

Publications

Ohio EPA Seeks Stakeholder Input on Proposed Air Permit Fee Increase

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CLIENT ALERT | 4.3.2024

This provides an important update to the *Client Alert* issued on **November 6, 2023** regarding Ohio EPA Division of Air Pollution Control's (DAPC) air permit fee increase. Notably, we learned that DAPC is proposing the following three-part fee increase that will generate \$7M in additional revenue:

- 1. Title V facilities** – Additional base fee of \$5,000 per year (first invoiced on October 1, 2025; to be added to company's annual emission-based fee payment due in the summer each year thereafter). The annual emission-based fee structure will remain the same.
- 2. Synthetic Minor facilities** – Additional base fee of \$5,000 per year (first invoiced on October 1, 2025; to be added to a company's annual emission-based fee payment due in the summer each year thereafter), and a 50% increase to the current annual emission-based fee structure (beginning on January 1, 2026; to be reported in the annual fee report due April 15, 2027 with payment due in summer of 2027, and subject to the same reporting and payment schedule each subsequent year).
- 3. Permit To Install (PTI) Fees** – 50% increase of current PTI fee structure (beginning on October 1, 2025).

DAPC has developed a *Fact Sheet* summarizing its proposed fee increase, and prepared draft amendments to the fee statute, **R.C. 3745.11**, to implement the proposed fee increase. Please note that Ohio EPA is seeking input on the proposed fee increase from interested stakeholders.

If you have any questions about the air permit fee increase, how it will affect your business, and/or are interested in working with Ohio EPA to establish a reasonable fee increase, reach out to Anthony Giuliani, Ryan Elliott, or your Vorys attorney.