

7002.0035 AIR QUALITY ANNUAL FEE TARGET.

The annual fee target shall be set as described in items A and B.

A. The unadjusted fee target shall be the greater of the following:

(1) the sum of:

(a) the amount directly appropriated to the Air Quality Division from the environmental fund for that fiscal year; and

(b) the Air Quality Division's portion of the appropriation from the environmental fund to the agency's general support program, as determined by using the indirect cost allocation plan approved by the Minnesota Department of Management and Budget under Minnesota Statutes, section 16A.127, subdivision 4; or

(2) the amount calculated by multiplying \$25 per ton, adjusted for inflation since 1989, times the number of tons of each chargeable pollutant listed in the most recently available emission inventory. No pollutant shall be double counted. A maximum of 4,000 tons per pollutant per facility shall be used for this calculation. The adjustment for inflation shall be in accordance with the adjustment described in Minnesota Statutes, section 116.07, subdivision 4d, paragraph (d).

B. The amounts described in item A must be adjusted as follows:

(1) if the agency failed to collect its fee target the previous year, after making reasonable efforts to do so, the shortfall must be added to the next year's fee target;

(2) if the agency collected more than its fee target the previous year, the excess must be subtracted from the next year's fee target; and

(3) for any year, the commissioner may increase the fee target by up to five percent to reflect the anticipated fee nonpayment rate. This increase must not be considered for purposes of calculating a deficit under subitem (1).

Statutory Authority: *MS s 116.07*

History: *17 SR 440; 21 SR 165; L 2009 c 101 art 2 s 109*

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