Air Quality Non-Title V Fee Rule

Negotiated Rulemaking Meeting #1

Docket: 58-0101-2602

Monday, April 6, 2026

Michael Simon
Air Quality Division Administrator

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY



Housekeeping



Please sign in, if online, please add your full name and organization to the chat



Please silence your phones, on Teams, the microphones and cameras have been automatically disabled for this meeting



Raise your hand, or if online, use the "Raise Hand" or “Chat” to ask questions



Please introduce yourself before speaking, state your name and organization



Bathrooms are in the lobby



Emergency exits

Comments and Discussion

- This meeting will not be recorded
- To ensure we capture feedback accurately, all comments must be submitted in writing to Aislinn.Johns@deq.idaho.gov by April 13, 2026
- Follow the QR code to go to the docket website
- Treat others with respect

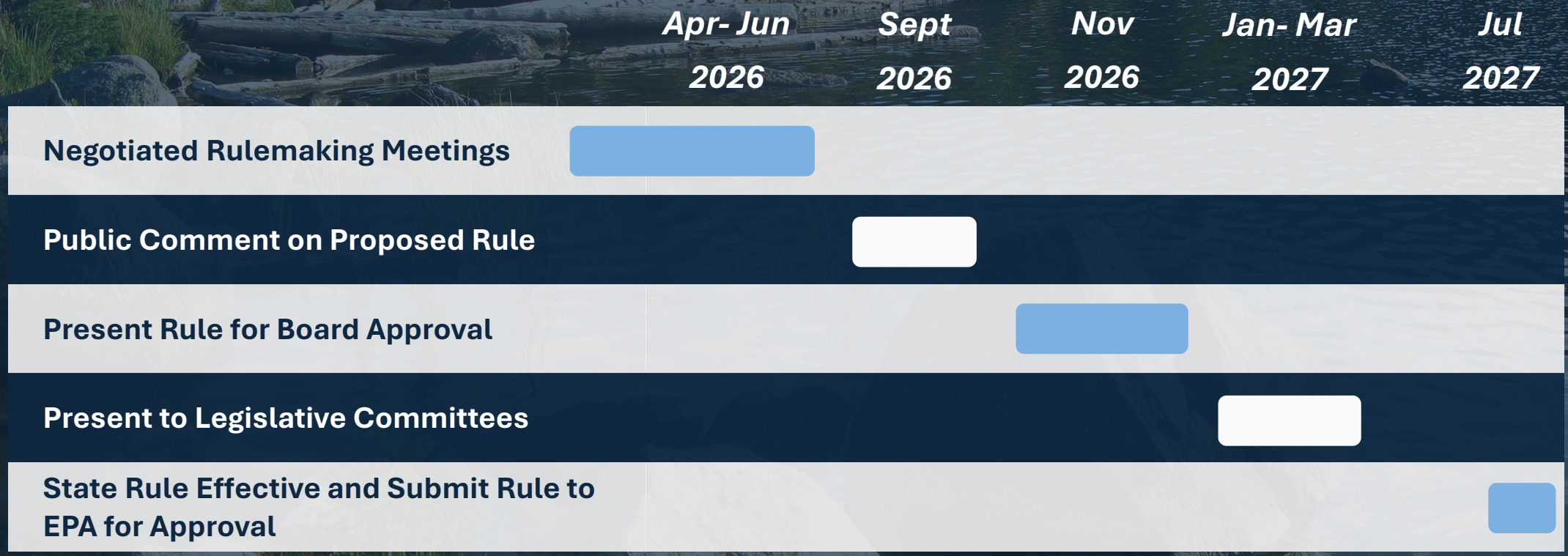
Agenda

- Welcome and Introductions
- Overview
- Discussion
- Next Steps
  - **Comments due April 13, 2026**
  - Next Meetings:
    - May 6, 2026 – 1:00 p.m. MT
    - June 1, 2026 – if needed

Introductions

- Michael Simon- Air Quality Division Administrator
- Zach Klotovich- Stationary Source Bureau Chief
- Aislinn Johns- Rules and Planning Supervisor
- Mary Anderson- Planning Bureau Chief
- Aaron Hoberg- Air Permitting Supervisor
- Cassidy Pearson- Airshed Management Analyst
- Diane Cutler- DEQ Rules and Planning Analyst
- Linda Brown- Chief Financial Officer
- Shane Henderson- Deputy Attorney General

Timeline


Apr- Jun 2026
Sept 2026
Nov 2026
Jan- Mar 2027
Jul 2027
Negotiated Rulemaking Meetings
Public Comment on Proposed Rule
Present Rule for Board Approval
Present to Legislative Committees
State Rule Effective and Submit Rule to EPA for Approval



PURPOSE

DEQ is revising the current air permitting fee structure

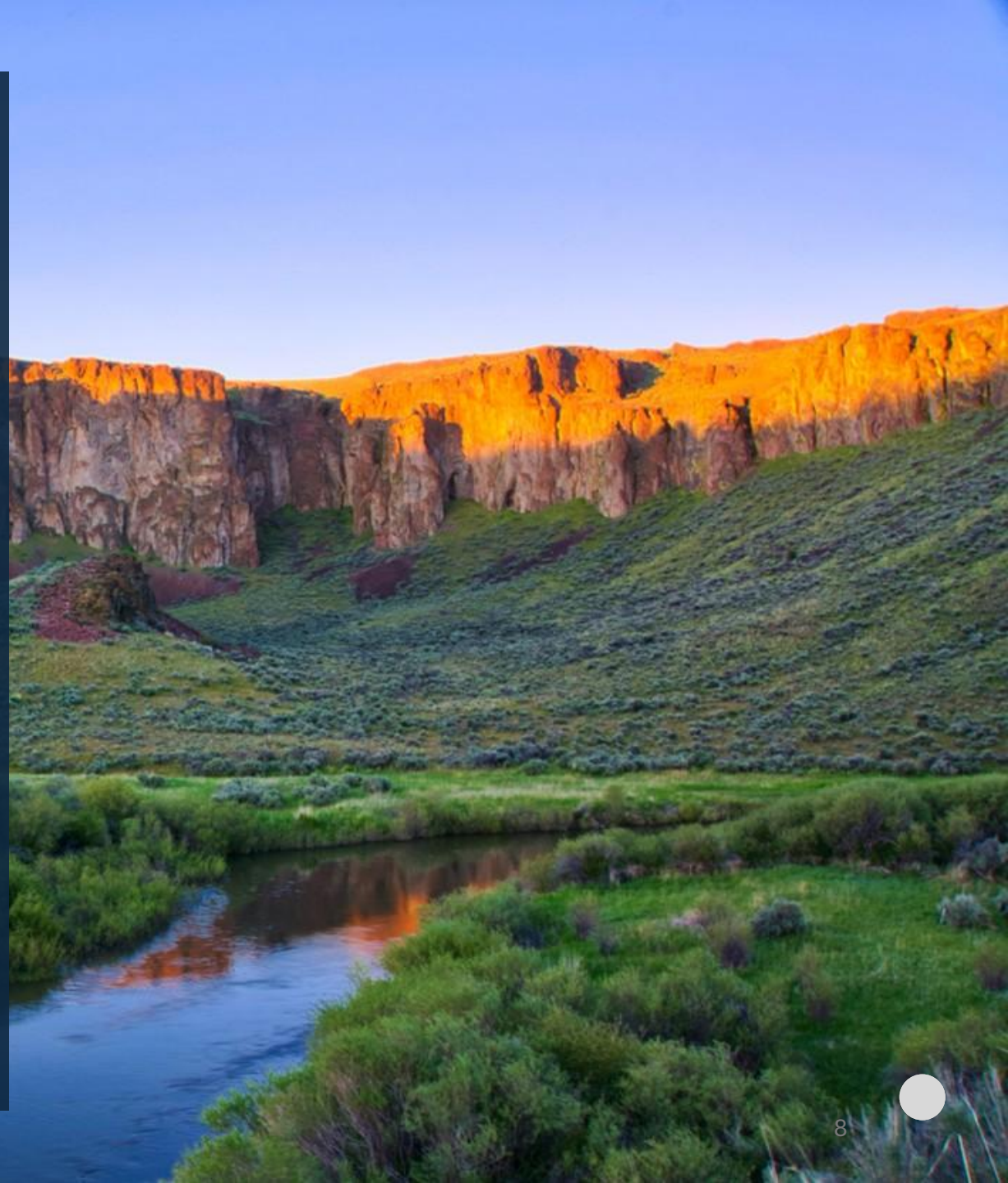
- To account for inflation
- Reduce reliance on state general funds
- Ensure long-term program sustainability

Background

- Permits to Construct and Tier II Operating Permit fees have not been updated since 2002

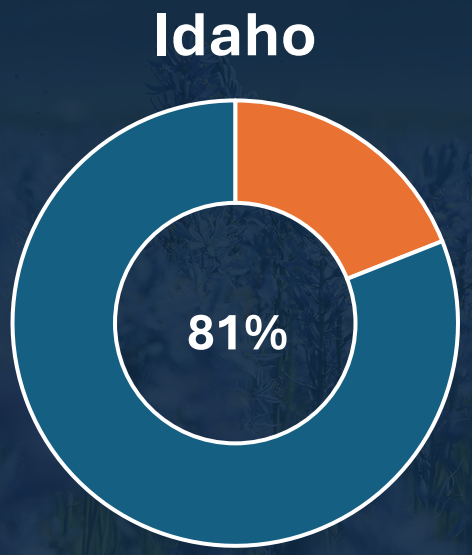
- Air Division relies heavily on general funds
  - Taxpayer funds budgeted to the agency from the legislature

- Legislature budget reduction

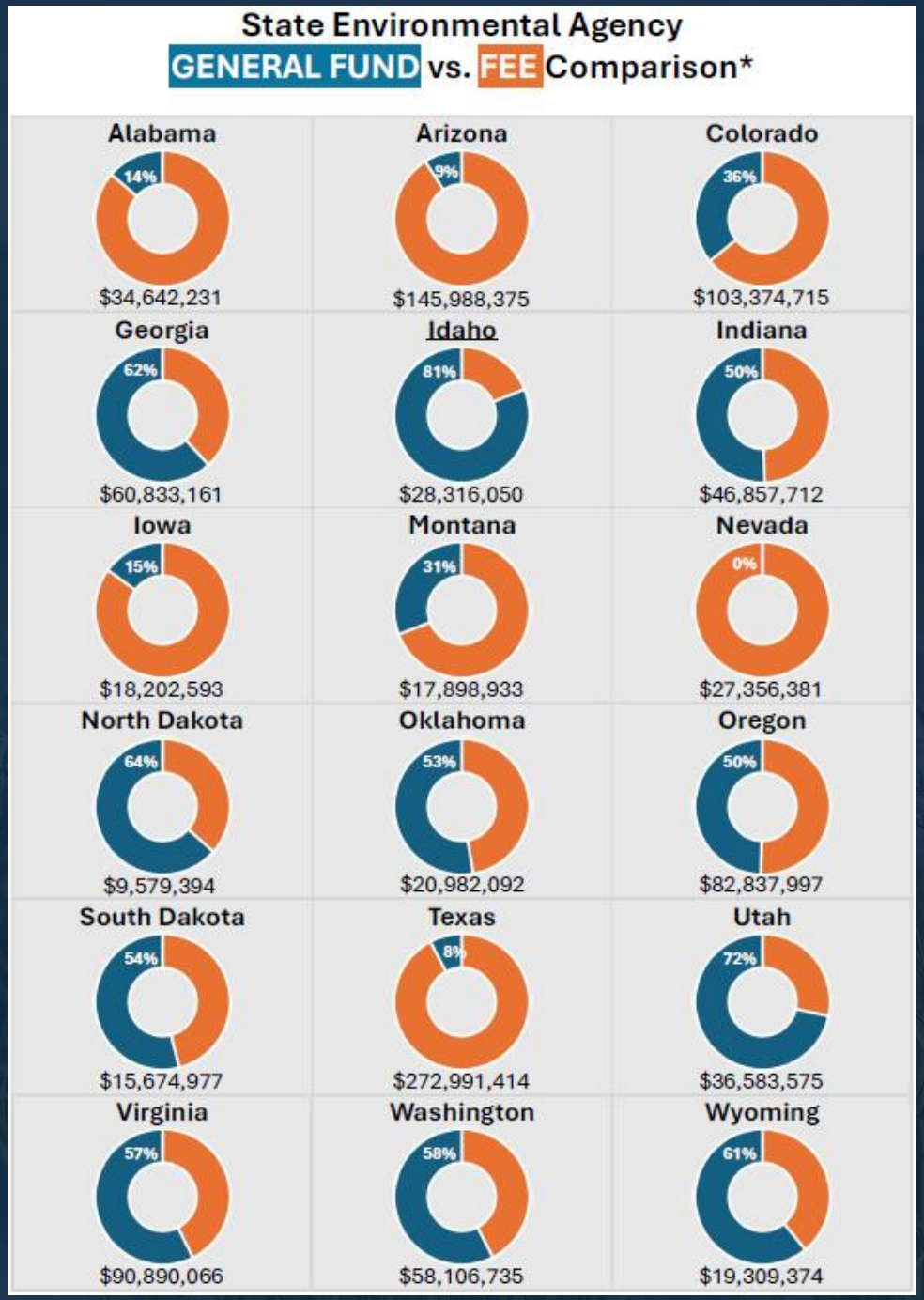


Comparing Funds

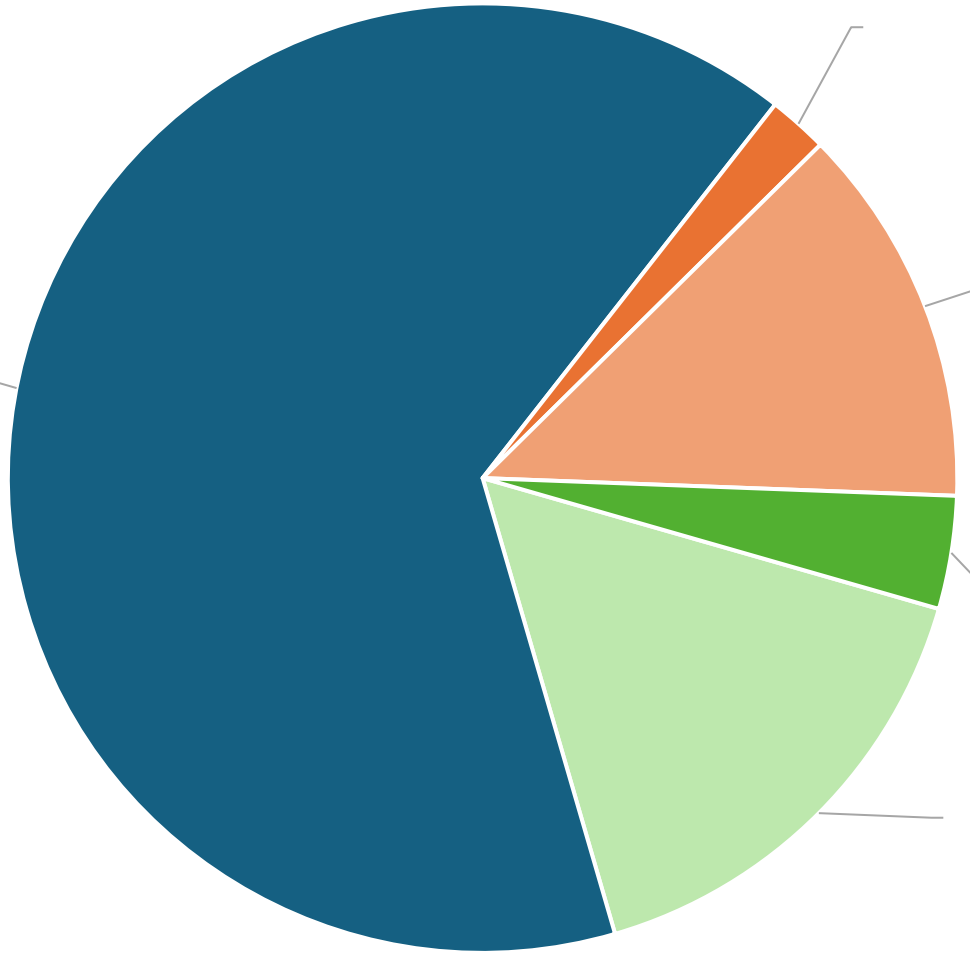
Idaho DEQ relies heavily on General Funds when compared to other states



* Survey conducted by ECOS and adjusted for one-time general funds. Mean of Fiscal Years 2020, 2021, 2022, and 2023 agency wide not just Air Permitting)



Air Quality Division Funding



Permitting Fees
$179,500
2%

Title V Fees
$1,147,667
13%

103 PM 2.5 FederalGrant
$340,000
4%

105 Air Base Federal Grant
$1,418,400
16%

General Funds
$5,748,900
65%



Proposed Fee Structure

Step 1. Application Fee

Submitted with application

Step 2. Processing Fee

Submitted before permit is issued

Step 3. Annual Fee (New)

Applies to non-Title V Sources

Step 1 Application and Registration Fee	Current	Proposed	Change
Permit to Construct or Tier II Operating permit	$1,000	$1,500	$500
Permit By Rule Registration	$250	$500	$250
General Minor Permit	$1,000	$500	($500)
Name or Ownership Change	$0	$500	$500
Pre-Permit Construction	$1,000	$3,000	$2,000
Exemption Concurrence Request	$0	$500	$500
Typographical errors: Permit changes to correct typographical errors provided in application that do not affect emissions	$0	$250	$250

Step 1 Application Fee

- Fees will be based on the service rather than one standard fee for all applications
- Administrative actions such typographical errors, ownership/name changes, and exemption concurrence requests will have an application fee
- Consumer Price Index (CPI) has increased ~81-82% since 2002

Step 2 Processing Fee	Current	Proposed	Change
Permit By Rule	$0	$0	$0
General Minor Permit	$500	$0	($500)
Name or Ownership Change	$0	$0	$0
Permit revisions where no engineering analysis is required [a]	$250	$375	$125
Permits to Construct [b]:			
New source or modification to existing source with combined pollutant emissions increase of:			
less than 1 ton per year or a requested decrease in potential emissions	$1,000	$1,500	$500
1 to less than 10 tons per year	$2,500	$3,750	$1,250
10 to less than 100 tons per year	$5,000	$7,500	$2,500
100 tons per year or more	$7,500	$11,250	$3,750
New major facility or major modification (PSD) first 150 hours	$10,000	$15,000	$5,000
151 hours or more requires additional hourly fee for service[c] for actual expenses incurred	NA	hourly	

a. For example, including but not limited to, no change of emissions or modeling is evaluated, or no applicability review of state or federal standards.
b. Fee is based on the total Facility Emission Cap limits for initial permits and renewals.
c. A fee for service that the Department will assess based on actual time expended and expenses incurred by the Department following application submittal

Step 2 Processing Fee

No processing fee required for a permit by rule, general minor permits, and name changes

Step 2 Processing Fee (continued)	Current	Proposed	Change
Tier II Operating Permits:			
New source and renewal of existing sources based on facility-wide potential to emit for combined pollutants) or modification of existing source based on the change in potential to emit for the modification):			
less than 1 ton per year or a requested decrease in potential emissions)	$1,250	$1,875	$625
1 to less than 10 tons per year	$2,500	$3,750	$1,250
10 to less than 100 tons per year	$5,000	$7,500	$2,500
100 tons per year or more	$10,000	$15,000	$5,000
Synthetic minor stationary sources with permitted emissions below a major threshold level	$10,000	$15,000	$5,000

Step 2 Processing Fee (Continued)

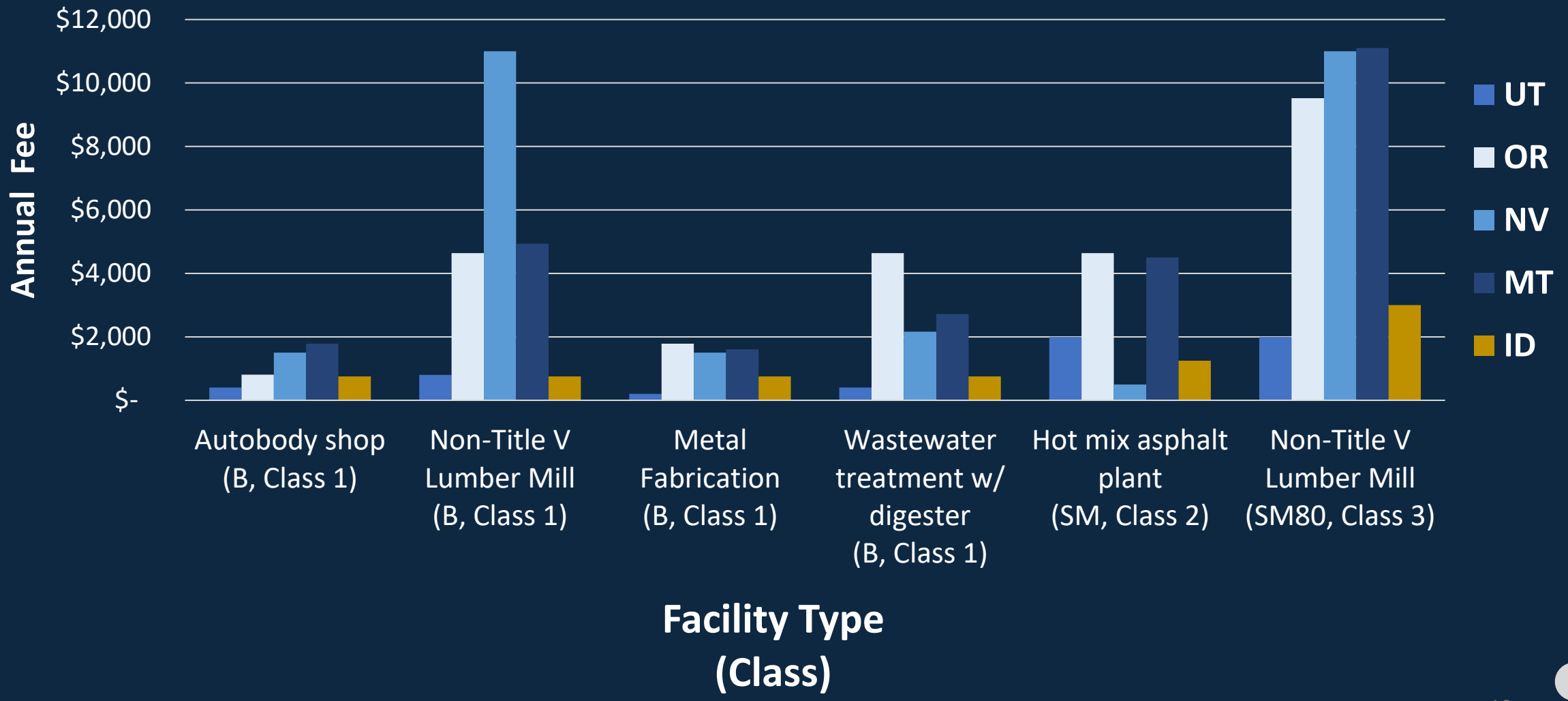
- Tier II Operating permit apply to a small number of sources

Step 3 Annual Fee	Current	Proposed	Change
Class 1 Sources	$0	$750	$750
Class 2 Sources	$0	$1,250	$1,250
Class 3 Sources	$0	$3,000	$3,000

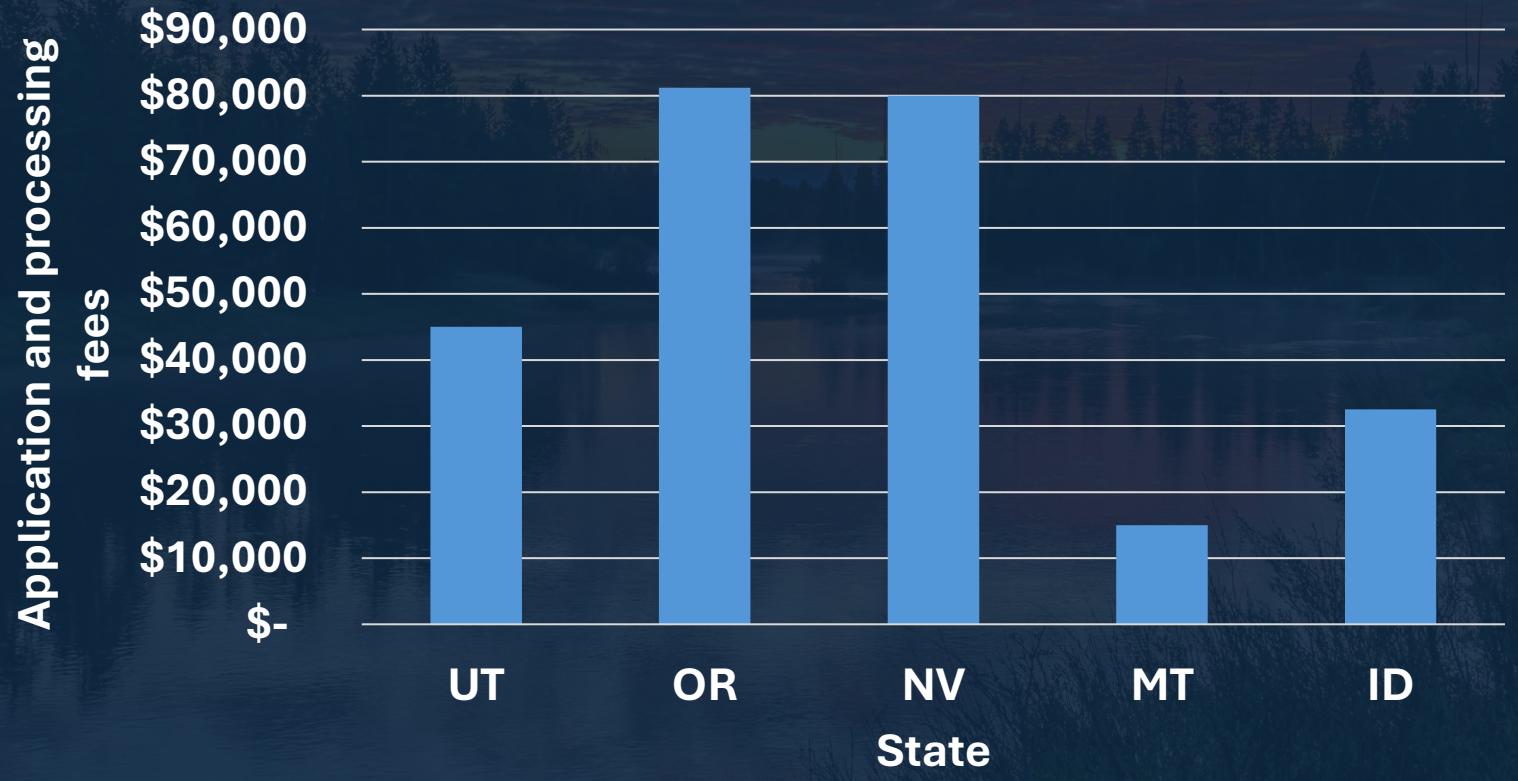
Step 3 Annual Fee

- Fees based on source class
  - Class 1 (B) ~ 575
  - Class 2 (SM) ~ 126
  - Class 3 (SM80) ~ 49
- Source class is based on the maximum single pollutant EPA Facility Classification Method
- No additional annual fees required for Title V sources

Annual Fees Comparison



PSD Application and Processing Fees Comparison



assuming 300 hours

Estimated Total Revenue

Fee Type	Current Total Fees Collected*	Estimated Total Fees Collected
Application and Processing Fees	179,500	$357,375
Annual Fees (NEW)	$0	$735,750
Total	$179,500	$1,093,125

*3-year FY23-FY25 average



Discussion and Rule Language

Next Steps and How to Comment

- To ensure we capture feedback accurately, all comments must be submitted in writing to Aislinn.Johns@deq.idaho.gov by April 13, 2026

- Upcoming meeting information, rule drafts, and rulemaking status will be posted on the DEQ docket website or use the QR code on this slide

- Next Meeting: Wednesday, May 6, 2026, at 1:00 p.m. MT

http://www.deq.idaho.gov/rules-and-guidance/rulemaking/air-quality-docket-no-58-0101-2602/