

September 17, 2009

MEMORANDUM

SUBJECT: Calculation of the Part 70 Presumptive Minimum Fee Effective September 1, 2009 through August 31, 2010

FROM: Jeff Herring (C304-04) /s/
Operating Permits Group, AQPD, OAQPS

TO: Operating Permits Contacts
Regions I-X

The part 70 presumptive minimum fee rate (\$/ton) effective for the 12-month period of September 1, 2009 through August 31, 2010 is \$43.83. This fee rate represents an increase of 0.18% (\$0.08) from the fee rate in effect for the prior 12-month period (\$43.75). This increase is based on a calculation of the average monthly change in the Consumer Price Index (All Urban Consumers) for the 12-month period of September 2008 through August 2009 as reported by the U.S. Bureau of Labor Statistics.

This fee rate is used to calculate emissions-based fees for part 70 permit programs that use the presumptive minimum fee for that purpose. Note that many part 70 programs do not use the presumptive fee rate, so check with your permitting authority for the proper fee rates for your location. Also, the fee rate in effect for a given time period is the one normally used in fee calculations performed during that time period, regardless of the time period of the emissions data used in the calculation. For example, when annual fees are calculated in October of 2009 and they are based on the presumptive minimum fee rate, you would use \$43.88 as the fee rate, even though the emissions data would typically be from calendar year 2008.