**Section 270.603 Amount of Fee**

a) For each 12-month period beginning after the date on which USEPA approves or conditionally approves the CAAPP, but in no event prior to January 1, 1994, an owner or operator of a source subject to the CAAPP or excluded pursuant to Section 39.5(1.1) or 39.5(3)(c) of the Act shall pay a fee in accordance with the following:

1) The fee for a source allowed to emit less than 100 tons per year of any combination of regulated air pollutants shall be the dollar amount set forth within Section 39.5(18) of the Act; and

2) The fee for a source allowed to emit 100 tons or more per year of any combination of regulated air pollutants shall be the dollar per ton amount set forth within Section 39.5(18) of the Act for each ton of allowable emissions of regulated air pollutants at that source.

b) The amount of the fee shall be based on the allowable emissions information submitted by the applicant in the fee calculation portion of its CAAPP application, not including emissions of insignificant levels or from insignificant activities, pursuant to 35 Ill. Adm. Code 201.

c) No owner or operator of a source shall be required to pay an annual fee in excess of the maximum fee specified in Section 39.5(18) of the Act.

d) Following the first year of the CAAPP, a fee in excess of $5,000 may be paid annually or semiannually.

e) In the event that an owner or operator of a source has paid a fee pursuant to Section 9.6 of the Act during the 12-month period that includes the date on which the source's initial complete CAAPP application was received by the Agency, the portion of the fee for the months remaining in the 12-month period subsequent to the date the initial complete CAAPP application was received shall be credited to the owner or operator of the source.

f) No owner or operator of a source shall be required to pay more than a single dollar-per-ton fee during any billing period for any ton of pollutant emitted (i.e., lead is a particulate (PM-10) and a separate criteria pollutant but will only be subject to a single dollar-per-ton fee).

(Source: Amended at 43 Ill. Reg. 9963, effective August 27, 2019)