

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 4: Air Quality

§ 413. Permit fees—Environmental Programs Revolving Fund

Cite as: 27 CNCA § 413

A. Upon the effective date of the Cherokee Nation Clean Air Act a schedule of permit fees may be adopted requiring the owner or operator of any source required to have a permit to pay to the Commission:

1. A fee sufficient to cover the reasonable cost of reviewing and acting upon any application for a construction or operating permit for any new source or for the modification of any existing source;
2. An annual operating permit fee sufficient to cover the reasonable costs, both direct and indirect, of implementing and enforcing the permit program authorized by the Cherokee Nation Clean Air Act and/or the federal Clean Air Act, including, but not to be limited to:
 - a. the costs of reviewing and acting upon any permit renewal,
 - b. emissions and ambient monitoring, for those costs incurred under the permitting program,
 - c. preparing generally applicable rules or guidance,
 - d. modeling, monitoring, analyses and demonstrations,
 - e. preparing inventories and tracking emissions, and
 - f. inspections and enforcement.

B. The fees authorized in this section shall be set forth by rule.

C. Any fee not received by the Commission within the prescribed time period allotted for payment, unless a lesser amount shall be provided for by rule, shall be subject to a one and one-half percent (1 1/2%) per month penalty.

D. There is hereby created the Environmental Programs Revolving Fund, a subaccount which shall consist of all fees collected by the Commission as authorized by the Cherokee Nation Clean Air Act.

Historical Data

LA 42-04, eff. November 23, 2004. Renumbered from 63 CNCA § 2-5-113.