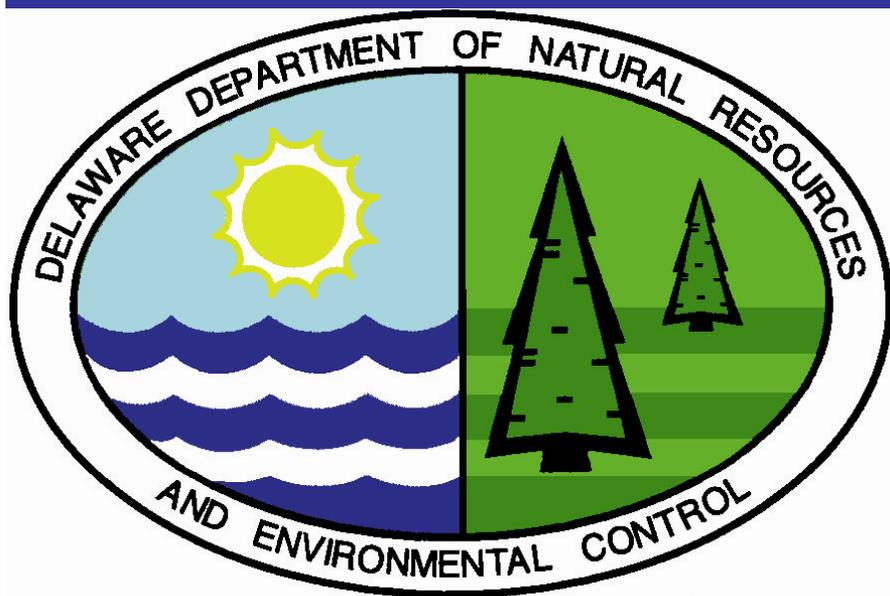


Title V Air Pollution Fee Committee

Introduction and Background



James D. Werner
Director, Air & Waste
Management Division

26 October 2007

Title V Fee Committee

- 7 Del. Code Chapter 60 defines the scope of the Title V Fee Committee:
 - Identifying amounts and sources of fees;
 - Tracking expenditures made to implement the program;
 - Providing information regarding the performance of the program;
 - Determining whether fees are adequate to effectively implement the program; and
 - Making recommendations to remedy deficiencies or improve the performance of the program.

Title V Fee Committee Members

- Secretary of DNREC or designee
- Director of DAWM or designee
- 2 representatives from stationary sources
 - 1 must be a member of the CIC
- 1 representative - Chamber of Commerce
- 1 representative - public utility
- 2 representatives - environmental advocacy group
- Chairperson, House Natural Resource Committee
- Chairperson, Senate Natural Resource Committee

Title V Fee Committee

Recent History

- Senate Bill 113 passed by Senate May 12, 2005
- SB 113 passed by House on June 28, 2005
- SB 113 signed by Governor July 12, 2005
(One-year Surcharge in 2007 session)
- SB 113 expires December 31, 2008

Title V Fees

- The fee schedule must result in the collection and retention of revenues sufficient to cover the permit program costs including:
 - preparing generally applicable regulations or guidance documents regarding the permit program or its implementation or enforcement;
 - reviewing and acting on any application for a permit, permit revision or permit renewal, including the development of an applicable requirement as part of the processing of a permit or permit revision or renewal;
 - general administrative costs of implementing the permit program, including the supporting and tracking of data;

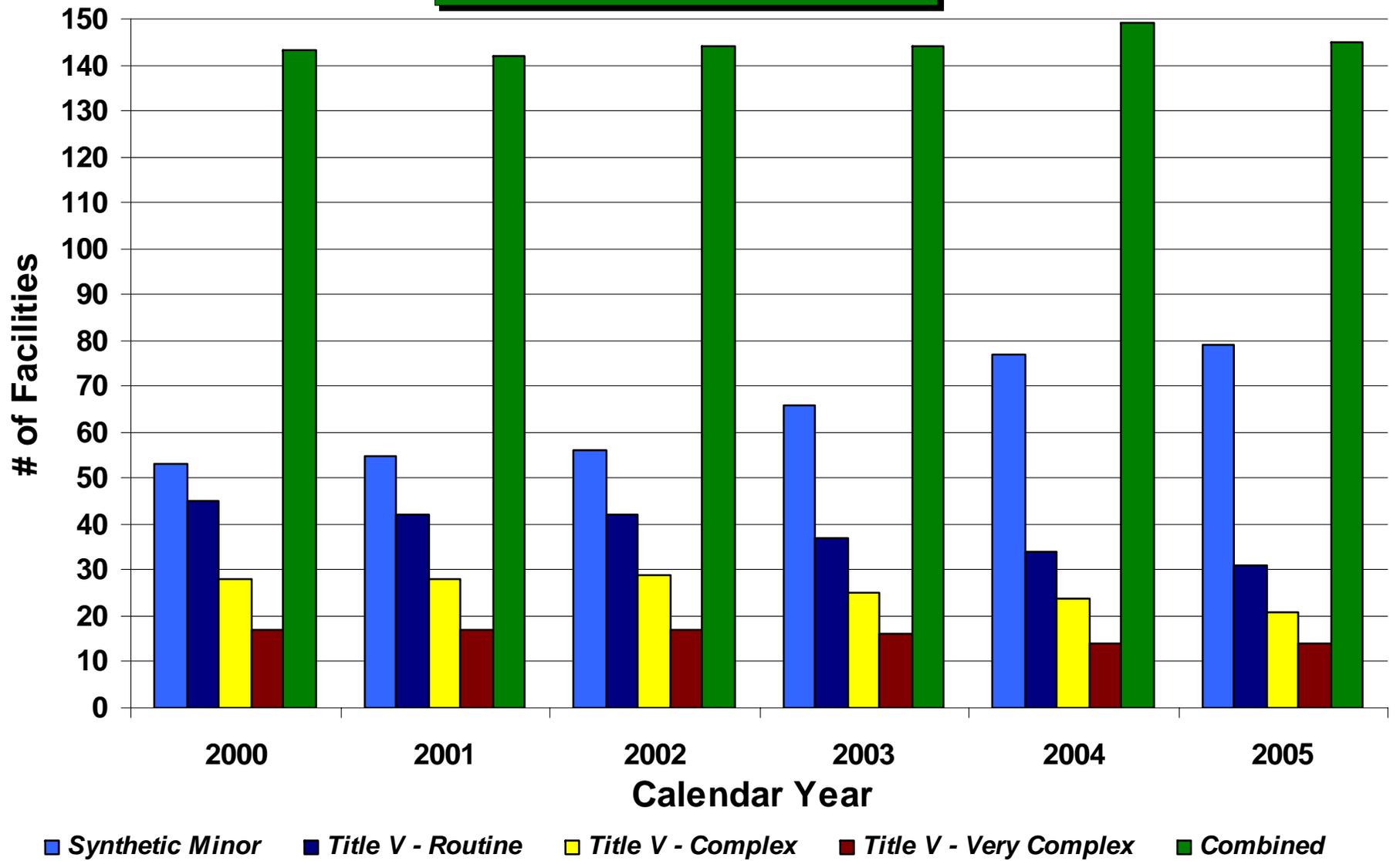
Title V Fees (continued)

- The fee schedule must result in the collection and retention of revenues sufficient to cover the permit program costs including:
 - implementing and enforcing the terms of any Title V Operating Permit (not including any court costs or other costs associated with an enforcement action), including adequate resources to determine which sources are subject to the program;
 - emissions and ambient monitoring; modeling; preparing inventories and tracking emissions;
 - supporting the ombudsman established pursuant to the Small Business Stationary Source Technical and Environmental Compliance Program ("SBTCP") to assist sources covered by the SBTCP in determining and meeting their obligations under the Title V Operating Permit Program.

Title V Facility History

Calendar Year	Number of TV Facilities	Number of SM Facilities	Total Number of Facilities
1999	89	54	143
2000	89	55	144
2001	84	57	141
2002	82	59	141
2003	79	69	148
2004	71	78	149
2005	65	80	145
2006	65	78	143
2007	61	87	148

**DNREC, DAWM/AQM
Title V Program (all facilities)
Facility Counts By Category**



Increasing Permitting Complexity

- Many new regulatory requirements have been promulgated over the past several years:
 - CAM Rule
 - New MACT Standards
 - New Residual Risk Standards
 - CAIR
 - CAMR
 - Implementation plans associated with new ozone standard and proposed PM_{2.5} standard
 - EPA's proposed flexible permit rule