

REGFORM

REGULATORY ENVIRONMENTAL
GROUP FOR MISSOURI

July 7, 2020

Ms. Darcy Bybee
Director, Air Pollution Control Program
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176

Subject: REGFORM Support for Air Fee Recommendation

Dear Director Bybee:

REGFORM is a business association that works closely with regulated facilities in Missouri on environmental policy and regulatory issues in all media. Our members consist of regulated facilities in manufacturing, utility, mining, higher education, chemical industry, and others. We provide compliance and regulatory information to our diverse membership and advocate on their behalf.

Collectively, our REGFORM members pay 80-85 percent of the Title V fees and represent 23 of the 30 largest fee-paying sources. We have had an excellent professional relationship with the Air Pollution Control Program (APCP) for many years and support fees necessary to properly administer the Title V program in Missouri.

We support the proposed increase in the emissions fee rate from \$48 per ton of chargeable emissions to \$53 per ton of chargeable emissions in 2021, and \$55 per ton of chargeable emissions in 2022 and beyond. While significant, we also recognize that this proposal is a short-term “fix” that extends the “fiscal cliff” only a couple of years.

While we fully support the current (short-term) fee proposal we also recognize the importance of (and will actively pursue):

1. Continuing stakeholder fee discussions as early as Spring 2021;
2. Creating and implementing a “Base Fee” based on annual Emissions Inventory Questionnaires (EIQs) to allow more stable and more equitable funding;
3. Examining and eliminating where appropriate all exemptions from the payment of Title V fees;

4. Additional review and consideration of amending construction permit rates and permit application fees for the purpose of increasing equity among industry customers;
5. Additional research and implementation of APCP efficiency measures;
6. Retention of talented engineers and staff salaries commensurate with performance and surrounding states; and,
7. Review and use of guidance documents in the place of statutes and regulations throughout MDNR.

In sum, we highly value the professional work of APCP leadership and staff and support the current air fee proposal.

Thank you for your time and consideration of our comments.

Sincerely,

Roger Walker JD LLM
Executive Director, REGFORM
573.415.7699

cc: Richard Rocha, Chair, Missouri Air Conservation Commission
cc: Carol S. Comer, Director, MDNR
cc: Ed Galbraith, Director, DEQ, MDNR
cc: Kyra Moore, Deputy Director DEQ, MDNR