

TO BE RESCINDED

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 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 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.

Effective:

Five Year Review (FYR) Dates: 4/9/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3753.02
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