

## COLUSA COUNTY AIR POLLUTION CONTROL DISTRICT

### **RULE 4.10 -- AIR TOXICS PROGRAM FEES**

*(Amended 2/2/93, 7/29/97)*

- a. The Air Toxics Hot Spots Fee Regulation adopted by the California Air Resources Board pursuant to Health and Safety Code Sections 90700 - 90705, as set forth in Section 90700 of Title 17 and Section 44380 of Title 26 of the California Code of Regulations is hereby adopted and incorporated by reference herein. (Refer to Appendix G)
- b. The Air Pollution Control District shall charge and collect the following fees for performing the state mandated Air Toxics "Hot Spots" Information and Assessment Act of 1987. The District costs shall include but not be limited to review of inventory plans and reports, review of risk assessments, review of source test data, review of quadrennial updates, calculation of relevant exposure rates, and associated costs with collecting the state's portion of the mandated fees. The State costs shall include the reasonable anticipated cost which will be incurred by the State Board and the Office of Environmental Health Hazard Assessment. This rule applies to all facilities under Section 44320 of the California Health and Safety Code:
  1. Facilities classified as "State Industry-wide Facilities" shall pay an annual base fee of \$15.00 for State costs and pay a proportional share of the district's cost dedicated to each facility at the rate of \$40.00 per hour.
  2. Facilities classified as "Update Facilities" shall be exempt from State fees and shall pay a proportional share of the district's cost dedicated to each facility at the rate of \$40.00 per hour not to exceed \$125.00 to process Quadrennial Emission Inventory Updates.
  3. As used in a. and b. above, "proportional share" shall be defined as the amount of district's time dedicated to that single facility or a group of similar facilities related to this program.
  4. All facilities not exempted from the State Fee Regulations shall pay a prorated share of the state's costs as specified in the state fee regulation which will be determined and collected by the district based on the Facility Program Fee Category as specified in Section 90704 of Title 17 of the California Code of Regulations.
  5. As specified and allowed in Section 44380(b) of the California Health and Safety Code, a facility's failure to pay the fees within 60 days after receipt of the invoice shall be subject to a administrative civil penalty. The penalty shall be 100 percent of the assessed fee.
  6. Failure to pay the fee, as specified in Section 44380(b) of the California Health and Safety Code, shall be cause for the district to initiate revocation of the Permit to Operate.
- c. Unless this rule is amended by the District Board, it shall be automatically re-adopted annually by operation of law, in compliance with Section 90703 of Title 17 of the California Code of Regulations.