

PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.110

Reporting Emission Data, Emission Fees, and Process Information

This amendment will change subsections (3)(A) and (4)(B).

Subsection (3)(A) is being amended to increase the emission fee for permitted sources from forty-eight dollars (\$48) to fifty-three dollars (\$53) per ton of emissions in calendar year 2021, and increase to fifty-five dollars (\$55) per ton of emissions in calendar year 2022 and beyond.

Subsection (4)(B) is being amended to update the repeating emission-year reporting cycle to current years in Table 4.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and
Air Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information. The commission proposes to amend subsections (3)(A) and (4)(B). If the commission adopts this rule action, it will be the department's intention to submit the changes to subsection (4)(B) to the U.S. Environmental Protection Agency to update the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website <https://apps5.mo.gov/proposed-rules/welcome.action#OPEN2>.

PURPOSE: This rule provides procedures for reporting emission-related information and establishes emission fees for the purpose of state air-resource planning. The purpose of this amendment is to change the air-emission fee structure pursuant to section 643.079.10, RSMo. This proposed rulemaking would increase the emission fee for permitted sources from forty-eight dollars (\$48) to fifty-three dollars (\$53) per ton of emissions in calendar year 2021, and increase the fee to fifty-five dollars (\$55) per ton of emissions in calendar year 2022 and beyond. The increased emission fee would enable the department's Air Pollution Control Program to remain solvent and maintain its authority as the implementing agency of the federal Clean Air Act in the state of Missouri. Pursuant to section 536.016, RSMo, the evidence supporting the need for this proposed rulemaking is subsection 643.079.10, RSMo, and the March 2, 2020, Air Program Advisory Forum Fee Stakeholder Meeting.

PURPOSE: This rule provides procedures for reporting emission related information and establishing emission fees for the purpose of state air resource planning.

- (1) Applicability. This rule applies to any installation that is subject to any one (1) of the following:
 - (A) Notifies and accepts a permit-by-rule under 10 CSR 10-6.062;
 - (B) Is required to obtain a construction permit under 10 CSR 10-6.060; or
 - (C) Is required to obtain an operating permit under 10 CSR 10-6.065.

- (2) Definitions.
 - (A) Missouri Emissions Inventory System (MoEIS)—Online interface of the state of Missouri's air emissions inventory database.
 - (B) Point source—Large, stationary (nonmobile), identifiable source of emissions that releases pollutants into the atmosphere. A point source is an installation that is either—
 1. A major source under 40 CFR part 70 for the pollutants for which reporting is required; or
 2. A holder of an intermediate operating permit.
 - (C) Reportable pollutants—The regulated air pollutants at the process level required for emission inventory reporting as summarized in Table 1 of this rule.
 - (D) Reporting threshold—Minimum amount of reportable emissions at the emission unit level that requires reporting as summarized in Table 1 of this rule. Emissions below this amount may be designated as insignificant on the Full Emissions Report.
 - (E) Reporting year—Twelve (12)-month calendar year ending December 31. The reporting requirement for installations with three (3)-year reporting cycles begins with the 2011 reporting year. The subsequent reporting years will be every three (3) years following 2011 (i.e., 2014, 2017, 2020, etc.).
 - (F) Small source—An installation subject to this rule but not a point source as defined in this section of the rule.
 - (G) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

TABLE 1. Reportable Pollutants with Reporting Thresholds

^a Category Hazardous Pollutant chemicals Polycyclic Matter,

Process Level Reportable Pollutants		Emission Unit Level Reporting Threshold	
Point Sources	Small Sources	Tons	Pounds
PM ₁₀ fil	PM ₁₀ pri	0.438	876
PMcon			
PM _{2.5} fil	PM _{2.5} pri	0.438	876
PMcon			
SO ₂		1	2000
NO _x		1	2000
VOC		0.438	876
CO		1	2000
Category One (1) HAP ^a		0.01 ^a	20 ^a
Category Two (2) HAP ^b		0.1 ^b	200 ^b
NH ₃		0.438	876
Lead ^a		0.01 ^a	20 ^a

One (1) Air (HAP) include Organic Arsenic

Compounds, Lead Compounds, Chromium Compounds, Mercury Compounds (Alkyl and Aryl), Mercury Compounds (Inorganic), Nickel Compounds, Chlordane, Benzene, Methoxychlor, Vinyl Chloride, Heptachlor, Benzidine, Butadiene (1,3-), Chloromethyl Methyl Ether, Hexachlorobenzene, Bis(chloromethyl)ether, Asbestos, Polychlorinated Biphenyls, Trifluralin, Tetrachlorodibenzo-P-Dioxin (2,3,7,8-), Toxaphene, and Coke Oven Emissions.

^b Category Two (2) HAP chemicals are those defined in 10 CSR 10-6.020 that are not included in the list of Category One (1) HAP chemicals.

(3) General Provisions.

(A) Emission Fees.

1. Any installation subject to this rule, except sources that produce charcoal from wood, shall pay an annual emission fee per ton of applicable pollutant emissions identified in Table 2 of this rule based on previous calendar year emissions and in accordance with paragraphs (3)(A)2. through (3)(A)7. of this rule. The emission fee shall be ~~[forty-eight dollars and no cents (\$48.00) per ton]~~ **fifty-three dollars and no cents (\$53.00) per ton emitted in calendar year 2021, and fifty-five dollars and no cents (\$55.00) per ton emitted in calendar year 2022 and thereafter.**
2. For Full Emissions Reports, the fee is based on the information provided in the installation's emissions report. For sources which qualify for and use the Reduced Reporting Form, the fee shall be based on the last Full Emissions Report.
3. The fee shall apply to the first four thousand (4,000) tons of each air pollutant subject to fees as identified in Table 2 of this rule. No installation shall be required to pay fees on total emissions in excess of twelve thousand (12,000) tons for any reporting year. An installation subject to this rule which emitted less than one (1) ton of all pollutants subject to fees shall pay a fee for one (1) ton.
4. An installation which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.
5. The fee imposed in paragraph (3)(A)1. of this rule shall not apply to NH₃, CO, PM_{2.5}, or HAPs reported as PM₁₀ or VOC, as summarized in Table 2 of this rule.

6. Emission fees for the reporting year are due June 1 after each reporting year. The fees shall be payable to the Missouri Department of Natural Resources.
7. To determine emission fees, an installation shall be considered one (1) source as defined in section 643.078.2, RSMo, except that an installation with multiple operating permits shall pay emission fees separately for air pollutants emitted under each individual permit.

TABLE 2. Pollutant Fee Applicability

Pollutants Subject to Fees	Pollutants Not Subject to Fees
PM ₁₀ pri	PM _{2.5} pri
SO ₂	CO
NO _x	NH ₃
VOC	HAPs reported as PM ₁₀ or VOC
HAP	
Lead	

(B) Emission Estimation Calculation and Verification.

1. The method of determining an emission factor, capture efficiency, or control efficiency for use in the emissions report shall be consistent with the installation's applicable permit. Variance from this method shall be based on the hierarchy described below. If data is not available for an emission estimation method or an emission estimation method is impractical for a source, then the subsequent emission estimation method shall be used in its place—
 - A. Continuous Emission Monitoring System (CEMS) as specified in subparagraph (3)(B)2.A. of this rule;
 - B. Stack tests as specified in subparagraph (3)(B)2.B. of this rule;
 - C. Material/mass balance;
 - D. AP-42 (Environmental Protection Agency (EPA) *Compilation of Air Pollution Emission Factors*) or FIRE (Factor Information and Retrieval System) as published by EPA August 2018 and August 2017, respectively, and hereby incorporated by reference in this rule. Copies can be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161. This rule does not incorporate any subsequent amendments or additions;
 - E. Other EPA documents as specified in subparagraph (3)(B)2.C. of this rule;
 - F. Sound engineering or technical calculations; or
 - G. Facilities shall obtain department approval of emission estimation methods other than those listed in subparagraphs (3)(B)1.A.–F. of

this rule before using any such method to estimate emissions in the submission of an emissions report.

2. The director reserves the authority to review and approve all emission estimation methods used to calculate emissions for the purpose of filing an emissions report for accuracy, reliability, and appropriateness. Inappropriate usage of an emission factor or method shall include, but is not limited to: varying from the method used in permit without prior approval, using emission factors not representative of a process, using equipment in a manner other than that for which it was designed for in calculating emissions, or using a less accurate emission estimation method for a process when a facility has more accurate emission data available. Additional requirements for the use of a specific emission estimation method include:
 - A. Continuous Emission Monitoring System (CEMS).
 - (I) CEMS must be shown to have met applicable performance specifications during the period for which data is being presented.
 - (II) CEMS data must be presented in the units which the system was designed to measure. Additional data sets used to extrapolate CEMS data must have equal or better reliability for such extrapolation to be acceptable.
 - (III) When using CEMS data to estimate emissions, the data must include all parameters (i.e., emission rate, gas flow rate, etc.) necessary to accurately determine the emissions. CEMS data which does not include all the necessary parameters must be reviewed and approved by the director or local air pollution control authority before it may be used to estimate emissions;
 - B. Stack tests.
 - (I) Stack tests must be conducted on the specific equipment for which the stack test results are used to estimate emissions.
 - (II) Stack tests must be conducted according to the methods cited in 10 CSR 10-6.030, unless an alternative method has been approved in advance by the director or local air pollution control authority.
 - (III) Stack tests will not be accepted unless the choice of test sites and a detailed test plan have been approved in advance by the director or local air pollution control authority.
 - (IV) Stack tests will not be accepted unless the director or local air pollution control authority has been notified of test dates at least thirty (30) days in advance and thus provided the opportunity to observe the testing. This thirty (30)-day notification may be reduced or waived on a case-by-case basis by the director or local air pollution control authority.
 - (V) Stack test results which do not meet all the criteria of parts (3)(B)2.B.(I)–(IV) of this rule may be acceptable for estimating emissions but must be submitted for review and

approval by the director or local air pollution control authority on a case-by-case basis; and

- C. Other EPA documents may be used to estimate emissions if the emission factors are more appropriate or source specific than AP-42 or FIRE. Newly developed EPA emission factors must be published by December 31 of the year for which the facility is submitting an emissions report.
- (C) Emission Data and Fee Auditing and Adjustment.
- 1. The department may conduct detailed audits of emissions reports and supporting documentation as the director deems necessary. A minimum seven (7)-day notice must be provided to the installation to prepare documentation if this audit is done on-site.
 - 2. The department may make emission fee adjustments when any of the following applies—
 - A. Clerical or arithmetic errors have been made;
 - B. Submitted documentation is not supported by inspections or audits;
 - C. Emissions estimates are modified as a result of emission verification or audits;
 - D. Credit has been incorrectly applied for an emissions fee paid to a local air pollution control agency; or
 - E. Emission estimation calculation varies from the methods described in subsection (3)(B) of this rule.
 - 3. The department is not limited by subparagraphs (3)(C)2.A.–E. of this rule in making emission fee adjustments.
 - 4. Adjustments to data and fees will be subject to a three (3)-year statute of limitations unless it is—
 - A. Due to a willful failure to report emissions or fraudulent representation for which there shall be no statute of limitations; or
 - B. Adjustment of emissions is based on a permitting action under 40 CFR 52.21 for which an adjustment of fees is required to all years of emission data changed up to a maximum of ten (10) years. 40 CFR 52.21 was promulgated as of July 1, 2018 and is hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions. If approved, fees in effect at the time will be due, but no credit will be applied at the emission unit level.
- (D) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- (4) Reporting and Record Keeping. All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected, and all these records shall be made available upon the director's request.

- (A) The owner or operator of an installation that is subject to this rule shall collect information as required in this section of the rule. The information required in the emissions report is listed in Table 3 of this rule. All data elements must be reported initially, and only changed data elements must be reported subsequently. To ensure permit consistency, the Air Pollution Control Program Emissions Inventory Unit will provide assistance to identify and quantify the data elements in Table 3 of this rule.

TABLE 3. Data Elements

1. Inventory year
2. Contact name
3. Contact phone number
4. Federal Information Processing Standard (FIPS) County Code
5. Installation plant ID Code
6. Emission unit ID
7. Stack ID
8. Site name
9. Physical address
10. Source Classification Code (SCC)
11. Heat content (fuel) (annual average)
12. Ash content (fuel) (annual average)
13. Sulfur content (fuel) (annual average)
14. Reportable pollutant
15. Activity level/throughput
16. Annual emissions
17. Emission factor, with method
18. Winter throughput (percent)
19. Spring throughput (percent)
20. Summer throughput (percent)
21. Fall throughput (percent)
22. Hr/day in operation
23. Days/wk in operation
24. Wks/yr in operation
25. Stack height
26. Stack diameter
27. Exit gas temperature
28. Exit gas velocity
29. Exit gas flow rate
30. Capture efficiency (percent)
31. Control efficiency (percent)
32. Control device type and ID
33. Emission release point type
34. Maximum Hourly Design Rate (MHDR)

- (B) Types and Frequency of Reporting. The requirements in this subsection are summarized in Table 4 of this rule.
1. All sources (Part 70, intermediate, and small) must submit a Full Emissions Report for the first full calendar year of operation and, for point sources, a Full Emissions Report is required for an initial partial year of operation.

2. Starting with reporting year 2011, subsequent years of operation reports or forms shall be submitted as follows:
 - A. Part 70 sources must continue to submit a Full Emissions Report annually;
 - B. Intermediate sources must submit a Full Emissions Report every third year after 2011 (subsequent years 2014, 2017, 2020, etc.) and may submit a Reduced Reporting Form in other years unless either or both of the following apply:
 - (I) Any change in installation-wide emissions subject to fees of plus or minus five (5) tons or more since the last Full Emissions Report submitted requires a Full Emissions Report for that year; and
 - (II) A construction permit action issued under 10 CSR 10-6.060 section (5) or (6) requires a Full Emissions Report for the first full year the affected permitted equipment operates; and
 - C. Small sources may submit a Reduced Reporting Form for all subsequent years after a Full Emissions Report unless either or both of the following apply:
 - (I) Any change in installation-wide emissions subject to fees of plus or minus five (5) tons or more since the last Full Emissions Report submitted requires a Full Emissions Report for that year; and
 - (II) A construction permit action issued under 10 CSR 10-6.060 section (5) or (6) requires a Full Emissions Report for the first full year the affected permitted equipment operates.
3. An installation may choose to complete a Full Emissions Report in any year.

TABLE 4. Summary of Types and Frequency of Reporting

Installation classification	Emission Year							Years Beyond [2017]2026*
	[2011]2020	[2012]2021	[2013]2022	[2014]2023	[2015]2024	[2016]2025	[2017]2026	
Part 70	Full Emissions Report	Full Emissions Report	Full Emissions Report	Full Emissions Report	Full Emissions Report	Full Emissions Report	Full Emissions Report	*
Intermediate	Full Emissions Report	Reduced Reporting Form <i>(subparagraph (4)(B)2.B.)</i>	Reduced Reporting Form <i>(subparagraph (4)(B)2.B.)</i>	Full Emissions Report	Reduced Reporting Form <i>(subparagraph (4)(B)2.B.)</i>	Reduced Reporting Form <i>(subparagraph (4)(B)2.B.)</i>	Full Emissions Report	*

Small Source	Reduced Reporting Form (subparagraph (4)(B)2.C.)	*						
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*Reporting requirements for years beyond ~~[2017]~~2026 are repeated in three (3)-year cycles. (e.g. requirements for years ~~[2018]~~2027, ~~[2019]~~2028, and ~~[2020]~~2029 are the same as years ~~[2012]~~2021, ~~[2013]~~2022, and ~~[2014]~~2023 respectively)

(C) Submittal Requirements.

1. The Full Emissions Report shall be submitted either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emissions Inventory Questionnaire (EIQ) paper forms on the frequency specified in Table 4 of this rule. Alternate methods of reporting the emissions, such as a spreadsheet file, can be submitted for approval by the director.
2. An installation that does not submit a Full Emissions Report is required to submit a Reduced Reporting Form, which is due April 1 after each reporting year.
3. The Full Emissions Report is due April 1 after each reporting year. If the Full Emissions Report is filed electronically via MoEIS, this due date is extended to May 1.
4. The installation owner or operator of record on December 31 of the reporting year is responsible for the emissions report and associated fees for the entire reporting year.
5. If there is no production from an installation in a reporting year, no emission fees are due for that year but notice of such status must be provided to the director in writing by the emissions report due date of April 1.
6. If an installation is out of business, the final emissions report required will be for the full or partial year the installation went out of business. Notice of such status must be provided to the director in writing by the emissions report due date of April 1.

(5) Test Methods. *(Not Applicable)*

AUTHORITY: section 643.050, RSMo 2016. Original rule filed June 13, 1984, effective Nov. 12, 1984. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed May 14, 1993, effective Jan. 31, 1994. Amended: Filed Sept. 2, 1993, effective May 9, 1994. Amended: Filed May 15, 1995, effective Dec. 30, 1995. Amended: Filed May 15, 1997, effective Dec. 30, 1997. Amended: Filed May 12, 1998, effective Dec. 30, 1998. Amended: Filed May 14, 1999, effective Dec. 30, 1999. Amended: Filed April 6, 2000, effective Nov. 30, 2000. Amended: Filed June 1, 2001, effective Dec. 30, 2001. Amended: Filed Jan. 16, 2002, effective Aug. 30, 2002. Amended: Filed May 15, 2003, effective Dec. 30, 2003. Amended: Filed May 17, 2004, effective Dec. 30, 2004. Amended: Filed May 16, 2005, effective Dec. 30, 2005. Amended: Filed May 11, 2006, effective Dec. 30, 2006. Amended: Filed May 14, 2007, effective Dec. 30, 2007. Amended: Filed May 19, 2008, effective Dec. 30, 2008. Amended: Filed Jan. 21, 2010, effective Sept. 30, 2010.

Amended: Filed March 13, 2013, effective Oct. 30, 2013. Amended: Filed Sept. 2, 2014, effective March 30, 2015. Amended: Filed April 13, 2018, effective Jan. 30, 2019. Amended: Filed July 15, 2020.

PUBLIC COST: This proposed amendment will cost sixty one thousand four hundred eighty five dollars (\$61,485) in FY 2022(calendar/emission year 2021). The proposed amendment will cost eighty six thousand seventy nine dollars (\$86,079) in FY 2023 (calendar/emission years 2022 and forward). The annual cost for each year beyond FY 2023 is eighty six thousand seventy nine dollars (\$86,079) for the life of the rule. Note the attached fiscal note for assumptions that apply.

PRIVATE COST: This proposed amendment will cost six hundred nine thousand one hundred ninety dollars (\$609,190) in FY 2022 (calendar/emission year 2021). The proposed amendment will cost eight hundred fifty two thousand eight hundred sixty six dollars (\$852,866) in FY 2023 (calendar/emission year 2022). The proposed amendment will cost eight hundred twenty two thousand forty five dollars (\$822,045) for each year beyond FY 2023 for the life of the rule. Note the attached fiscal note for assumptions that apply.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., September 24, 2020. The public hearing will be held online with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 866-289-6713. A recording of the public hearing will be available at <https://dnr.mo.gov/env/apcp/macc.htm>. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., October 1, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

FISCAL NOTE

PRIVATE COST

I. RULE NUMBER

Rule Number and Name	<i>10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information</i>
Type of Rulemaking	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule action:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the proposed rule action by the affected entities:						
<i>1,900 sources would be affected by the adoption of the proposed rule action.</i>	<i>All businesses with air pollution permits are affected. Sources with permits include those that have the potential to emit pollutants above specific thresholds. The types of activities that generate emissions include fuel combustion, painting and coating, processing and refining of minerals, and material handling that generates particulate emissions.</i>	<i>The proposed rule will become effective in 2022, and the first emission fees due under the revised emission fee would be for the 2021 emission year. The estimated total cost to comply with the proposed rule change is \$609,190 for emission year 2021, payable by June 1, 2022 during fiscal year 2022, and \$852,866 for emission year 2022, payable by June 1, 2023 during fiscal year 2023. The estimated cost is \$822,045 for emission years 2023 and beyond, payable by June 1 of each following year.</i>						
	<table border="1"> <thead> <tr> <th>Two Digit SIC Category*</th> <th>Number of Facilities</th> <th>2018 Total Chargeable Emissions (tons)</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Two Digit SIC Category*	Number of Facilities	2018 Total Chargeable Emissions (tons)				<i>The combined ten-year total cost is \$8,038,416. The rule will continue beyond the ten-year period at the same annual cost as emission year 2023, with no sunset provision.</i>
Two Digit SIC Category*	Number of Facilities	2018 Total Chargeable Emissions (tons)						

	01-09: Agriculture, Forestry, and Fishing	40	336	
	10-14: Mining	344	2,163	
	15-17: Construction	3	11	
	20-39: Manufacturing	1,004	52,179	
	40-49: Transportation, Communication s, Sanitary Services	169	70,781	
	50-51: Wholesale Trade	187	1,030	
	52-59: Retail Trade	2	4	
	60-67: Finance, Insurance, and Real Estate	2	9	
	70-89: Services	149	812	
	90-99: Public Administration	0	0	
	Grand Total	1,900	127,325	

**Two digit SIC classifications group businesses into large economic categories. Additional detailed information, down to the most-specific four-digit business classification, is available below.*

The list below is a selection of only the most impacted full SICs based on number of facilities or total 2018 emission tonnage.

SIC Group	Four Digit Detailed SIC	Number of Facilities	2018 Total Chargeable Emissions (tons)
01-09: Agriculture	0724: Cotton Ginning	27	309
10-14: Mining	1422: Crushed and Broken Limestone	304	1,805
	1442: Construction Sand and Gravel	19	38
	1446: Industrial Sand	6	93
	1031: Lead and Zinc Ores	9	164
20-39: Manufacturing	3241: Cement, Hydraulic	9	14,521
	3274: Lime	7	9,456
	3711: Motor Vehicles and Passenger Car Bodies (automobiles)	3	3,153
	3273: Ready-Mixed Concrete	270	549

SIC Group	Four Digit Detailed SIC	Number of Facilities	2018 Total Chargeable Emissions (tons)
	2951: Asphalt Paving Mixtures and Blocks	87	804
40-49: Transportation, Communications, Sanitary Services	4911: Electric Services (fossil fuel power generation)	38	63,330
	4953: Refuse Systems	55	600
	4922: Natural Gas Transmission	15	5,838
50-51: Wholesale Trade	5171: Petroleum Bulk Stations and Terminals	19	437
	5153: Grain and Field Beans	90	337
	5191: Farm Supplies	63	106
70-89: Services	8062: General Medical and Surgical Hospitals	31	315
	7389: Business Services (packaging and labeling)	5	168
	7261: Funeral Services and Crematories	77	75

III. Worksheet

SIC Description	2021 Chargeable Emissions (tons)	2021 Emission Fee at proposed \$53/ton	2022 Chargeable Emissions (tons)	2022 Emission Fee at proposed \$55/ton	2023 Chargeable Emissions (and beyond, tons)	2023 Emission Fee (and beyond) at proposed \$55/ton
Agriculture, Forestry, and Fishing	336	\$ 17,808	336	\$ 18,480	336	\$ 18,480
Construction	11	\$ 583	11	\$ 605	11	\$ 605
Finance, Insurance, and Real Estate	9	\$ 477	9	\$ 495	9	\$ 495
Manufacturing	53,353	\$ 2,827,709	53,353	\$ 2,934,415	53,353	\$ 2,934,415
Mining	2,163	\$ 114,639	2,163	\$ 118,965	2,163	\$ 118,965
Public Administration	-	-	-	-	-	-
Retail Trade	4	\$ 212	4	\$ 220	4	\$ 220
Services	812	\$ 43,036	812	\$ 44,660	812	\$ 44,660
Transportation, Communication, Sanitary Services	64,120	\$ 3,398,360	64,120	\$ 3,526,600	59,717	\$ 3,284,435
Wholesale Trade	1,030	\$ 54,590	1,030	\$ 56,650	1,030	\$ 56,650
Grand Total	121,838	\$ 6,457,414	121,838	\$ 6,701,090	117,435	\$ 6,458,925
Emission Fees at \$48/ton		\$ 5,848,224		\$ 5,848,224		\$ 5,636,880
Net Emission Fee Increase		\$ 609,190		\$ 852,866		\$ 822,045

Ten-year total emission fees:

Emission Year 2021: \$609,190
 Emission Year 2022: \$852,866
 Emission Year 2023: \$822,045
 Emission Year 2024: \$822,045
 Emission Year 2025: \$822,045
 Emission Year 2026: \$822,045
 Emission Year 2027: \$822,045
 Emission Year 2028: \$822,045

Emission Year 2029: \$822,045

Emission Year 2030: \$822,045

Total: \$8,038,416

Note: All figures are in current 2018 dollar values. No attempt is made to account for interest or inflation.

IV. Assumptions

The projection of chargeable emission tonnage includes the following assumptions:

1. Emission fee remains at \$48/ton for emission years 2019 and 2020. The proposed rule amendment will take effect for the 2021 emission year and forward, therefore those years include the proposed emission fee of \$53/ton for emission year 2021, and \$55/ton for emission years 2022 forward.
2. Rule requirements for the calculation of emissions subject to fees (chargeable emissions) remain unchanged, including the pollutants subject to fees, the emission caps of 4,000 tons per pollutant and 12,000 tons facility total, and facilities exempt from fees (charcoal kilns and facilities with no production and no emissions for the emission year).
3. Actual emissions for the continuous emission year, corresponding to the calendar year January 1 to December 31, are reported by facilities subject to air permits, per 10 CSR 10-6.110. The emission estimates presented here are based on reported 2018 total chargeable emissions.
4. Emission were projected for all facilities subject to emission fees in 2018. The beginning year for the projections is the 2018 emission year actual reported emissions from all facilities subject to the rule. For the largest emission sources, facility-specific emission projections reflect emission changes due to shutdowns and emission reductions between 2018 and 2023. All other facilities are assumed to operate through the period. The emission projection reflects one facility-specific emission decrease in the “Transportation, Communication, and Sanitary Service” sector. No estimates are added for new facilities that may open during the period. All facility emissions are assumed at a constant level at their 2023 emissions beyond that year.
5. Emission data for 2019 became available near the end of the rule analysis work, though some facilities did not complete their reports as of May 2020. The 2019 data has not been quality assured and was not used for these analyses.
6. The total lifetime rule cost may be reported for rules in the fiscal note. Data is provided for the first ten-year period, with annual data available in the worksheet above if projections are needed beyond ten years. Additional rule analyses are likely as this proposal does not fully meet program solvency needs, and the program is committed to working with fee stakeholders on future solvency issues.
7. All categorization of facilities into private and public ownership are assumed to remain the same as in 2018. No ownership changes from public to private, or vice versa, are expected.
8. All SIC assignments in 2018 are assumed to remain the same in future years.

FISCAL NOTE

PUBLIC COST

II. RULE NUMBER

Rule Number and Name:	<i>10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information</i>
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
<i>The DNR will incur no additional costs to implement the proposed rule amendment. The electronic systems to collect emission data and emission fees for facilities subject to this rule will remain in place and require only one change to the fee per ton value.</i>	<i>No cost to DNR</i>
<i>State agencies subject to this rule include the Missouri Department of Corrections, the Missouri Department of Transportation, the Missouri Department of Health, and the Office of Administration. Other municipal entities that are subject include municipal fossil-fuel electric generating plants, wastewater treatment facilities, animal shelters with pet crematories, hospitals, law enforcement agencies with incinerators, levee districts, and universities.</i>	<i>The resultant costs to state agencies and other municipal entities is \$61,485 for emission year 2021, payable by June 1, 2022 during fiscal year 2022. The cost is \$86,079 for emission year 2022, payable by June 1, 2023 during fiscal year 2023. The annual cost remains \$86,079 for emission year 2023 forward, payable by June 1 of each following year. The ten-year combined costs are \$836,196. The rule will continue beyond the ten-year period at the same annual cost as emission year 2023, with no sunset provision.</i>

III. Worksheet

SIC Description	2021 Chargeable Emissions (tons)	2021 Emission Fee at proposed \$53/ton	2022 Chargeable Emissions (tons)	2022 Emission Fee at proposed \$55/ton	2023 Chargeable Emissions (and beyond, tons)	2023 Emission Fee (and beyond) at proposed \$55/ton
Agriculture, Forestry, and Fishing	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Finance, Insurance, and Real Estate	-	-	-	-	-	-
Manufacturing	175	\$ 9,275	175	\$ 9,625	175	\$ 9,625
Mining	-	-	-	-	-	-
Public Administration	113	\$ 5,989	113	\$ 6,215	113	\$ 6,215
Retail Trade	-	-	-	-	-	-
Services	1,551	\$ 82,203	1,551	\$ 85,305	1,551	\$ 85,305

SIC Description	2021 Chargeable Emissions (tons)	2021 Emission Fee at proposed \$53/ton	2022 Chargeable Emissions (tons)	2022 Emission Fee at proposed \$55/ton	2023 Chargeable Emissions (and beyond, tons)	2023 Emission Fee (and beyond) at proposed \$55/ton
Transportation, Communication, Sanitary Services	10,458	\$ 554,274	10,458	\$ 575,190	10,458	\$ 575,190
Wholesale Trade	-	-	-	-	-	-
Grand Total	12,297	\$ 651,741	12,297	\$ 676,335	12,297	\$ 676,335
Emission Fees at \$48/ton		\$ 590,256		\$ 590,256		\$ 590,256
Net Emission Fee Increase		\$ 61,485		\$ 86,079		\$ 86,079

Ten-year net increase in emission fees:

Emission Year 2021: \$61,485
Emission Year 2022: \$86,079
Emission Year 2023: \$86,079
Emission Year 2024: \$86,079
Emission Year 2025: \$86,079
Emission Year 2026: \$86,079
Emission Year 2027: \$86,079
Emission Year 2028: \$86,079
Emission Year 2029: \$86,079
Emission Year 2030: \$86,079

Total: \$836,196

Note: All figures are in current 2018 dollar values. No attempt is made to account for interest or inflation.

IV. Assumptions

The projection of chargeable emission tonnage includes the following assumptions:

1. Emission fee remains at \$48/ton for emission years 2019 and 2020. The proposed rule amendment will take effect for the 2021 emission year and forward, therefore those years include the proposed emission fee of \$53/ton for emission year 2021, and \$55/ton for emission years 2022 forward.
2. Rule requirements for the calculation of emissions subject to fees (chargeable emissions) remain unchanged, including the pollutants subject to fees, the emission caps of 4,000 tons per pollutant and 12,000 tons facility total, and facilities exempt from fees (charcoal kilns and facilities with no production and no emissions for the emission year).
3. Actual emissions for the continuous emission year, corresponding to the calendar year January 1 to December 31, are reported by facilities subject to air permits, per 10 CSR 10-6.110. The emission estimates presented here are based on reported 2018 total chargeable emissions.
4. Emission projections were done for all facilities subject to emission fees in 2018. The beginning year for the projections is the 2018 emission year actual reported emissions from all facilities subject to the rule. For the largest emission sources, facility-specific emission projections reflect emission changes due to shutdowns and emission reductions between 2018 and 2023. All other facilities are assumed to operate through the period. No estimates are added for new facilities that may open during the period. All facility emissions are assumed at a constant level at their 2023 emissions beyond that year.
5. Emission data for 2019 became available near the end of the rule analysis work, though some facilities did not complete their reports as of May 2020. The 2019 data has not been quality assured and was not used for these analyses.
6. The total lifetime rule cost may be reported for rules in the fiscal note. Data is provided for the first ten-year period, with annual data available in the worksheet above if projections are needed beyond ten years. Additional rule analyses are likely as this proposal does not fully meet program solvency needs, and the program is committed to working with fee stakeholders on future solvency issues.
7. All categorization of facilities into private and public ownership are assumed to remain the same as in 2018. No ownership changes from public to private, or vice versa, are expected.

8. All SIC assignments in 2018 are assumed to remain the same in future years.