

Chapter 2 - Section 2.11 Legal Authority for Collection of Permit  
or Registration Processing Fees and  
Inspection Program Fees and Registration  
of Certain Air Contaminant Sources

In accordance with Section 110 (a) (2) (K) for Implementation Plans of the Clean Air Act, the North Dakota Legislature has enacted a new section to Chapter 23-25 of the North Dakota Century Code to provide for the collection and deposit of permit or registration processing and inspection fees. Also a section of the North Dakota Century Code has been amended to provide for registration of certain air contaminant sources.

The new section and amendment of an existing section were passed by the State Legislature in 1979. They were both contained in Senate Bill No. 2218. The new section "23-25-04.2 Fees Deposit in operating fund" provides specifically for collection of reasonable fees for the issuance of permit or registration certificates and conducting an inspection program to determine the compliance status of sources with the permits or registration certificates. The new section also provides that the fees collected be deposited in the Health Department operating fund subject to appropriation by the Legislative Assembly. Amended sections "23-25-04.1 Permits or Registration" now provides that certain air contaminant sources may be registered in lieu of being issued a permit. The two sections as passed by the State Legislature went into effect July 1, 1979. The changes to Chapter 23-25 of the North Dakota Century Code are attached in Appendix B as applicable State Statutes.