

AIR QUALITY MANAGEMENT FEES REGULATION BYLAW CONSOLIDATED

THIS IS A CONSOLIDATION, FOR REFERENCE PURPOSES, OF:

- Greater Vancouver Regional District Air Quality Management Fees Regulation Bylaw No. 1083, 2008
(Adopted July 25, 2008)
- Greater Vancouver Regional District Air Quality Management Fees Regulation Amending Bylaw No. 1135, 2011
(Adopted February 25, 2011)
- Greater Vancouver Regional District Air Quality Management Fees Regulation Amending Bylaw No. 1230, 2016
(Adopted February 26, 2016)

As of February 26, 2016

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BOARD AND INFORMATION SERVICES, METRO VANCOUVER.

**Greater Vancouver Regional District
Air Quality Management Fees Regulation Bylaw No. 1083, 2008**

WHEREAS:

- A. The Greater Vancouver Regional District has enacted the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008; and
- B. That Bylaw contemplates the payment of fees.

NOW THEREFORE the Board of Directors of the Greater Vancouver Regional District in open meeting duly assembled enacts as follows:

General

- 1 This Bylaw may be cited for all purposes as the “Greater Vancouver Regional District Air Quality Management Fees Regulation Bylaw No. 1083, 2008” (in this Bylaw, “this Regulation”).
- 2 (1) This Regulation is deemed to be an integral part of the Greater Vancouver Regional District Air Quality Management Bylaw No.1082, 2008 (“the Bylaw”).

(2) Terms defined in the Bylaw, or incorporated by reference into the Bylaw, have the same meaning in this Regulation.

Definitions

3 In this Regulation:

“**authorized discharge**” means:

- (a) the quantity of an air contaminant that is authorized by permit, approval, or emission regulation; or
- (b) if the quantity of an air contaminant in the discharge is not specified in a permit, approval, or emission regulation, the quantity of the air contaminant determined from discharge factors applied in accordance with procedures approved by the district director;

Added by
Bylaw 1135,
2011

“**fine particulate matter (PM2.5)**” means particles with an aerodynamic diameter less than or equal to 2.5 micrometres.

“**hazardous air pollutants**” means air contaminants that:

- (a) meet the definition of toxic under the Canadian Environmental Protection Act, 1999 and listed in Schedule 1 of that Act (List of Toxic Substances) as amended from time to time, but not including greenhouse gases, ozone, respirable particulate matter less than or equal to 10 microns and air contaminants that are precursors to particulate matter formation (nitrogen oxides, sulphur dioxide, volatile organic compounds and ammonia); or
- (b) are included in the United States *Clean Air Act*, United States Code Title 42, c. 85 § 7412(b) (1) (List of Hazardous Air Pollutants); or
- (c) as determined by the district director;

Amended by
Bylaw 1135,
2011

“measured discharge” means the quantity of an air contaminant discharged for a calendar year determined by a program which has been approved in writing by the district director;

Added by
Bylaw 1135,
2011

“non-photoreactive volatile organic compounds (non-photoreactive VOC)” means any volatile organic compounds:

- (a) listed as exclusions under “Volatile organic compounds that participate in atmospheric photochemical reactions” in Schedule 1 (List of Toxic Substances) of the Canadian Environmental Protection Act, 1999, as amended from time to time; or
- (b) as determined by the district director.

“odour unit” means an amount of an odourant as determined in accordance with European Standard EN 13725:2003 (“Determination of odour concentration by dynamic olfactometry”), or as otherwise approved by the district director;

Added by
Bylaw 1135,
2011

“photoreactive volatile organic compounds (photoreactive VOC)” means any organic compounds containing carbon:

- (a) not defined in this Regulation as either hazardous air pollutants or non-photoreactive volatile organic compounds; or
- (b) as determined by the district director.

“TRS” means total reduced sulphur compounds, including but not limited to hydrogen sulphide, methyl mercaptan, dimethyl sulphide and dimethyl disulphide;

Payment of Fees

- 4 Every person who applies for or is the holder of a permit must pay the application fees and annual fees set out in this Regulation.
- 5 Every person who applies for or is the holder of an approval must pay the application fees and the approval fees set out in this Regulation.

Amended
by Bylaw
1135,
2011

Calculation of Air Contaminant Emission Fees

- 6 **“Air contaminant emission fees”** (Z) are calculated as follows:

$$Z = A \times B$$

Where A = the authorized discharge in tonnes of an air contaminant listed in column 1 of Table 1;

and B = the corresponding fee per tonne of air contaminant listed in column 2 of Table 1

Table 1 – Air Contaminant Emission Fees for Authorized Discharges

Column 1 (A) Air Contaminant	Column 2 (B) Emission fee per tonne of air contaminant
Particulate Matter (filterable and condensable from solely combustion sources)	\$300
Particulate Matter (filterable and condensable from solely non-combustion sources)	\$30
Fine Particulate Matter (filterable and condensable from combined combustion and non-combustion sources, not fuelled solely by natural gas and/or propane)	\$300
Particulate Matter (all other filterable from combined combustion and non-combustion sources, not fuelled solely by natural gas and/or propane)	\$30
Nitrogen Oxides (NOx)	\$50
Photoreactive volatile organic compounds (photoreactive VOC)	\$60 (for the 2011 calendar year) \$100 (beginning in 2012)
Non-photoreactive volatile organic compounds (non-photoreactive VOC)	\$30
Sulphur Oxides (SOx)	\$100
Total Reduced Sulphur (TRS)	\$150
Hazardous Air Pollutants	\$1,000
Other (not otherwise specified)	\$30
Odour (fee per billion odour units)	\$50

7 “**Total emission fees**” are calculated as the sum of all air contaminant emission fees applicable for annual emissions authorized by a permit or emission regulation or, in the case of an approval, for the period of the approval.

Permit and Approval Fees

- 8** (1) The application fee payable to the District for an application for a permit or approval is the lesser of the following:
- (a) \$200 plus twice the total emission fees payable for the emissions specified in the application; and
 - (b) \$50,000.
- (2) The application fee payable to the District for an application for an amendment to a permit or approval is the lesser of the following:
- (a) \$200 plus twice the increase, if any, in the total emission fees payable for the emissions specified in the application; and
 - (b) \$50,000.
- 9** An application fee must be paid at the time the application is submitted and is not refundable by reason only that the permit, approval or amendment is refused.
- 10** A holder of a permit must pay annually the total emission fees plus \$200.

Amended
by Bylaw
1230,
2016

- 11 A holder of an approval must pay the total emission fees for the period authorized by the approval plus \$200.
- 12 If a permit or approval is cancelled at the request of the holder of the permit or approval then the District will issue an invoice for any prorated amount due or will refund the amount of any overpayment of the applicable fees.
- 13 If a permit or approval is amended then the District will issue an invoice for any prorated amount due or will credit the amount of any overpayment against any fees payable in the subsequent year or, if no fees are payable in the subsequent year, will refund any overpayment to the holder of the permit or approval.

Measured Discharge Program

14 The holder of a permit who has been in compliance with the permit and the Bylaw throughout a calendar year may apply for a credit against future emission fees. An annual application must be submitted by March 31st of the year following the discharge, and be accompanied by a fee of \$200 and information required by the district director in support of the application.

15 If the district director determines that the holder of a permit qualifies for a credit, the credit will be calculated as follows:

$$\text{Credit} = (\text{authorized discharge} - \text{measured discharge}) / 2 \times \text{air contaminant emission fee}$$

All information used in the credit calculation is from the calendar year in which the discharge occurred.

16 The credit will be applied against emission fees payable by the holder of the permit for the year in which the application is received.

Amended
by Bylaw
1135,
2011