perchloroethylene		\$216.00
Short Term Activity ACDP		\$0
Basic ACDP	(A) #1-7 OAR 340-216-8010 Table 1 Part A	\$648.00
	(B) #8-9 OAR 340-216-8010 Table 1 Part A	\$1,469.00
General ACDP	(A) Fee Class One	\$1,469.00
	(B) Fee Class Two	\$2,644.00
	(C) Fee Class Three	\$3,818.00
	(D) Fee Class Four	\$734.00
	(E) Fee Class Five	\$245.00

**OAR 340-216-8020****Table 2****Air Contaminant Discharge Permits**

	(F) Fee Class Six	\$490.00
Simple ACDP	(A) Low Fee	\$3,917.00
	(B) High Fee	\$7,834.00
Standard ACDP		\$15,759.00
Greenhouse Gas Reporting, as required by OAR chapter 340, Division 215		<del>7.34</del> <u>\$500.00 or 20%</u> of the applicable ACDP annual fee in Part 2, <u>whichever is greater and not to exceed \$9,000</u>
<b>Part 3. Cleaner Air Oregon Annual Fees: (Due date 12/1 for 1/1 to 12/31 of the following year)</b>		
Basic ACDP	(A) #1-7 OAR 340-216-8010 Table 1 Part A	\$159.00
	(B) #8-9 OAR 340-216-8010 Table 1 Part A	\$316.00
General ACDP	(A) Fee Class One	\$315.00
	(B) Fee Class Two	\$569.00
	(C) Fee Class Three	\$823.00
	(D) Fee Class Four	\$159.00
	(E) Fee Class Five	\$53.00
	(F) Fee Class Six	\$105.00
Simple ACDP	(A) Low Fee	\$844.00
	(B) High Fee	\$1,687.00
Standard ACDP		\$3,377.00

**OAR 340-216-8020****Table 2****Air Contaminant Discharge Permits**

1. DEQ may extend the payment due date for dry cleaners or gasoline dispensing facilities until March 1st.

**Part 4. Specific Activity Fees:**

Notice of Intent to Construct Type 2 <sup>1</sup>		\$720.00
Permit Modification	(A) Non-Technical	\$432.00
	(B) Basic Technical	\$540.00
	(C) Simple Technical	\$1,800.00
	(D) Moderate Technical	\$9,000.00
	(E) Complex Technical	\$18,000.00
Toxic Air Contaminant Permit Addendum Modification	(A) Non-Technical	\$452.00
	(B) Basic Technical	\$452.00
	(C) Simple Technical	\$1,507.00
	(D) Moderate Technical	\$7,538.00
	(E) Complex Technical	\$15,118.00
Major NSR or Type A State NSR Permit Modification		\$63,000.00
Modeling Review (outside Major NSR or Type A State NSR)		\$9,000.00
Public Hearing at Source's Request		\$3,600.00
State MACT Determination		\$9,000.00
Compliance Order Monitoring <sup>2</sup>		\$180.00/month
<b>Part 5. Late Fees:</b>		
8-30 days late		5%
31-60 days late		10%
61 or more days late		20%

**OAR 340-216-8020****Table 2****Air Contaminant Discharge Permits**

1. The Type 2 Notice of Intent to Construct does not apply to existing Basic ACDP or General ACDP sources.
2. This is a one-time fee payable when a compliance order is established in a permit or a DEQ order containing a compliance schedule becomes a final order of DEQ and is based on the number of months DEQ will have to oversee the order.

**NOTE:** See history of this table under OAR 340-216-0020.

**340-220-0050****Specific Activity Fees**

(1) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source for the period of August 1, 2024 to July 31, 2025 as follows:

(a) Existing source permit revisions:

(A) Administrative\* — \$975;

(B) Simple — \$3,903;

(C) Moderate — \$29,276;

(D) Complex — \$58,552; and

(b) Ambient air monitoring review — \$7,807.

(2) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source as of August 1, 2025 as follows:

(a) Existing source permit revisions:

(A) Administrative\* — \$1,004;

(B) Simple — \$4,020;

(C) Moderate — \$30,154;

(D) Complex — \$60,308; and

(b) Ambient air monitoring review — \$8,041.

(3) DEQ will assess the following specific activity fee for an Oregon Title V Operating Permit program source for annual greenhouse gas reporting, as required by OAR 340-215-0060(1) — ~~15-20~~ percent of the following, not to exceed \$~~4,5009,000~~\*:

(a) The applicable annual base fee under OAR 340-220-0030 (for the period of November 15 of the current year to November 14 of the following year); and

(b) The applicable annual emission fee under OAR 340-220-0040.

(4) DEQ will assess the following specific activity fees for an Oregon Title V Operating Permit for Cleaner Air Oregon program implementation, as required by OAR 340-245-0400:

(a) The annual base fee of \$2,994; and

(b) The annual emission fee of \$22.63 per ton of each regulated pollutant for emissions during the previous calendar year, up to and including 7,000 tons of such emissions per year. The emission fee will be applied to emissions based on the elections made under OAR 340-220-0090.

[NOTE: \*Includes revisions specified in OAR 340-218-0150(1)(a) through (g). Other revisions specified in OAR 340-218-0150 are subject to simple, moderate or complex revision fees.]

**Statutory/Other Authority:** ORS 468 & 468A

**Statutes/Other Implemented:** ORS 468 & 468A

**History:**

DEQ 14-2024, amend filed 09/10/2024, effective 09/10/2024  
DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024  
DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024  
DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022  
DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021  
DEQ 23-2019, amend filed 10/08/2019, effective 10/08/2019  
DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019  
DEQ 7-2019, amend filed 02/15/2019, effective 02/15/2019  
DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018  
DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018  
DEQ 1-2017, f. & cert. ef. 1-19-17  
DEQ 7-2016, f. & cert. ef. 6-9-16  
DEQ 2-2015, f. & cert. ef. 1-7-15  
DEQ 10-2014, f. & cert. ef. 9-4-14  
DEQ 9-2012, f. & cert. ef. 12-11-12  
DEQ 5-2012, f. & cert. ef. 7-2-12  
DEQ 12-2011, f. & cert. ef. 7-21-11  
DEQ 11-2011, f. & cert. ef. 7-21-11  
DEQ 16-2010, f. & cert. ef. 12-20-10  
DEQ 12-2010, f. & cert. ef. 10-27-10  
Reverted to DEQ 10-2008, f. & cert. ef. 8-25-08  
DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10  
DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10  
DEQ 10-2008, f. & cert. ef. 8-25-08  
Reverted to DEQ 7-2006, f. & cert. ef. 6-30-06  
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08  
DEQ 7-2006, f. & cert. ef. 6-30-06  
DEQ 6-2005, f. & cert. ef. 7-11-05  
DEQ 6-2004, f. & cert. ef. 7-29-04  
DEQ 11-2003, f. & cert. ef. 7-23-03  
DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01  
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01  
DEQ 8-2000, f. & cert. ef. 6-6-00  
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2600  
DEQ 10-1999, f. & cert. ef. 7-1-99  
DEQ 12-1998, f. & cert. ef. 6-30-98  
DEQ 13-1994, f. & cert. ef. 5-19-94  
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93