

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
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1. Desired date of publication in Maryland Register: 6/24/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

26 11 02 17

3. Name of Promulgating Authority

Department of the Environment

4. Name of Regulations Coordinator

Megan L Ulrich

Telephone Number

410-537-3279

Mailing Address

1800 Washington Blvd.

City State Zip Code

Baltimore MD 21230

Email

megan.ulrich@maryland.gov

5. Name of Person to Call About this Document

Randy Mosier

Telephone No.

410-537-4488

Email Address

randy.mosier@maryland.gov

Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 11 AIR QUALITY

26.11.02 Permits, Approvals, and Registration

Authority: Environment Article, §§ 1-404, 2-103, 2-301- 2-303, 2-401- 2-404, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of the Environment proposes to amend Regulation .17 under COMAR 26.11.02 Permits, Approvals, and Registration.

Statement of Purpose

The purpose of this action is to reduce the permit to construct application fee for charbroilers and pit barbecues. This action also reduces the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 million Btu per hour (10 MMBtu/hr).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

This action reduces permit to construct application fees for charbroilers, pit barbecues, and small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Currently, businesses that apply for a permit to construct charbroilers or pit barbecues must pay \$200. This regulatory action reduces the fee to \$100. Currently, businesses that apply for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr must pay \$500. This regulatory action reduces the fee to \$400.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. In CY2015, 51 businesses applied for a permit to construct a charbroiler or pit barbecue and 91 businesses applied for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Based on these current numbers, the Department will experience an annual decrease in revenue of approximately \$5,100 for permits to construct charbroilers or pit barbecues and an annual decrease in revenue of approximately \$9,100 for permits to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr, for a total of \$ 14,200.

D. The reduction of the permit to construct application fee for charbroilers and pit barbecues will provide a one-time economic benefit to the business of \$100. The reduction of the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr will provide a one-time economic benefit to the business of \$100.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to , , , , or call , or email to , or fax to . Comments will be accepted through . A public hearing will be held, The Department of the Environment will hold a public hearing on the proposed action on July 25, 2016 at 10:00 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to randy.mosier@maryland.gov. Comments must be received not later than 5:00 p.m. on July 25, 2016, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment's website at:
<http://www.mde.state.md.us/programs/regulations/air/Pages/reqcomments.aspx>
- The Air and Radiation Management Administration Office in Baltimore; and
- The regional offices of the Department in Cumberland and Salisbury. Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2017

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used: A combination of Maryland Clean Air Funds (Special) and Air Pollution Control Program Grant Funds (Federal) will be used.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The reduction of the permit to construct application fee for charbroilers and pit barbecues will provide a one-time economic benefit to the business of \$100. The reduction of the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr will provide a one-time economic benefit to the business of \$100.

G. Small Business Worksheet:

Attached Document:

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Chapter 02 Permits, Approvals, and Registration

Authority: Environment Article, §§1-404, 2-103, 2-301—2-303, and 2-401—2-404, Annotated Code of Maryland

.17 Fee Schedule: Permit to Construct.

A. A person who submits an application for a permit to construct shall pay one of the following:

(1) A fee of \$100 for charbroilers and pit barbecues;

[[1]] *(2) A fee of \$200 for tank farms at motor vehicle or off-road vehicle refueling facilities; [charbroilers, and pit barbecues; or]*

(3) A fee of \$400 for fuel-burning equipment with a rated heat input capacity of less than 10 million Btu per hour; or

[[2]] *(4) A base fee of \$500 for all other sources, plus any applicable additional fees listed in §B of this regulation.*

B. (text unchanged)