State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: PUBLIC HEARING TO CONSIDER THE ADOPTION OF FEE REGULATIONS PURSUANT TO THE ATMOSPHERIC ACIDITY PROTECTION FEES

Agenda Item No.: 93-6-2

Public Hearing Date: April 8, 1993

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified: Pat Hutchens
Pat Hutchens
Board Secretary

Date: 5/3/93

State of California
AIR RESOURCES BOARD

Resolution 93-22

April 8, 1993

Agenda Item No.: 93-6-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, in the Atmospheric Acidity Protection Act of 1988 (Stats. 1988, ch. 1518, Health and Safety Code sections 39900-39911), the Legislature declared that the deposition of atmospheric acidity resulting from other than natural sources is occurring in various regions in California, and that the continued deposition of this acidity, alone or in combination with other man-made pollutants and naturally occurring phenomena, could have potentially significant adverse effects on public health, the environment and the economy;

WHEREAS, in section 39904 of the Health and Safety Code, the Legislature directed the Board to adopt and implement the Atmospheric Acidity Protection Act program to determine the nature and extent of potential damage to public health and the State's ecosystems which may be expected to result from atmospheric acidity, and to develop measures which may be needed for the protection of public health and sensitive ecosystems within the State;

WHEREAS, section 39906 of the the Health and Safety Code authorizes the Board to require local air pollution control districts and air quality management districts ("districts") to impose additional permit and variance fees on nonvehicular sources which emit 500 tons or more per year of sulfur oxides or nitrogen oxides to recover the costs of the acid deposition research and monitoring program which is required to provide districts and the Board with the necessary basis for evaluating the public health and environmental impact of the emissions of acid deposition precursors from large nonvehicular sources and for determining the feasibility and cost of control measures and air quality management strategies to mitigate the efforts of those emissions;

WHEREAS, the Air Resources Board staff, in consultation with representatives of the local districts and affected industries, has developed the proposed fee regulations for Fiscal Year 1993-94;

WHEREAS, in accordance with Health and Safety Code section 39909, the proposed fee regulations have been designed to provide the Board net revenues in Fiscal Year 1993-94 in an amount which is the lesser of one million five hundred thousand dollars ($1,500,000) or the amount appropriated from state funds for the acid deposition research and monitoring program by the Legislature;

WHEREAS, the proposed fee regulations specify by district the amount to be transmitted to the Board for deposit in the Air Pollution Control Fund in Fiscal Year 1993-94 and authorize each district to assess additional fees to recover the administrative costs of collecting the fees;

WHEREAS, the proposed emissions fee regulations are based on the most current annual emissions data available from the districts, which are for the calendar year 1991;