

3745-104-53

Fees.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-104-01 of the Administrative Code titled "Referenced materials."]

(A) Except as provided in paragraph (D) of this rule, an owner or operator who is required to submit a risk management plan under this chapter shall pay annually to Ohio EPA a fee of fifty dollars together with any of the following applicable fees:

(1) A fee of sixty-five dollars if a covered process in the stationary source includes propane and propane is the only regulated substance at the stationary source over the threshold quantity;

(2) A fee of sixty-five dollars if a covered process in the stationary source includes anhydrous ammonia that is sold for use as an agricultural nutrient [and anhydrous ammonia is the only regulated substance at the stationary source](#) and is on-site over the threshold quantity;

(3) A fee of two hundred dollars for each regulated substance over the threshold quantity in a covered process. ~~Propane shall be considered a regulated substance subject to the fee levied under this paragraph if it is not the only regulated substance over the threshold quantity. Anhydrous ammonia shall be considered a regulated substance subject to the fee levied under this paragraph if it is not sold for use as an agricultural nutrient.~~

(B) The fees assessed under this rule for the year 1999 shall be collected no later than January 3, 2000. ~~Each~~ [each](#) year thereafter, the fees shall be collected no later than September first of each subsequent year. The fees assessed for a stationary source shall be based upon the regulated substances present over the threshold quantity identified in the risk management plan on file as of June twenty-first for calendar year 1999 and for each subsequent calendar year as of September first.

(C) An owner or operator who is required to submit a risk management plan under this chapter and who fails to submit such a plan within thirty days after the applicable filing date prescribed in paragraph (B) of this rule shall submit with the risk management plan a late filing fee of three per cent of the total fees due under paragraph (A) of this rule.

(D) This rule does not apply to the owner or operator of a business that employs one hundred or fewer individuals and is a small business concern as defined in the "Small Business Act," 15 USC 632.