

3750-50-01 Annual inventory filing fees and form.

- (A) Except as provided in paragraph (C), (D), or (E) of this rule, an owner or operator of a facility subject to rule 3750-30-01 of the Administrative Code shall pay to the Commission an annual inventory filing base fee for the preceding calendar year of one hundred fifty dollars to be submitted on or before the first day of March of each year with the inventory form(s) prescribed in rule 3750-30-20 of the Administrative Code and facility identification form prescribed in rule 3750-30-20 of the Administrative Code unless they meet the requirements of paragraph (D) or (E) of this rule.

Note: The commission provides instructions for fee submission in its Emergency Planning and Community Right to Know Act (EPCRA) facility compliance manual.

- (1) An owner or operator of a facility subject to inventory reporting which has present hazardous chemicals in an amount equal to or above the threshold quantity, shall pay an additional annual inventory filing fee of twenty dollars per hazardous chemical for each hazardous chemical.
- (2) An owner or operator of a facility subject to inventory reporting shall pay an additional annual inventory filing fee of one hundred fifty dollars for each extremely hazardous substance reported on the inventory form.

The fee established in paragraph (A)(1) of this rule does not apply if the hazardous chemical reported on the inventory form is also an extremely hazardous substance to which only the additional inventory filing fee of one hundred fifty dollars as set forth in this paragraph applies.

- (3) The annual inventory filing fee submitted for a single reporting facility shall not exceed twenty-five hundred dollars except as noted for oil and gas extraction facilities under paragraphs (D) and (E) of this rule.
- (B) An owner or operator of a facility, who is subject to this rule and who fails to submit the annual inventory filing fee by March thirty-first of each year shall pay to the commission a late fee of ten per cent per annum of the total fees in addition to those fees payable under paragraph (A)(1), (A)(2), (D), or (E) of this rule.
- (C) An owner or operator of a facility, who, during the preceding year, was required to pay a fee to a municipal corporation pursuant to an ordinance, rule, or requirement that was in effect on or before December 14, 1988 for reporting or providing of the names or amounts of extremely hazardous substances or hazardous chemicals stored at the facility, may claim a credit against the fees due under paragraph (A)(1), (A)(2), (D), or (E) of this rule for fees paid to the municipal corporation pursuant to the reporting requirements. The amount of credit claimed in any reporting year shall not exceed the amounts due under paragraph (A)(1), (A)(2), (B), or (E) of this rule during that reporting year. No unused portion of the credit shall be carried over to subsequent reporting years. In order to claim a credit under this paragraph, the owner or operator shall submit with the inventory form such information as required by the commission such as a copy of the receipt issued by the municipal corporation or other documentation acceptable to the commission which indicates the amount of fee paid, the date on which the fee was paid,

and that the purpose was to fulfill a hazardous chemical inventory filing requirement.

- (D) An owner or operator who is required to submit an inventory form for not more than twenty-five oil and gas extraction storage facilities as defined in paragraph (BB) of rule 3750-1-01 of the Administrative Code shall submit a flat filing fee of fifty dollars in lieu of any fee required in paragraphs (A)(1) and (A)(2) of this rule.
- (E) An owner or operator who is required to submit an inventory form for more than twenty-five oil and gas extraction storage facilities shall pay to the Commission a base filing fee of fifty dollars and an additional fee of ten dollars for each oil and gas extraction storage facility in excess of twenty-five reported on the inventory form up to a total fee of nine hundred dollars in lieu of the fees required in paragraphs (A)(1) and (A)(2) of this rule.
- (F) An agricultural producer who is not required to submit hazardous chemical information under rule 3750-30-01 of the Administrative Code with respect to his agricultural activities is exempt from any filing fee imposed by this rule.
- (G) A transportation related facility not required to submit hazardous chemical information under rule 3750-30-01 of the Administrative Code is exempt from any filing fees imposed by this rule.
- (H) [Reserved.]
- (I) An owner or operator required to pay the commission an annual chemical inventory filing fee pursuant to this rule shall calculate and determine the annual chemical inventory filing fee due for that reporting year on the "facility Annual chemical Inventory Filing Fee worksheet" adopted by the commission. The owner or operator is required to submit the annual chemical inventory fees to the commission in a check or money order made payable to the "Treasurer, State of Ohio" as established in rule 3750-50-03 of the Administrative Code, attached to the filing fee worksheet.
- (J) An owner or operator of more than one facility required to pay the commission an annual chemical inventory filing fee may do so by submitting a single check or money order to the commission along with a "Facility Summary List" containing such information as may be required by the commission. This form may require the name of each facility, street address or latitude and longitude coordinates, city or township, county, number of chemicals subject to reporting, base fee, additional fee, late filing fee, local credit and total annual chemical inventory fee as to be applied to each facility for which the payment is to apply.

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