

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE AIR TOXICS "HOT SPOTS" FEE REGULATION.

Public Hearing Date: July 8, 1993
Public Availability Date: January 14, 1994
Deadline for Public Comment: January 31, 1994

At a public hearing held on July 8, 1993, the Air Resources Board (ARB/Board) considered the adoption of amendments to the Air Toxics "Hot Spots" Fee Regulation (Fee Regulation), sections 90700 through 90705, Titles 17 and 26, California Code of Regulations (CCR). This Fee Regulation provides for the recovery of the anticipated costs of the ARB, the Office of Environmental Health Hazard Assessment (OEHHA), and some local air pollution control and air quality management districts (districts) to implement the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (Act) (Health and Safety Code section 44300 et seq.). Any facility which manufactures, formulates, or releases one or more of the toxic substances on the list of Substances to be Inventoried, Appendix A of the Emission Inventory Criteria and Guidelines Regulation (CCR sections 93330 through 93354), may be subject to the Act and the "Hot Spots" Fee Regulation.

The proposed amendments to the Fee Regulation, presented to the Board at the July 8, 1993, hearing are described in detail in the Initial Statement of Reasons for Proposed Rulemaking: Proposed Amendments to the Air Toxics "Hot Spots" Fee Regulation (Staff Report), released on May 21, 1993.

For fiscal year 1993-94, the Fee Regulation establishes each district's share of the state's cost and fee schedules for twelve districts that requested the Board's assessment of fees. Pursuant to Health and Safety Code section 44380, these twelve districts provided anticipated district Hot Spots program costs, approved by their district's governing board, to the ARB prior to April 1, 1993. The remaining 22 districts must adopt district Hot Spots fee rules that provide for the recovery of their portion of the state's cost and their district costs. For these 22 districts, the amended regulation will establish only each district's share of the state's cost of implementing the program.

At the hearing, after considering the ARB staff's recommendation and the public testimony, the Board approved Resolution 93-48, directing the Executive Officer to adopt sections 90700 through 90705, Titles 17 and 26, CCR, in accordance with the procedures set forth in Government Code sections 11346.4-11346.8, after making the regulation available to the public for a

period of 15 days and making modifications, as appropriate, in light of public comments received. The Board also noted and approved several modifications to the proposed regulations which had not been included in the Notice of Public Hearing and the Staff Report.

Modifications to the proposed regulation are as follows:

Modifications to the number of facilities categorized as Plan and Report, Risk Assessment, Notification, or Audit and Plan used to calculate each district's share of the state's costs (Table 1) and facility fees (Table 3):

In previous fiscal years, the volume of criteria pollutants emitted served as the basis for allocation of the state's cost and facility fees. For fiscal year 1993-94, an amendment was proposed to change the fee basis. In response to the Board's directive and legislative mandates, the program category approach was developed for allocating the state's cost and establishing facility fees. The program category method uses the number of facilities each district has in the various Hot Spots Program categories and resource indexes to balance toxicity, health risk priority, and workload.

The following districts provided updated facility numbers prior to the Board Hearing: the Imperial, Lake, Kern, Mendocino, San Luis Obispo, and Santa Barbara County Air Pollution Control Districts (APCD); the Sacramento Metropolitan Air Quality Management District (AQMD); and the Yolo-Solano Unified APCD.

The number of facilities categorized as Risk Assessment-State was updated to include additional risk assessments received by the OEHHA between ~~December 1, 1992, and March 31, 1993.~~ ~~Facilities, whose risk assessments~~ were resubmitted for the OEHHA's review between April 1, 1992, and March 31, 1993, were recategorized as Risk Assessment-District facilities. The following districts' Risk Assessment-State facility numbers were updated: the Kern, Santa Barbara, and San Diego County APCDs; the Sacramento Metropolitan AQMD; and the San Joaquin Valley Unified APCD.

These modifications affect the distribution of the state's cost in all 34 districts (Table 1). The updates to facility numbers will also modify facility fees (Table 3) in the Kern, Mendocino, and Santa Barbara County APCDs; the Sacramento Metropolitan AQMD; and the San Joaquin Valley Unified APCD.

Modifications in district costs to be recovered through the Fee Regulation (Tables 2, and 4): The South Coast AQMD and the Santa Barbara County APCD, requested changes in their district costs for program implementation. These changes affect the amount to be recovered through the Fee Regulation for these two districts.

The South Coast Air Quality Management District requested an increase from \$20 to \$25 in the flat fee to be collected from E-II (survey) and industrywide-categorized facilities (Table 4). This does not change their

overall district cost, but decreases their cost to be recovered through the Fee Regulation from \$4,252,961 to \$4,192,961 (Table 2).

The Santa Barbara County APCD reduced their district cost from \$297,200 to \$225,000. This reduces their cost to be recovered through the Fee Regulation from \$260,675 to \$188,475 (Table 2). This is a one-time cost reduction due to the revisions in the reporting schedule contained in the Emission Inventory Criteria and Guidelines Regulation.

Modification of the definition of Plan and Report facility: Facilities judged by a district to be high priority, because of their toxic emissions, are required to prepare health risk assessments. The Santa Barbara County APCD also required risk assessments from intermediate priority facilities. The Santa Barbara County APCD requested that intermediate priority facilities, that had their health risk assessment prepared by the district, be recategorized from the Risk Assessment facility category to the appropriate Plan and Report facility category.

Modification of the definition of a small business: Because of the change in fee basis, the ARB staff anticipated that some smaller businesses might be included in higher fee categories. To lessen the economic burden on these facilities, the staff proposed to set a fee cap of \$700. To qualify for this fee cap the staff proposed a "small business" definition in section 90701(v). At the hearing, the Board directed the staff to review the cap on the amount of annual gross receipts a facility may have accrued and still qualify as a small business. Having reviewed the available data, we propose to increase the cap on annual gross receipts from \$500,000 to \$1,000,000, and include an aggregate cap for gross receipts for California operations of \$5,000,000. For fee assessment, the Board further directed staff to modify the small business definition to ensure that the applicability criteria would be applied to oil producers in the San Joaquin Valley Unified APCD in the same manner as they are in other districts.

Modification of the proposed amendment for annual adoption of a state Fee Regulation: An amendment to section 90704(a) of the Fee Regulation was proposed in the Staff Report that would change the requirement for the state's annual adoption of a Fee Regulation. The proposed amendment would require the state to review the Fee Regulation and amend only as necessary. In response to comments received, this proposed amendment was rescinded. The state will continue to annually adopt a Fee Regulation to recover the state's cost.

Updates to Appendix A, "Air Pollution Control District Air Toxic Inventories, Reports or Surveys": The Sacramento Metropolitan AQMD supplied an updated air toxic inventory for the district entitled "Sacramento Air Quality Management District Toxic Air Pollutant Emission Inventory for Sacramento County June 1993".

District name change for the San Bernardino County APCD: The San Bernardino County APCD changed the name of their district to the Mojave Desert AQMD.

All references to the San Bernardino County APCD have been changed to the Mojave Desert AQMD (Tables 1, 2, 3, 4).

Attached is a copy of Board Resolution 93-48, approving the above described regulatory action. Attachment A to this resolution, the Air Toxics Hot Spots Fee Regulation, contains the approved regulatory language. In the Fee Regulation, the modifications described above are indicated with a double underline consisting of a solid line and a dashed line to indicate a proposed addition to the proposal originally contained in the Staff Report; a dashed line through the text indicates a proposed deletion to the original proposal. (The draft Fee Regulation in the Staff Report, made available with the Notice of Public Hearing, indicated proposed additions with a single underline and deletions with a diagonal slash.)

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt sections 90700 through 90705, as approved, after making the modified regulatory language and additional supporting documents and information available to the public for comment for a period of at least 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulation to the Board for further consideration if he determines that this is warranted.

The materials described above and all other documentation relied upon in this regulatory action are available for public inspection at the Board's Public Information Office, 2020 L Street, Sacramento, CA 95814, (916) 322-2990. ~~For further information concerning the proposed revisions, please~~ contact Genevieve Shiroma, Chief, Toxic Air Contaminant Identification Branch, at (916) 322-7072.

Written comments must be submitted to the Board Secretary, Air Resources Board, P.O. Box 2815, Sacramento, California 95812, no later than January 31, 1994, for consideration by the Executive Officer prior to final action. Only comments relating to the modifications or supporting documents and information described in this notice, will be considered by the Executive Officer.

Attachments

Attachment A

Proposed Amendments to the Air Toxics
Hot Spots Fee Regulation
For Fiscal Year 1993-94

Note: Language to be added is double underlined and language to be removed is dashed through

SUBCHAPTER 3.6 AIR TOXICS "HOT SPOTS" FEE REGULATION

Article 1. General

90700. Purpose and Mandate.

- (a) This regulation sets forth the list of substances compiled by the Air Resources Board pursuant to Health and Safety Code Section 44321 and provides for the establishment of fees to pay for the cost of implementing and administering the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (the "Act"; Stats 1987 ch 1252; Health and Safety Code Section 44300 et seq.).
- (b) Each district with jurisdiction over facilities meeting the criteria set forth in Section 90702(a)(1), (a)(2), and (a)(3) shall annually collect from the operator of each such facility, and each operator shall pay, fees which shall provide for the following:
- (1) Recovery of anticipated costs to be incurred by the State Board and the Department Office to implement and administer the Act, as set forth in Table 1 of this regulation, and
 - (2) Recovery of anticipated costs to be incurred by the district to implement and administer the Act, including but not limited to the cost incurred to: review emissions inventory plans, review emissions inventory data, review risk assessments, verify plans and data, and administer this regulation and the Air Toxics "Hot Spots" program.

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, and 44380, Health and Safety Code.

90701. Definitions.

- (a) "Air pollution control district" or "district" has the same meaning as defined in Section 39025 of the Health and Safety Code.
- (b) "Air release" has the same meaning as defined in Section 44303 of the Health and Safety Code.
- (c) "Approved emissions inventory" means an inventory of pollutants designated by the Executive Officer of the Air Resources Board in writing as the inventory to be used by the State Board for purposes of calculating the fee schedule for, and by districts

for purposes of billing facility operators pursuant to Section 90704 of the Air Toxics and Spills Fee Regulation!

- (b) "Audit and Plan Facility" means a facility that is required by the district, by April 1 of the calendar year prior to the fiscal year, to prepare a Risk Reduction Audit and Plan in accordance with Sections 44390 through 44394 of the Health and Safety Code.
- (dc) "Criteria pollutant" means, for purposes of this regulation, total organic gases, particulate matter, nitrogen oxides or sulfur oxides.
- (e) *DEPARTMENT means the State Department of Health Services!*
- (fd) "Facility" has the same meaning as defined in Section 44304 of the Health and Safety Code.
- (e) "Facility Program Category" means a list of facilities provided to the Air Resources Board by the districts by April 1 of the calendar year prior to the fiscal year, which lists the facilities which meet the definitions in Section 90701 (b), (f), (g), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), and (z).
- (f) "Industrywide Facility" means a facility included in an industrywide emission inventory prepared by an air pollution control district pursuant to Health and Safety Code Section 44323, or an individual facility which emits less than 10 tons per year of each criteria pollutant, falls within a class composed of primarily small businesses, as defined by subsection (v) below, and whose emissions inventory report was prepared by the air pollution control district.
- (g) "Notification Facility" means a facility that is required by the district by April 1 of the calendar year prior to the fiscal year, to notify the public of the potential health risk associated with the air toxics emissions from that facility pursuant to Health and Safety Code Section 44362(b).
- (h) "Office" means the Office of Environmental Health Hazard Assessment.
- (gi) "Operator" has the same meaning as defined in Section 44307 of the Health and Safety Code.
- (H) *PERSON has the same meaning as defined in section 39047 of the Health and Safety Code!*

- (j) "Plan and Report Facility" means a facility that by April 1 of the calendar year prior to the fiscal year, has been required by the district to prepare an individual plan and report in accordance with Sections 44340, 44341, and 44344 of the Health and Safety Code. This includes facilities completing an update plan, an update report, or a biennial summary form, and facilities in the Santa Barbara APCD that were categorized as intermediate priority for health risk assessment, and had a health risk assessment prepared for them by the district.
- (k) "Plan and Report Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(j), and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- (l) "Plan and Report Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(j), and has three to five processes as determined by six-digit SCC.
- (m) "Plan and Report Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(j), and has one or two processes as determined by six-digit SCC.
- (n) "Risk Assessment-District Facility" means a facility that by April 1 of the calendar year prior to the fiscal year, has been required by the district to prepare a health risk assessment in accordance with Section 44360(b) of the Health and Safety Code, and whose risk assessment has not yet been approved by the district.
- (o) "Risk Assessment-District Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(n), and has more than five different processes as determined by six-digit SCC.
- (p) "Risk Assessment-District Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(n), and has three to five different processes as determined by six-digit SCC.
- (q) "Risk Assessment-District Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(n), and has one or two different processes as determined by six-digit SCC.

- (r) "Risk Assessment-State Facility" means a facility whose risk assessment was received by the Office between April 1, 1992, and March 31, 1993.
- (s) "Risk Assessment-State Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(r), and has more than five different processes as determined by six-digit SCC.
- (t) "Risk Assessment-State Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(r), and has three to five different processes as determined by six-digit SCC.
- (u) "Risk Assessment-State Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(r), and has one or two different processes as determined by six-digit SCC.
- (v) "Small Business" means a business facility which is independently owned and operated and meets has met the following criteria in the preceeding year: ~~or~~ of a business affiliated with another concern, if the combined activities of both concerns meet the following criteria: 1) the number of employees is 10 or less; and 2) the total annual gross receipts are less than \$500,000. 1) the facility has 10 or fewer employees; 2) the facility's total annual gross receipts are less than \$1,000,000; and 3) the total annual gross receipts for the California operations of the business the facility is part of are less than \$5,000,000. All oil producers in the San Joaquin Valley Unified Air Pollution Control District, will be judged by the criteria of San Joaquin Valley Unified Air Pollution Control District Rule 2201, subsections 3.31.1 - 3.31.3 to determine overall facility size and boundaries for purposes of qualifying as a small business.
- (Operative October 21, 1993)
- (w) "Source Classification Codes" means number codes created by the United States Environmental Protection Agency used to identify processes associated with point sources that contribute emissions to the atmosphere.

- (ix) "State costs" means the reasonable anticipated cost which will be incurred by the State Board and the ~~Department of Health Services~~ Office to implement and administer the Act, as shown in Table 1 of this part.
- (y) "Supplemental Fee" means the fee charged to cover the costs of the district to review a health risk assessment containing supplemental information which was prepared in accordance with the provisions of Section 44360(b)(3) of the Health and Safety Code.
- (z) "Survey Facility" means a facility which emits less than ten tons per year of criteria pollutants, and which falls in any class listed in Appendix E-II to Sections 93300 et seq. of Title 17 of the California Code of Regulations.
- (jaa) "Total organic gases" or "TOG" means all gases containing carbon, except carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.

NOTE: Authority cited: Sections 39600, 39601, ~~and~~ 44380, and 44380.5, Health and Safety Code. Reference: Sections 44320, ~~44321, and~~ 44380, and 44380.5, Health and Safety Code.

Article 2. Applicability

90702. Facilities Covered.

- (a) Except for facilities exempted by Health and Safety Code Section 44324, this regulation applies to any facility which:
- (1) manufactures, formulates, uses, or releases any of the substances listed by the State Board pursuant to Health and Safety Code Section 44321 and contained in Appendix A ~~of this regulation~~ to Sections 93300 et seq. of Title 17 of the California Code of Regulations, which is incorporated by reference, or any other substance which reacts to form a substance so listed, and releases 10 tons per year or greater of any criteria pollutant, or
 - (2) is listed in any current toxics use or toxics air emission survey, inventory, or report released or compiled by an air pollution control district and referenced in Appendix ~~B~~ A, or

- (3) manufactures, formulates, uses or releases any listed substance or any other substance which reacts to form any listed substance, and which releases less than 10 tons per year of each criteria pollutant and falls in any class listed in Appendix E to Sections 93300 to 93354 of Title 17 of the California Code of Regulations.

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, 44322, and 44380, Health and Safety Code.

Article 3. Fees

90703. District Board Adoption of Fees.

Except for the districts that have fulfilled all of the requirements specified in Section 90704(a), every district shall annually adopt a rule or regulation which recovers the costs specified in 90700(b), unless the district rule or regulation contains a specific provision for automatic readoption of the rule or regulation annually by operation of law.

- (a) The State Board shall calculate each district's share of state costs on the basis of criteria pollutant emissions as set forth in the most recent approved emissions inventory/ the number of facilities in program categories as defined in Sections 90701(b), (g), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), and (u).

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, 44322, and 44380, Health and Safety Code.

90704. State Board Adoption of Fees.

- (a) The State Board shall annually review and may amend the fee regulation, including the ~~adopt~~ & adopt a fee schedule which assesses a fee upon the operators of facilities subject to this regulation, and which identifies and provides for the recovery of both state costs and district costs to administer and implement the Act pursuant to Section 90700(b), for facilities located in districts that have completed all of the following requirements:

- (1) The district board has approved, and adopted by resolution, the cost of implementing and administering the Act for the applicable fiscal year as specified in 90700(b)(2);
- (2) The district has submitted a written request specifying the amount to be collected for the applicable fiscal year, through fees established by the State Board regulation, as calculated pursuant to Section 90704(c), (d), (e), and (f), and including documentation of the calculations;
- (3) The district has submitted the resolution, request and documentation specified in subsections (1) and (2) to the State Board by April 1 preceding the applicable fiscal year.

(b) Calculation of Fees.

- (1) The State Board shall ~~establish~~ ~~calculate~~ the fee rate applicable to each facility for the recovery of state and district costs and shall notify each district in writing by December 1 of each year of the amount to be collected from each facility and of the amount of revenue which the district must remit to the State Board for reimbursement of state costs, as set forth in Table 1. When calculating the fees, the State Board shall take into account and allow for the unanticipated closing of businesses, unpredictable changes in emissions, nonpayment of fees, and other circumstances which ~~would result in a shortfall in anticipated revenue.~~
- (2) The State Board shall calculate fees on the basis of ~~emissions of criteria pollutants as set forth in the most recently approved emissions inventory, except for facilities subject to this regulation on the basis of the criteria set forth in Section 90702(a)(2); the facility program category as set forth by the district by April 1 preceding the applicable fiscal year, except for facilities covered by Section 90704(d) and (e).~~
- (3) ~~The fee for any facility which meets the criteria set forth in both 90702(a)(1) and 90702(a)(2) shall be calculated on the basis of the procedures set forth for facilities covered by Section 90702(a)(1). Any facility which meets the criteria set forth in both 90702(a)(2) and 90702(a)(3) shall be assessed a fee pursuant to Section 90704(c)(4). Any facility which is subject to this regulation solely on the basis of the criteria set forth in Section 90702(a)(2) shall be assessed a fee pursuant to Section 90704(d).~~

(c) Fees Based on Emissions of Criteria Pollutants/ Facility Program Category.

(1) The State Board shall provide a flat fee per facility based on the facility program category of the facility as set forth in Table 3. The program categories are Plan and Report (Simple), Plan and Report (Intermediate), Plan and Report (Complex), Risk Assessment-District (Simple), Risk Assessment-District (Intermediate), Risk Assessment-District (Complex), Risk Assessment-State (Simple), Risk Assessment-State (Intermediate), Risk Assessment-State (Complex), Notification, and Audit and Plan.

(1) The State Board shall provide both a graduated cost per facility fee based on categories of emissions equal to or greater than 25 tons per year and a per ton emission fee for emissions of criteria pollutants equal to or greater than 25 tons per year, as set forth in Tables 3 / 7/

(2) For Lassen County APCD, San Bernardino County APCD, Shasta County APCD, and South Coast AQMD, the State Board shall calculate a per ton emission fee for emissions of criteria pollutants equal to or greater than 10 tons per year, as set forth in Table 7/

(3) For those districts not specified in subsection (c)(2) above, the State Board shall provide a flat fee for facilities which emit equal to or greater than 10 tons but fewer than 25 tons per year of criteria pollutants, as set forth in Table 8/

(4) Facilities which are subject to fees solely on the basis of Section 90702(a)(3), and those facilities subject to fees solely on the basis of 90702(a)(2) and (a)(3) shall be assessed the flat fee specified in Table 9 as follows: those facilities which fall in any class listed in Appendix E/I of Sections 93300/93354 of Title 17, California Code of Regulations (Emission Inventory Criteria and Guidelines Regulation), except for facilities for which the district is preparing an industrywide emissions inventory and health risk assessment pursuant to Health and Safety Code Section 44323, shall be assessed the flat fee specified in Table 9, Column A; those facilities which fall in any class listed in Appendix E/II of the same regulation, except for facilities for which the district is preparing an industrywide emissions inventory and health risk assessment pursuant to Health and Safety Code Section 44323 shall be assessed the flat fee specified in Table 9, Column B; those facilities for which the district is preparing an industrywide emissions inventory and

Health risk assessment pursuant to Health and Safety Code Section 44323 shall be assessed the flat fee specified in Table 9, Column C. If a facility was previously assessed, and has paid a fee pursuant to Column B of Table 9, subsequent fees pursuant to Column B of Table 9 shall be waived by the district, if the district determines that there are insignificant costs with respect to said facility under the Act.

(5) Upon review and approval by an air pollution control officer, a facility covered by Section 90702(a)(1) which manufactures, uses, or formulates, but does not release, a listed substance or precursor and whose emissions of criteria pollutants equal to or greater than 10 tons per year are limited solely to noncombustion/related particulate matter shall pay a flat fee of \$100/00, provided the facility operator demonstrates to the satisfaction of the air pollution control officer that the noncombustion/related air release does not contain a substance listed in Appendix A.

(d) Fees for Facilities on District Inventories:

(1) Except as provided in Section 90703 and Section 90704(d)(2), (d)(3), (d)(4), and (d)(5), below, facilities subject to fees solely on the basis of the criteria set forth in Section 90702(a)(2), and which do not meet the criteria for ~~industrywide inventories as specified in Health and Safety Code Section 44323~~, shall be assessed an annual fee of \$100/00.

(2) Facilities located in the Santa Barbara County APCD which are subject to fees solely on the basis of the criteria set forth in Section 90702(a)(2) and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323 shall be assessed an annual fee of \$300.

(3) Facilities located in the San Joaquin Valley Unified APCD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of \$400.

(4) Facilities located in Kern County APCD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of \$450.

(5) Facilities located in South Coast AQMD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of \$200.

(6) Facilities which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed the annual fee specified in Table 9, Column C.

(d) Specified Flat Fees.

(1) A Survey Facility shall be assessed the flat fee specified in Table 4, Column A. An Industrywide Facility shall be assessed the flat fee specified in Table 4, Column B. If a facility was previously assessed, and has paid, a fee pursuant to the program categories specified for Column A or B of Table 4, subsequent fees pursuant to Column A or B of Table 4 shall be waived by the district, if the district determines that there are insignificant costs with respect to said facility under the Act.

(e) Other Flat Fees.

(1) Pursuant to the provisions of Section 44380.5 of the Health and Safety Code, the supplemental fee which may be assessed upon the operator of a facility, to cover the direct costs to the district to review the information supplied, shall be \$2,000.

(2) The maximum fee which a small business, as defined in Section 90701(v), shall pay will be \$700. The districts shall provide to ARB by April 1 of the calendar year prior to the fiscal year, the number of facilities in each facility program category meeting the small business definition.

(3) If in the judgment of a district the action will not result in a shortfall in revenue, a district may request the fee for the Plan and Report (Simple) category be set at no more than \$1,000.

(f) Costs to be recovered by the regulation adopted by the State Board pursuant to Section 90704 shall be calculated as follows: Each district board shall approve its anticipated costs to implement and administer the Act. Before submitting this program cost information to the State Board, the district shall subtract

from this amount anticipated revenues from collection of the flat fee specified in Section ~~90704(c)(4)~~ and 90704(d)(1); and any excess revenues obtained by the district pursuant to Section 90705(c). When submitting board-approved program costs to the State Board, the district shall include a breakdown of how the collected fees will be used.

NOTE: Authority cited: Section 39600, 39601, and 44380, Health and Safety Code. Reference: Sections 44320, 44322, 44380, and 44380.5, Health and Safety Code.

90705. Fee Payment and Collection.

- (a) Each district shall notify and assess the operator of each facility subject to this regulation in writing of the fee due. Except as provided in Sections 90703, ~~90704(c)(4)~~, and 90704(d), and 90704(e), each district shall use the approved emissions inventory facility program category as the basis for billing. The operator shall remit the fee to the district within 60 days after the receipt of the fee assessment notice or the fee will be considered past due. If an operator fails to pay the fee within 60 days of this notice, the district shall assess a penalty of not more than 100 percent of the assessed fee, but in an amount sufficient, in the district's determination, to pay the district's additional expenses incurred by the operator's non-compliance. ~~If an operator fails to pay the fee within 120 days~~ after receipt of this notice, the district may initiate permit revocation proceedings. If any permit is revoked it shall be reinstated only upon full payment of the overdue fee plus any late penalty, and a reinstatement fee to cover administrative costs of reinstating the permit.
- (b) Each district shall collect the fees assessed by or required to be assessed by this regulation. After deducting the costs to the district to implement and administer the program, each district shall transmit to the State Board the amount the district is required to collect for recovery of state costs pursuant to Section 90700(b)(1), as set forth in Table 1, on or before April 1 of each year. Checks shall be made payable to the State Air Resources Board. The State Board shall forward the revenues to the State Controller for deposit in the Air Toxics Inventory and Assessment Account.
- (c) Any fee revenues received by a district for which fees have been adopted pursuant to Section 90704 which exceed district and state costs shall be reported to the State Board and shall be retained by the district for expenditure in the next two fiscal years.

- (d) In the event a district does not collect sufficient revenues to cover both the district program costs and the portion of the state costs which the district is required to remit to the State Board due to circumstances beyond the control of the district, including but not limited to plant closure or refusal of the source operator to pay despite permit revocation and/or other enforcement action, such district shall notify the Executive Officer of the State Board and may for demonstrated good cause be relieved by the Executive Officer from an appropriate portion of the fees the district is required to collect and remit to the state.

Documentation of the circumstances resulting in the shortfall shall be submitted to the ARB upon request. Nothing herein shall relieve the operator from any obligation to pay any fees assessed pursuant to this regulation.

- (1) A district for which the Board has adopted a fee schedule pursuant to Section 90704 may, upon notifying the Executive Officer of the State Board, carry over such shortfall in revenue to the fiscal year after which the shortfall was discovered and add the shortfall amount to the program costs for such subsequent fiscal year.

Notes: Authority cited: Sections 39600, 39601, and 44380, Health and Safety Code. Reference: Section 44380, Health and Safety Code.

Table 1

Revenues to be Remitted to Cover State Costs
by Air Pollution Control District

Air Pollution Control District	Revenues to be Remitted		
Amador	20,010	8,761	8,877
Bay Area	723,761	408,062	413,433
Butte	17,772	25,098	25,430
Calaveras	1,308	1,184	1,200
Colusa	13,697	23,441	23,751
El Dorado	8,826	6,630	6,717
Feather River	11,448	17,995	18,233
Glenn	12,429	21,559	21,840
Great Basin	6,131	12,076	12,235
Imperial	20,309	29,126	17,273
Kern	114,252	59,117	55,092
Lake	9,571	2,215	4,318
Lassen	7,640	2,788	3,838
Mariposa	867	474	480
Mendocino	8,092	12,786	8,877
Modoc	0		
Monterey	110,542	124,833	126,464
North Coast	83,062	8,761	8,876
Northern Sierra	28,928	28,888	28,311
Northern Sonoma	62,021	4,972	5,038
Placer	18,075	32,201	32,527
Sacramento	12,082	95,393	102,835
San Bernardino	263,487	79,541	80,586
Mojave Desert			
San Diego	140,276	304,883	301,527
San Joaquin Valley Unified	784,028	829,519	812,333
San Luis Obispo	97,624	61,449	61,773
Santa Barbara	86,085	97,100	66,934
Shasta	24,022	41,547	42,092
Siskiyou	2,748	1,421	1,439
South Coast	1,027,918	2,929,688	2,967,806
Tehama	8,460	4,262	4,318
Tuolumne	13,679	7,577	7,677
Ventura	68,159	115,322	116,843
Yolo-Solano	18,607	52,327	45,342
Total	3,734,640	5,428,560	5,428,515

Table 2

District Costs to be Recovered Through the Fee Regulation

Air Pollution Control District	Anticipated District Costs*		
<u>Calaveras</u>		<u>0</u>	
Great Basin	3,500	5,500	
Kern	42,924	64,234	
Lassen	6,398	3,000	
Mendocino	14,088	26,714	
<u>Placer</u>		<u>47,559</u>	
<u>Sacramento</u>		<u>42,314</u>	
San Bernardino	366,039	376,089	
Mojave Desert			

San Joaquin Valley Unified	1,218,340	1,830,600	
Santa Barbara	230,400	260,675	188,475

Shasta	21,827		
South Coast	2,781,697	4,252,961	4,192,961

Tehama	3,428		
<u>Tuolumne</u>		<u>23,800</u>	

Total		\$4,688,606	

* These amounts do not include program costs which will be recovered by the flat fees described in Section 90704(c)(4) or (d), or may reflect adjustments for excess or insufficient revenues pursuant to Section 90705(c) and (d)(1).

Table 3 *
 Cost per Facility by District and Facility Program Category

Air Pollution Control District	Plan and Report (Simple)	Plan and Report (Intermediate)	Plan and Report (Complex)	Risk ¹ Assessment (Simple)	Risk ² Assessment (Simple)	Risk ¹ Assessment (Intermediate)	Risk ² Assessment (Intermediate)	Risk ¹ Assessment (Complex)	Risk ² Assessment (Complex)	Notification	Audit & Plan
Calaveras	474	740	720								
Great Basin	647	980	939	4670	1691						
Kern	744	4480		3344	4742						
Losban	808	874									
Mendocino	610	4743	2911	4804	674						
Placer	944	6440	2134	6644	5974						
Sacramento	877	4040	1043	4073	2039						
San Bernardino Mojave Desert	1000	5068	5928	4044	18321						
San Joaquin Valley	794	4660	1715	4444	4276	674	980	1230			
Santa Barbara	760	4804	1811	3804	4595	980	4880				
South Coast	800	4746	1711	4800	4264	674	980	4880	1230		
Tuolumne		8400	2309	6647	9322						

* Title to a new letter however underlines have been omitted for clarity.
¹ Risk assessment under review by the district.
² Risk assessment submitted to OEHHA from April 1, 1982 through March 31, 1983.
 ** Fees for San Bernardino reflect 50 small businesses paying \$700 and a Plan and Report stamp fee exp of \$1800.

TABLE 4

**Fees for Sources Emitting Less Than Ten Tons
of Each Criteria Pollutant
as Required by Section 90704(c)(4)
Survey and Industrywide Facilities**

District	A	B	A Survey Facilities	C	B Industrywide Facilities
<u>Calaveras</u>			<u>100</u>		<u>100</u>
Great Basin	25		25		25
Kern	450		100		250
Lassen	100		100		100
Mendocino	300		100		100
<u>Placer</u>			<u>50</u>		<u>50</u>
<u>Sacramento</u>			<u>100</u>		<u>100</u>
San Bernardino					
<u>Mojave Desert</u>	100		100		100

San Joaquin Valley					
<u>Unified</u>	200	100		200	<u>100</u>
Santa Barbara	300	100	75	200	<u>75</u>
Shasta	400	100		100	
South Coast	200	100	25	100	<u>20</u> <u>25</u>
			--		--
<u>Tehama</u>	60	30		60	
<u>Tuolumne</u>			<u>100</u>		<u>30</u>

Table 3
 Cost Per Facility Releasing Total
 Organic Gases by District and Emissions Category
 Dollars

	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 1000
Air Pollution Control District (APCD)	-	745	-	-	-
Great Basin Unified	-	-	-	-	-
Tehama	283	-	1200	-	-

**Table 4
Cost Per Facility Releasing Particulate
Matter by District and Emissions Category**

Dollars

Air Pollution Control District (APCD)	Tons per Year				
	25 - 49	50 - 99	100 - 499	500 - 999	≥ 1000
Great Basin Unified	513	914	-	-	-
Tehama	423	713	-	-	-

Table 5
 Cost Per Facility Releasing Nitrogen
 Oxides by District and Emissions Category

Dollars

Air Pollution Control District (APCD)	Tone per Year 25 - 49	Tone per Year 50 - 99	Tone per Year 100 - 499	Tone per Year \$00 - 999	Tone per Year ≥ 100
Great Basin Unified	501	-	-	-	-
Tehama	498	600	1495	-	-

Table 6
Cost Per Facility Releasing Sulfur
Oxides by District and Emissions Category

Air Pollution Control District (APCD)	Dollars				
	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 1000
Great Basin Unified	-	-	1434	-	-
Tehama	-	-	-	-	-

Table 7

Cost Per Ton Values (by District)

<u>Air Pollution Control District</u>	<u>Cost Per Ton</u>
Kern	10.04
Lassen	13.70
Mendocino	18.08
San Bernardino	17.92
San Joaquin Valley Unified	19.49
Santa Barbara	37.86
Shasta	14.02
South Coast	28.00

Table 8

Fee for 10-25 Ton Sources (by District)

<u>Air Pollution Control District</u>	<u>Cost per Facility</u>
Great Basin	185
Kern	450
Mendocino	850
San Joaquin Valley Unified	400
Santa Barbara	800
Tehama	286

Appendix A
List of Substances

APPENDIX A

AB 2588 LIST OF SUBSTANCES
(as required by Health and Safety Code Section 44321)

CATEGORY 1

- Sources:
- (1) California Air Resources Board
 - (2) Environmental Protection Agency
 - (3) International Agency for Research on Cancer
 - (4) Governor's List of Carcinogens and Reproductive Toxicants (HSC Section 25849.8)
 - (5) National Toxicology Program
 - (6) Hazard Evaluation System and Information Service
 - (7) Added pursuant to HSC Section 44321 (f)

FOOTNOTES:

* Single CAS number not applicable.
** Metal compounds are to be reported as the metal atom equivalent in the compound, unless specific compounds are listed.

[] This designation indicates a synonym for the substance listed.

[POM] Substances with this designation are Polycyclic Organic Matter (POM) compounds. See the page containing the alphabetized listing of POM for its definition. POM is listed pursuant to sources (1) and (2); therefore, all substances that fit into this defined category will also have sources (1) and (2) listed.

[PAH, POM] Substances with this designation are Polycyclic Aromatic Hydrocarbon (PAH) compounds and are a subgroup of POM. See the page containing the alphabetized listing of PAHs for its definition.

[PAH-Derivative, POM] Substances with this designation are Polycyclic Aromatic Hydrocarbon derivatives and are a subgroup of POM. See the page containing the alphabetized listing of PAH-Derivatives for its definition.

ADD DATES: Dates designate when each listed substance was approved by the Board. The following codes apply:
(A)-July 1988; (B)-September 1989; (C)-September 1990
(D)-June 1991

CATEGORY 1: Substances required to be included on the AB 2588 list by HSC Sections 44321 (c), (d), (e), and (f).
CATEGORY 2: Substances required to be listed by HSC Sections 44321 (a) and (b) but which may be removed from the list based on criteria in HSC Section 44321 (a).

Chemical Abstract Service (CAS) Number	Chemical Name	Source	Add Date
75070	Acetaldehyde	1,2,3,4	A
60365	Acetamide	1,2,3,4	A
67641	Acetone	1	D
75058	Acetonitrile	1,2	D
98862	Acetophenone	1,2	D
53963	2-Acetylaminoindole	1,2,4,5	A
62476599	[PAH-Derivative, POM]		
107028	Acifluorfen [POM]	1,2,4	C
79061	Acrolein	1,2	A
79107	Acrylamide	1,2,3,4	A
107131	Acrylic acid	1,2	D
23214928	Acrylonitrile	1,2,3,4,5	A
107186	Adriamycin [PAH-Derivative, POM]	1,2,3,4,5	A
107051	Allyl alcohol	7	D
28984377	Allyl chloride	1,2,4	A
7449905	Alprazolam [POM]	1,2,4	C
1344281	Aluminum	1	D
117793	Aluminum oxide (fibrous forms)	7	D
60093	2-Aminoanthraquinone	1,2,4,5	A
97653	[PAH-Derivative, POM]		
92671	p-Aminoazobenzene [4-Aminoazobenzene]	1,2,3,4	A
6109973	[POM]		
82280	o-Aminobiphenyl [POM]	1,2,3,4,5	A
7664417	4-Aminobiphenyl [POM]	1,2,3,4,5	A
6484522	3-Amino-9-ethylcarbazole hydrochloride	1,2,3,4,5	A
7783202	[POM]		
62633	1-Amino-2-methylanthraquinone	1,2,4,5	A
90040	[PAH-Derivative, POM]		
104949	Ammonia	1,2	D
7440360	Ammonium nitrate	1,2	D
1327339	Ammonium sulfate	1,2,3,4	C
	Aniline	1	D
	o-Anisidine	1,2,4	C
	p-Anisidine	1,2,3,4,5	A
	Anthracene [PAH, POM]	7	D
	Antimony	(see PAHs)	D
	Antimony compounds**	1,2	D
	Including but not limited to:		
	Antimony trichloride	1,2,3,4	C

CAS Number	Chemical Name	Source	Add Date
7440382	Arsenic	1,2,3,4,5	A
"	Arsenic compounds **	1	D
"	Arsenic compounds (Inorganic) **	1,2,3,4,5	A
7784421	Including but not limited to:		
492808	Arsine	1,2,7	A
-103333	Auramine [POM]	1,2,3,4,5	A
7440393	Azobenzene [POM]	1,2,4	C
"	Barium	7	D
"	Barium compounds **	1	D
98873	Benz[a]anthracene [PAH, POM]	(see PAHS)	D
65210	Benzal chloride	7	D
71432	Benzamide	1,2,3,4,5	A
92875	Benzene	1,2,3,4,5	A
"	Benzidine (and its salts) [POM]	1,2,3,4,5	A
1937377	Benzidine-based dyes [POM]	1,2,3	A
"	Including but not limited to:		
2602462	Direct Black 38	1,2,4,5	A
"	[PAH-Derivative, POM]		
16071865	Direct Blue 6	1,2,4,5	A
"	[PAH-Derivative, POM]		
"	Direct Brown 95	1,2,4	B
"	(technical grade)[POM]		
98077	Benzof[a]pyrene [PAH, POM]	(see PAHS)	A
"	Benzof[b]fluoranthene [PAH, POM]	(see PAHS)	A
"	Benzof[k]fluoranthene [PAH, POM]	(see PAHS)	A
98884	Benzof[l]fluoranthene [PAH, POM]	(see PAHS)	A
94360	Benzof[p]fluoranthene [PAH, POM]	(see PAHS)	A
6411223	Benzof[r]fluoranthene [PAH, POM]	(see PAHS)	A
100447	Benzof[s]fluoranthene [PAH, POM]	(see PAHS)	A
1694093	Benzof[t]fluoranthene [PAH, POM]	(see PAHS)	A
7440417	Benzoyl chloride	1	D
"	Benzoyl peroxide	7	D
"	Benzophenone	1,2,4	D
"	Benzophenone hydrochloride [POM]	1,2,4	C
"	Benzyl chloride	1,2,4	C
"	Benzyl violet 4B [POM]	1,2,3,4,5	A
"	Beryllium	1,2,3,4,5	A
"	Beryllium compounds **	1	D
92824	Bisphenyl [POM]	1,2,3,4,5	B
111444	Bis(2-chloroethyl) ether (DCEE)	1,2,4	D
494031	H-N-Bis(2-chloroethyl)-2-naphthylamine	1,2,4	D
"	(Chloronaphazone) [PAH-Derivative, POM]		
542881	Bis(chloromethyl) ether	1,2,3,4,5	A
108601	Bis(2-chloro-1-methylhexyl) ether	1	D
103231	Bis(2-ethylhexyl) adipate	1	D
7726956	Bromine	2	A
"	Bromine compounds (Inorganic) **	1,2	A
"	Including but not limited to:		
7768012	Bromoform	1,3,4	A
76262	1,3-Butadiene	1,2,4	A
106990	Butyl acrylate	1,2,3,4,5	A
141322	n-Butyl alcohol	1,2,3,4,5	D
71363		1	D

CAS Number	Chemical Name	Source	Add Date
78922	sec-Butyl alcohol	1	D
78660	tert-Butyl alcohol	1	D
85687	Butyl benzyl phthalate	1	D
123728	Butyraldehyde	7	D
7440439	Cadmium	1,2,3,4,5	A
"	Cadmium compounds **	1,2,3,4,5	A
156627	Calcium cyanamide	1,2	D
106602	Caprolactam	1,2	D
133062	Caplan	1,2,4	C
63852	Carbazyl [PAH-Derivative, POM]	1,2	D
"	Carbon black extracts	1,2,4	D
76150	Carbon black	1,3,4	A
66235	Carbon disulfide	1,2,4	B
463581	Carbon tetrachloride	1,2,4	A
120809	Catechol	1,2,3,4,5	A
133904	Cybohy sulfide	1,2	D
1620219	Chlorobenzene	1,2	D
57749	Chlorobenzene hydrochloride [POM]	1,2,4	A
7782505	Chloroethane	1,2	A
10049044	Chloroethene	1,2	A
79118	Chlorine dioxide	1,2	D
532274	Chloroacetic acid	1,2	D
"	2-Chloroacetophenone	1,2	D
"	Chlorobenzenes	1	D
"	Including but not limited to:		
108907	Chlorobenzene	1,2	A
2521226	Dichlorobenzenes (mixed isomers)	1,7	D
"	Including:		
95501	1,2-Dichlorobenzene	1,7	D
541731	1,3-Dichlorobenzene	1,7	D
106467	p-Dichlorobenzene	1,2,3,5	A
"	(1,4-Dichlorobenzene)		
120821	1,2,4-Trichlorobenzene	1,2	D
610156	Chlorobenzilate [POM]	1,2,4	C
"	[Ethyl-4,4'-dichlorobenzilate]		
67663	Chloroform	1,2,3,4,5	A
107302	Chloromethyl methyl ether	1,2,4,5	A
"	(technical grade)		
"	Chlorophenols	1,3	A
"	Including but not limited to:		
120832	2,4-Dichlorophenol	1,7	D
87865	Pentachlorophenol	1,2,4	C
95954	2,4,5-Trichlorophenol	1,2	D
88062	2,4,6-Trichlorophenol	1,2,4	A
75062	Chloroquinoline	7	A
126998	Chloroprene	1,2	A
7440473	Chromium	7	D
"	Chromium compounds **	1,2	D

CAS Number	Chemical Name	Source	Add Date
18540299	Chromium, hexavalent (and compounds) including but not limited to:	1,2,3,4,5	A
10294403	Barium chromate	1,2,5	D
13765190	Calcium chromate	1,2,5	D
1333820	Chromium trioxide	1,2,5	D
7758976	Lead chromate	1,2,5	D
10588019	Sodium dichromate	1,2,5	D
7789062	Strontium chromate	1,2,5	D
-	Chrysene [PAH, POM]	(see PAIS)	D
4680788	C.I. Acid Green 3 [POM]	1,2,7	D
569642	C.I. Basic Green 4 [POM]	1,2,7	D
989388	C.I. Basic Red 1 [POM]	1,2,7	D
569619	C.I. Basic Red 9 monohydrochloride [POM]	1,2,4,5	B
2832408	C.I. Disperse Yellow 3 [POM]	1,2,7	D
87296	(Note: "C.I." means "color index") Cinnamyl anthranilate [POM]	1,2,4,5	B
6358538	Citrus Red No. 2 [POM]	1,2,3,4	A
50419	Clomiphene citrate [POM]	1,2,4	S
7440484	Cobalt	7	D
*	Cobalt compounds**	1,2	D
7440508	Coke oven emissions	1,2,3,4,5	A
*	Copper	2	A
*	Copper compounds**	1,2	B
1319173	Cresols (mixtures of) (Cresylic acid) including:	1,3,4	A
108394	m-Cresol	1,2	D
96487	o-Cresol	1,2	D
106445	p-Cresol	1,2	D
98828	Cumene hydroperoxide	1,2	D
80159	Cyanide compounds** including but not limited to:	1,2	D
74908	Hydrocyanic acid	2	A
110827	Cyclohexene	1	D
66819	Cycloheximide	6	A
20830813	Dauromycin [PAH-Derivative, POM]	1,2,3,4	A
23541506	Daurorubicin hydrochloride [PAH-Derivative, POM]	1,2,4	C
3468631	D&C Orange No. 17 [PAH-Derivative, POM]	1,2,4	C
2092660	D&C Red No. 8 [PAH-Derivative, POM]	1,2,4	D
6160021	D&C Red No. 9 [PAH-Derivative, POM]	1,2,4	C
81889	D&C Red No. 19 [POM]	1,2,4	C
50293	DDT [1,1,1-Trichloro-2,2-bis(p-chlorophenyl)ethane] [POM]	1,2,3,4,5	A
1163195	Decabromodiphenyl oxide [POM]	1,2	D
613354	H,N'-Diacetilbenzidine [POM]	1,2,3,4	A
2303164	Diazotate	7	D

CAS Number	Chemical Name	Source	Add Date
*	Dialkylnitrosamines including but not limited to:	1	A
1116547	N-Nitrosodimethylamine	1,3,4,5	A
55186	N-Nitrosodipropylamine	1,3,4,5	A
62759	N-Nitrosodimethylamine	1,2,3,4,5	A
924163	N-Nitrosodipropylamine	1,3,4,5	A
621647	N-Nitrosodipropylamine	1,3,4,5	A
10595956	N-Nitrosodipropylamine	1,3,4	A
101804	4,4'-Diaminodiphenyl ether [POM]	1,2,3,4,5	A
*	Diminotoluene (mixed isomers) including but not limited to:	1,4	C
95807	2,4-Diaminotoluene [2,4-toluenediamine]	1,2,3,4,5	A
334883	Diazomethane	1,2	D
226368	Dibenz[a,h]acridine [POM]	1,2,3,4,5	A
224420	Dibenz[a,h]acridine [POM]	1,2,3,4,5	A
194692	Dibenz[a,h]anthracene [PAH, POM]	(see PAIS)	A
132649	7H-Dibenzo[c,p]carbazole [POM]	1,2,3,4,5	A
*	Dibenzofuran [POM]	1,2	D
*	Dibenzofurans (chlorinated) [POM] (see Polychlorinated dibenzofurans)	(see PAIS)	A
-	Dibenzofuran [POM]	(see PAIS)	A
-	Dibenzofuran [POM]	(see PAIS)	A
-	Dibenzofuran [POM]	(see PAIS)	A
-	Dibenzofuran [POM]	(see PAIS)	A
86128	1,2-Dibromo-3-chloropropane [DBCP]	1,2,3,4,5	A
84742	Dibutyl phthalate	1,2	D
-	p-Dichlorobenzene (1,4-Dichlorobenzene) (see Chlorobenzenes)	1,2,3,4,5	A
91911	3,3'-Dichlorobenzidine [POM]	1,2,3,4	B
28434868	3,3'-Dichloro-4,4'-diaminodiphenyl ether [POM]	1,2,3,4	B
72548	Dichlorodiphenylidichloroethane [DDO] [POM]	1,2,4	B
72559	Dichlorodiphenylidichloroethane [DDE]	1,2,4	B
75343	1,1-Dichloroethane [Ethylidene dichloride] [POM]	1,2,4	C
640590	1,2-Dichloroethylene	7	D
94767	Dichlorophenoxyacetic acid, salts and esters [2,4-D]	1,2	D
78876	1,2-Dichloropropane [Propylene dichloride]	1,2,4	C
542766	1,3-Dichloropropane	1,2,3,4,5	A
78886	2,3-Dichloropropene	7	D
62797	Dichloroethane [DCE]	1,2,4	B
115322	Dicofol [POM]	1,2	D
84173	Diethylstilbestrol [DES]	1,2,4	C
*	Diesel engine exhaust	1,3,4	C
111422	Diethanolamine	1,2	D
117817	D(2-ethylhexyl) phthalate [DEHP]	1,2,3,4,5	A

CAS Number	Chemical Name	Source	Add Date
1335871	Hexachloronaphthalene [PAH-Derivative, POM]	1,2,7	D
680319	Hexamethylphosphoramide	1,2,3,4,5	A
110543	Hexane	1,2	D
302012	Hydrazine	1,2,3,4,5	A
7647010	Hydrochloric acid (see Cyanide compounds)	1,2	A
7783064	Hydrocyanic acid (see Cyanide compounds)	1,2	A
123319	Hydrogen sulfide	1,2,4	D
-	Indeno[1,2,3-cd]pyrene [PAH, POM]	(see PAHs)	D
78842	Isobutyraldehyde	7	D
-	Isocyanates	5	A
822060	Including but not limited to:		
101698	Hexamethylene-1,6-dithiocyanate	1,2	D
624839	Methylene diphenyl dithiocyanate (MDI) [POM]	1,2	D
-	Methyl isocyanate	1,2	A
78691	Toluene-2,4-dithiocyanate (see Toluene dithiocyanates)	1,2,4,5	D
67630	Toluene-2,6-dithiocyanate (see Toluene dithiocyanates)	1,2,4	D
80067	Isophorone	1,2	D
77601634	Isopropyl alcohol	1,2	D
7439921	4,4'-Isopropylidenediphenol [POM] Lactofen [POM]	1,2,4 1,4,6	B A
-	Lead compounds **	1,2	D
301042	Including but not limited to:		
1335326	Lead acetate	1,2,4,5	A
-	Lead subacetate	1,2,4	C
-	Lead compounds (inorganic) **	1,3	A
-	Including but not limited to:		
7446277	Lead phosphate	1,4,5	A
846491	Lorazepam [POM]	1,2,4	C
108316	Maleic anhydride	1,2	A
7439965	Manganese	1,2	A
-	Manganese compounds **	1,2	B
7439976	Mercury	1,2,4,6	A
-	Mercury compounds **	1,2,4	B
-	Including but not limited to:		
7487947	Mercuric chloride	2	A
693748	Methyl mercury (Dipethylmercury)	2	A
67861	Methanol	1,2	A
72936	Methoxychlor [POM]	1,2	D
96333	Methyl acrylate	7	D
76568	2-Methylaziridine [1,2-Propyleneimine]	1,2,3,4	D
74839	Methyl bromide (Bromomethane)	1,2,6	A
74873	Methyl chloride (Chloromethane)	1,2	D
71656	Methyl chloroform [1,1,1-Trichloroethane]	1,2,6	D
56495	3-Methylcholanthrene [PAH-Derivative, POM]	1,2,4	C
3691243	5-Methylchrysene [PAH-Derivative, POM]	1,2,3,4,5	A

CAS Number	Chemical Name	Source	Add Date
101144	4,4'-Methylene bis(2-chloroaniline) [MOCA] [POM]	1,2,3,4,5	A
838880	4,4'-Methylene bis(2-methylpiperidine) [POM]	1,2,3,4	B
101611	4,4'-Methylene bis(N,N-dimethyl) benzamine [POM]	1,2,4,5	A
74953	Methylene bromide	7	D
75092	Methylene chloride (Dichloromethane)	1,2,3,4,5,6	D
101779	4,4'-Methylenedianiline (and its dichloride) [POM]	1,2,3,4,5	A
78933	Methyl ethyl ketone [2-Butanone]	1,2	D
60344	Methyl hydrazine	1,2	D
74884	Methyl iodide (Iodomethane)	1,2,4,5	D
108101	Methyl isobutyl ketone (Hexone)	1,2	A
80626	Methyl methacrylate	1,2,6	A
129167	2-Methyl-1-nitroanthraquinone (uncertain purity) [PAH Derivative, POM]	1,2,3,4	A
1634844	Methyl tert-butyl ether	1,2	D
90948	Nichler's ketone [POM]	1,2,4,5	A
69467968	Mineral hydrochloride [POM]	1,2,4	C
-	Mineral fibers (other than manmade)	2,7	A
-	Including but not limited to:		
1332214	Asbestos	1,2,3,4,5	A
12510428	Eriofone	2,3,4	A
-	Talc containing asbestiform fibers	2,3,4	A
-	Mineral fibers (fine)	1,2,7	D
-	(fine mineral fibers which are manmade and are airborne particles of a respirable size or greater than 5.0 microns in length, less than or equal to 3.5 microns in diameter, with a length to diameter ratio of 3:1)		
-	Including but not limited to:		
-	Ceramic fibers	1,2,3,4	B
-	Glasswool fibers	1,2,3,4	B
-	Rockwool fibers	1,2,3	B
-	Slagwool fibers	1,2,3	B
-	Mitoxentron hydrochloride [PAH-Derivative, POM]	1,2,4	C
1313275	Hoibdenum trioxide	1	D
86320420	Nafrolin acetate [PAH-Derivative, POM]	1,2,4	C
3771195	Nafropin [POM]	1,2,3,4	C
-	Naphthalene [PAH, POM]	(see PAHs)	A
134327	1-Naphthylamine [PAH-Derivative, POM]	1,2,4	C
91898	2-Naphthylamine [PAH-Derivative, POM]	1,2,3,4,5	A
7440020	Nickel	1,2,3,4,5	A

CAS Number Chemical Name Source Add Date

373024	Nickel compound, n	1,2,3,4,5	A
3333393	Including but not limited to:		
13463393	Nickel acetate	1,2,5	D
12054487	Nickel carbonyl	1,2,4,5	A
1271289	Nickel hydroxide	1,2,5	D
1313991	Nickel oxide	1,2,5	D
12036722	Nickel suboxide	1,2,4,5	A
7697372	Nitric acid	1,4,5	A
139139	Nitroacetic acid	1,2,3,4	A
602879	5-Nitroacenaphthene [PAH-Derivative, POM]	1,2	D
98953	Nitrobenzene	1,2,4	A
92933	4-Nitrophenyl [POM]	1,2,3,4	D
7495028	6-Nitrochrysene [PAH-Derivative, POM]	1,2,3,4	D
60768	2-Nitrofluorene [PAH-Derivative, POM]	1,2,3,4	D
85630	Nitrolycarin	7	D
88766	2-Nitrophenol	1,2	D
100027	4-Nitrophenol	1,2,3,4,5	D
79469	1-Nitropropene	1,2,3,4	D
6622430	1-Nitropropene [PAH-Derivative, POM]	1,2,3,4	D
57836924	4-Nitropropene [PAH-Derivative, POM]	1,2,3,4	D
156106	p-Nitrosodiphenylamine [POM]	1,2,4,5	B
86306	N-Nitrosodiphenylamine [POM]	1,2,4	A
69892	N-Nitrosomorpholine	1,2,3,4,5	A
684936	N-Nitroso-N-methylurea	1,2,4	C
303419	Ochratoxin A [POM]	1,2,7	D
2234131	Octachloronaphthalene [PAH-Derivative, POM]	1,2,3,4	A
2446176	Oil Orange SS [PAH-Derivative, POM]	7	D
20816120	Osmium tetroxide	1,2	A
	#PAHs (Polycyclic aromatic hydrocarbons) [POM]		K
	Including but not limited to:		
120127	Anthracene	1,2,7	D
56653	Benz[a]anthracene	1,2,3,4,5	A
50328	Benz[b]fluoranthene	1,2,3,4,5	A
206992	Benz[b]fluoranthene	1,2,3,4,5	A
208623	Benz[k]fluoranthene	1,2,3,4,5	A
207089	Benzokjfluoranthene	1,2,3,4,5	A
218019	Chrysene	1,2,7	C

#PAH: (Polycyclic Aromatic Hydrocarbon) - An organic compound consisting of a fused ring structure containing at least two (2) benzene rings, and which may also contain additional fused rings not restricted exclusively to hexagonal rings. The structure does not include any heteroatoms or substituent groups. The structure includes only carbon and hydrogen. PAHs are a subgroup of POM and have a boiling point of greater than or equal to 100°C.

CAS Number Chemical Name Source Add Date

63703	Dibenz[a,h]anthracene	1,2,3,4,5	A
192654	Dibenz[e,g]pyrene	1,2,3,4,5	A
186640	Dibenzof[a,h]pyrene	1,2,3,4,5	A
189589	Dibenzof[a,i]pyrene	1,2,3,4,5	A
191300	Dibenzof[a,j]pyrene	1,2,3,4,5	A
193395	Indeno[1,2,3-cd]pyrene	1,2,3,4,5	A
91203	Naphthalene	1,2	A
(*)	Dibenz[a,h]acridine, Dibenz[a,j]acridine, 7H-Dibenzof[c]acridole, 7,12-Dimethylbenz[a]anthracene, 3-Methylcholanthrene, and 5-Methylchrysene are now alphabetized on the list.		
	#PAH-Derivatives (Polycyclic aromatic hydrocarbon-derivatives) [POM]	1,2,7	D
	Including but not limited to those substances listed in Appendix A with the bracketed designation [PAH-Derivative, POM]		
66382	Parathion	1,2	D
1336663	PCBs (Polychlorinated biphenyls) [POM]	1,2,3,4,5,6	A
82668	Pentachloronitrobenzene (Quinobenzene)	1,2	D
79210	Perchloroethylene (Tetrachloroethene)	1,2,3,4,5,6	D
127184	Phenol	1,2	A
108492	Phenylbenzidine [POM]	1,2,4	A
69961	Phenoxybenzidine [POM]	1,2,3,4,5	B
63923	Phenoxybenzidine hydrochloride [POM]	1,2,3,4,5	D
106503	p-Phenylenediamine	1,2	D
90437	2-Phenylphenol [POM]	1,2,3,4,5	D
57410	Phenylethylene	1,2	A
75445	Phosphine	1,2	A
7723140	Phosphoric acid	2	B
7803512	Phosphoric acid	1,2,7	A
7664382	Phosphoric acid	1,2	B

PAH-DERIVATIVE: (Polycyclic Aromatic Hydrocarbon Derivative) - An organic compound consisting of a fused ring structure containing at least two (2) benzene rings, and which may also contain additional fused rings not restricted exclusively to hexagonal rings. The fused ring structure does not contain heteroatoms. The structure does not include one or more substituent groups. PAH-derivatives are a subgroup of POM and have a boiling point of greater than or equal to 100°C.

CAS Number	Chemical Name	Source	Add Date
139651	4,4'-Thiobis[aniline] (POM)	1,2,3,4	A
62866	Thiourea	1,3,4,5	A
7650450	Titanium tetrachloride	1,2	D
108883	Toluene	1,2,4,6	A
*	2,4-Toluenediamine (see 2,4-Diaminotoluene)		
	Toluene dicyanates	1,3	D
	Including but not limited to:		
584849	Toluene-2,4-dicyanate	1,2,3,6	A
91087	Toluene-2,6-dicyanate	1,2,3,5	A
95834	Toluene-2,4,6-tricyanate	1,2,3,4,6	A
8001362	Toxaphene (Polychlorinated camphens)	1,2,3,4,5	A
26911015	Trifluoromethane	1,2,4	C
62686	Trifluoromethane	7	D
79005	1,1,1-Trifluoroethane (see Methyl chloroform)	1,2,4	D
79016	1,1,2-Trifluoroethane (Vinyl Trichloride)	1,2,4	A
121448	Trichloroethylene	1,2,4	A
1582098	2,4,6-Trichlorophenol (see Chlorophenols)	1,2	D
96636	Trifluoromethane	1,2	D
640841	Trifluoromethane	1,2	D
72671	1,2,4-Trimethylbenzene	1,2,3,4	D
61796	Triphenylamine (PAH-Derivative, POM)	1,2,3,4,5	A
143679	Urethane (ethyl carbamate)	7	D
2068782	Vinylidene chloride	1,2,4	D
108064	Vinylidene chloride	1,2,4	C
693602	Vinyl acetate	1,2,4	D
76014	Vinyl bromide	1,2,3,4	A
76354	Vinyl chloride	1,2,3,4,5	A
81812	Vinylidene chloride	1,2	A
*	Wood preservatives (containing arsenic and chromates)	6	B
*	Xylenes (mixed xylenes)	1,2,6	A
	Including:		
108383	m-Xylene	1,2	D
96476	o-Xylene	1,2	D
106423	p-Xylene	1,2	D
7440666	Zinc compounds	2	A
1314132	Zinc oxide	2	A

CATEGORY 2

Chemical abstract service (CAS) number	Chemical name	Source	Add Date
26148685	A-alpha-C [2-Amino-9H-pyr[2,3-b]indole]	3,4	B
34266821	Acetochlor	4	B
566883	Acetohydroxamic acid	4	C
50760	Actinomycin D	4	C
3688537	AF-2	3,4	A
16972608	Aflatoxins	3,4,5	A
309002	Aldichlor	4	B
39831555	Aldrin	4	B
125888	Amikacin sulfate	4	C
68006837	Aminoglutethimide	4	C
712685	2-Amino-3-methyl-9H-pyr[2,3-b]indole (Me-alpha-C)	3,4	B
54626	2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	3,4	A
61825	Antiopterin	4	A
"	2-Amino-9H-Pyr[2,3-b]indole (see A-alpha-C)	3,4,5	A
"	Analrole	3,4,5	A
"	Analgasic mixtures containing phenacetin	3,4,5	A
"	Androgenic (anabolic) steroids including but not limited to:	3,4	A
58184	Methyltestosterone	4	C
434071	Oxymethone	4,5	A
58220	Testosterone and its esters including but not limited to:	4	B
315377	Testosterone enanthate	4	C
134292	o-Anisidine hydrochloride	4,5	A
140578	Aramite	3,4	A
50782	Aspirin	4	D
115026	Azaserine	3,4	A
446866	Azathioprine	3,4,5	A
271896	Benzo[ur]an	4	D
154938	Betel quid with tobacco	3,4	A
"	Bischloroethyl nitrosourea	3,4	A
"	Bitumens, extracts of steam-refined and air-refined bitumens	3,4	A
75274	Bleomycins	3	A
1689846	Bromodichloromethane	4	C
55981	Bromoxynil	4	D
25013165	1,4-Butanediol dimethanesulfonate (Busulfan)/(Myleran) butylated hydroxyanisole (BHA)	3,4,5	A

CAS Number	Chemical Name	Source	Add Date
3068880	beta-Butyrolactone	3,4	A
2425061	Captafol	4	B
630080	Carbon monoxide	4	B
41576944	Carboplatin	4	C
"	Carbogenean (degraded)	3,4	A
474259	Chenodiol	3,4,5	C
305033	Chlorambucil	4	A
66757	Chloramphenicol	3,4	A
143500	Chlordecone [Kepone]	3,4	A
6164983	Chlordaneform	4	B
115286	Chlorogenic acid	3,4,5	B
108171262	Chlorinated paraffins (Average chain length, C12; approx. 60% chlorine by weight)	3,4,5	B
124481	Chlorodibromomethane	4	C
13010474	1-(2-chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU)	3,4,5	A
139099956	1-(2-chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl CCNU)	3	A
95830	4-Chloro-o-phenylenediamine	3,4,5	A
563473	3-Chloro-2-methylpropene	4,5	B
95692	p-Chloro-o-toluidine	3,4	A
"	p-Chloro-o-toluidine (strong acid salts)	3	D
1897466	Chlorophenoxy herbicides	3	A
15653271	Chloroethanol	4	B
8003452	Cisplatin	3,4	A
120718	Coal tars	3,4,5	B
135206	p-Cresidine	3,4,5	A
21725462	Cupferron	4,6	A
14901087	Cyanazine	4	C
60180	Cycasin	3,4	A
13121706	Cyclophosphamide	3,4	A
147944	Cyhexatin	4	B
4342034	Cyterabine	4	B
1596845	Dacarbazine	3,4,5	A
17230886	Daminozide	4	A
615054	Danazol	4	C
39156417	2,4-Diaminoanisole sulfate	3,4	A
764410	2,4-Diaminoanisole sulfate	4,5	A
60671	1,4-Dichloro-2-butene	4	C
1464535	Dieldrin	4	B
1615801	Dieldrin	3,4,5	A
101906	Diesel fuel (marine)	3	A
94586	1,2-Diethylhydrazine	3,4	D
"	Diglycidyl resorcinol ether (DGRE)	3,4,5	A
"	Dihydrostrole	3,4	A

CAS Number	Chemical Name	Source	Add Date
56738640	trans-2-[(Dimethylamino)methylamino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	3,4	A
640738	1,2-Dimethylhydrazine (DMHC)	3,4	A
513371	Dimethylvinylchloride (DMVC)	4,5	B
39300453	Dinoseb	4	C
88867	Dinoseb	4	B
564250	Doxycycline	4	C
"	Estrogens, steroidal	3,5	A
"	Including but not limited to: Conjugated estrogens Estradiol 17 beta Estrone Ethinyl estradiol Mestranol Ethyl methanesulfonate	4, 4.5, 4.5, 3,4,5	C, A, A, A, A, A
50292	Ethrelmate	4, 5	C
53167	Fluorouracil	4, 5	A
57636	Fluoxymesterone	4, 5	A
72333	Flutamide	3,4,5	A
64350480	Folpet	3,4	A
51218	2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	4	A
76437	Furazolidone	4	B
13311847	Formecycloz	4	C
133073	Gasoline engine exhaust including but not limited to: Gasoline engine exhaust (condensates & extracts)	3	C
3570750	Gasoline engine exhaust including but not limited to: Gasoline engine exhaust (condensates & extracts)	4	D
67488	gu-P-1 (2-Amino-6-methylpyridine [1,2-a:3'-2'-d]imidazole)	3,4	A
60680650	gu-P-2 (2-Amino-6-methylpyridine [1,2-a:3'-2'-d]imidazole)	3,4	A
67730114	glycidaldehyde	3,4	A
67730103	Glycidol	3,4	A
765344	Griseofulvin	4	C
555625	Gyromitrin	3,4	A
126078	(Acetaldehyde methyl(ormyl)hydr azone)	4	A
16568028	HC Blue 1	4	A
2784943	Heptachlor epoxide	4,5	B
1024573	Hydrazine sulfate	4,5	B
10034932	11981amide	4,5	A
3778732	IQ (2-Amino-3-methylimidazo [4,5-f]quinoline)	4, 4,5	A, C
76180956	Iron dentipam complex	3,4	A
9004664	Isoflurane	4, 4,5	A
120581	Isoflurane	4	A
4759482	Isotretinoin	4	A

CAS Number	Chemical Name	Source	Add Date
303344	lastocarpine	3,4	B
554132	Lithium carbonate	4	D
919164	Lubricant base oils and derived products, specifically vacuum distillates, acid treated oils, aromatic oils, mildly solvent-refined oils, mildly hydro-treated oils, and used engine oils	3,4,5	B
"	Hencozeb	4	C
8018017	Heneb	4	C
12427392	Hegestrol acetate	4	C
695335	Helphalan	3,4,5	D
149823	Hepfropins	4	A
9002680	Herphalan	4	C
6112751	Herceptopurine	4	C
531750	Hexacycline hydrochloride	4	B
3963959	Hethmazole	4	D
60560	Hethmazole	4	D
59052	Hethtraxate	4	B
15475565	Hethtraxate sodium	4	C
184208	5-Methoxysergan	4	A
590965	Methylazoxymethanol	3	A
592621	Methylazoxymethanol acetate	3,4	C
65273	Methyl methanesulfonate	4	B
70257	N-Methyl-N'-nitro-N-nitrosoguanidine	3,4	A
516532	N-Methyl-N'-nitro-N-nitrosoguanidine	3,4	A
924425	N-Methylacrylamide	4	C
550427	Methylthiouracil	3,4	A
9006422	Meltran	4	A
442491	Meltran	4	A
"	Mineral oils (untreated and mildly treated oils; and those used in occupations such as milking, metal machining, and jute processing)	3,4,5	A
295865	Mirex	3,4,5	A
62015398	Misoprostol	4	A
50077	Mitomycin C	3,4	C
315220	Monocrotaline	3,4	A
139913	5-(Morpholinomethyl)-3-(5-nitro furfurylidene)amino-2-oxazolidinone	3,4	A
505602	Mustard gas (Sulfur mustard)	3,4,5	A
1405103	Neomycin sulfate	4	A
65391572	Nellimicin sulfate	4	C
"	Nickel refinery dust from the pyrometallurgical process	4	B
54115	Nicotine	4	C
61574	Nitidazole	3,4	A

CAS Number	Chemical Name	Source	Add Date
18662638	Nitro-1,2,3,4-tetrahydro-1H-quinazolin-4-one	3	D
99592	Nitro-1,2,3,4-tetrahydro-1H-quinazolin-4-one	4	D
1836756	5-Nitro-2-oxo-1,2,3,4-tetrahydro-1H-quinazolin-4-one	4,5	A
67209	Nitrofurantoin	3,4,5	A
59970	Nitrofurantoin	4	D
655840	1-[(5-Nitrofururylidene)amino]-2-imidazolidinone	4	C
531828	N-[4-(5-Nitro-2-furyl)-2-imidazolidinone]-2-thiazolylacetamide	3,4	A
51762	Nitrogen mustard (N-chloroethane)	3,4,5	A
68667	Nitrogen mustard hydrochloride	4,5	B
302706	Nitrogen mustard N-oxide	3,4	A
769739	N-Nitroso-N-ethylurea	4,5	A
6016393	3-(N-Nitrosomethylamino)propionitrile	4,5	A
64091914	4-(N-Nitrosomethylamino)-1-(3-pyridyl)-1-butanone (NHK)	3,4	B
615532	N-Nitroso-N-methylurethane	3,4	A
459400	[N-Methyl-N-nitrosourethane]	3,4	A
1664558	N-Nitrosomethylvinylamine	3,4,5	A
100754	N-Nitrosomornitoline	3,4,5	A
930652	N-Nitrosopiperidine	3,4,5	A
13266229	N-Nitrosopyrrolidine	3,4,5	A
6533002	N-Nitrosoterosine	3,4,5	A
79572	Horgerel	4	C
794934	Oxytetracycline	4	D
115673	Parfuran S (Dihydroxymethylsulfurazine)	3,4	A
62676	Permethadone	4	A
67330	Penicillamine	4	C
63989	Pentobarbital sodium	4	D
62442	Phenacemide	4	C
94760	Phenacetin	4	C
3646109	Phenazopyridine hydrochloride	3,4,5	A
60066	Phenesterin	3,4,5	A
122601	Phenobarbital	4,5	B
64911	Phenyl glycidyl ether	3,4	A
53973981	Piobroman	3,4	C
366701	Polygeann	4	C
	Procarbazine hydrochloride	3,4,5	B
	Progestins	3	A
	Including but not limited to:		
	Hydroxyprogesterone acetate	3,4	A
	Norethisterone	4,5	A
	Progesterone	3,4,5	A
	Propylthiouracil	3,4,5	A
	Residual (Heavy) Fuel Oils	3,4	D

CAS Number	Chemical Name	Source	Add Date
302794	all-trans-Retinoic acid	4	B
36791045	Retinol/retinyl esters	4	B
81072	Ribavirin	4	C
94597	Saccharin	3,4,5	A
	Safrole	3,4,5	A
	Shale oils	3,4	A
128449	Sodium saccharin	4	A
	Soots	3,4	A
3810740	Streptomycin sulfate	3,4	A
18883664	Streptozocin	3,4,5	D
95067	Sulfalane	3,4,5	A
5216281	Sulfalene	3,4,5	A
64765	p-alpha,alpha,alpha-tetrachlorotoluene	4	A
609148	tetracycline hydrochloride	4	D
50351	tetrahydrocannabinol	4	C
62855	Thalidomide	4	C
164422	Thioacetamide	3,4,5	A
1314201	Thioquinone	4	A
49842071	Thorium dioxide	4,5	A
	Tobacco products, smokeless	3,4	A
636216	Tobramycin sulfate	4,5	A
106490	alpha-chlorinated toluenes	3	A
299752	o-toluidine hydrochloride	4,5	A
43647353	p-toluidine	4	A
127480	Trosulfan	3,4	C
68768	Trilostane	4	A
	Trimethedione	4	C
	Tris(aziridinyl)-p-benzoquinone	4	D
62244	Tris(1-aziridinyl) phosphine sulfide	4	C
	Tris(1-aziridinyl) phosphine sulfide	3,4,5	A
126727	Tris(2,3-dibromopropyl)phosphate	4	A
62450060	Trp-K-1 (3-amino-1,4-dimethyl-5H-pyridol[4,3-b]indole)	4	B
	Trp-P-2 (3-Amino-1-methyl-5H-pyridol[4,3-b]indole)	3,4	A
62450071	Uracil mustard	3,4	A
66761	Ureolilitropin	3,4	A
26996916	Valproate	4	A
99661	4-Vinyl-1-cyclohexene diepoxide	4	C
106876	[Vinyl cyclohexene diepoxide]	4	A
87627	2,6-Xylydene	4	D
12122677	Zincb	4	C

Appendix BA

**District Air Toxic
Inventories, Reports, and Surveys**

Appendix BA

Air Pollution Control District
Air Toxic Inventories, Reports or Surveys

1. Bay Area Air Quality Management District "Current BAAQMD Air Toxics Inventory. October 27, 1990."
2. "Kern County Air Pollution Control District, "District's Toxic Use List, Southeast Desert Portion of Kern County, February 14, 1992."
3. Sacramento Metropolitan Air Quality Management District "Toxic Air Pollutant Emission Inventory For Sacramento County, (Revised). June 19901993."
4. San Bernardino County Air Pollution Control District "Toxics Inventory List. June 27, 1990."
5. San Diego County Air Pollution Control District "List of Semiconductor Manufacturers Using Toxic Gases. May 1988."
6. San Joaquin Valley Unified Air Pollution Control District
ΥΠΙΣΤΗΤΙΚΗΣ ΤΟΞΙΚΗΣ ΟΣΕ ΛΙΣΤΗΣ ΣΑΝ ΙΟΑΚΟΥΙΝ ΒΑΛΛΕΥ ΟΜΟΤΗΤΗΣ ΑΡΧΟ/
ΦΕΒΡΟΥΑΡΙΟΥ 21, 1992/Υ "San Joaquin Valley Unified APCD/
List, March 3, 1993."
7. Current San Luis Obispo County Air Pollution Control District "Air Toxics Inventory List for AB 2588, May 3, 1990."
8. Santa Barbara County Air Pollution Control District "Current Santa Barbara County Air Pollution Control District List of Air Toxic Sources. May 27, 1992".
9. South Coast Air Quality Management District "Current SCAQMD Air Toxics Inventory for AB 2588. May 11, 1990."
10. Monterey Bay Unified Air Pollution Control District. "AB 2588 Facilities Affected FY 92/93 and FY 93/94," April 8, 1993.

State of California
AIR RESOURCES BOARD

Resolution 93-48

July 8, 1993

Agenda Item No.: 93-8-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board ("ARB" or 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, the Legislature found in the Air Toxics "Hot Spots" Information and Assessment Act of 1987 ("the Act", Health and Safety Code section 44300 et seq.) that facilities manufacturing or using hazardous substances may be exposing nearby populations to toxic air releases on a routine basis and that it is in the public interest to ascertain the nature and quantity of hazardous releases from specific sources which may create air toxics "hot spots";

WHEREAS, the Act sets forth a program to develop air toxics emission inventories and to assess the risk to public health from exposure to these emissions;

WHEREAS, On November 14, 1988, effective December 15, 1988, the Board adopted the Fee Regulation set forth in section 90700 et seq. of Title 17 of the California Code of Regulations pursuant to Health and Safety Code section 44380(a), which assessed a fee upon the operator of every facility subject to the Act in order to recover the costs to the Board, local air pollution control districts ("districts"), and the Department of Health Services (hereinafter the Office of Environmental Health Hazard Assessment, or the "Office") to implement and administer the Act;

WHEREAS, the Board has amended the Fee Regulation each year since 1988 to reflect changes in the emission inventory, the sources subject to the Act's requirements, and the state and district costs of implementing the Act;

WHEREAS, Health and Safety Code section 44380(a) was amended in 1990 to require that the Board adopt a regulation which requires all districts, except for districts that have submitted specified information to the Board prior to April 1 of each year, to adopt rules which assess a fee upon the operator of every facility subject to the Act in order to recover the costs to the Districts, the Board and the Office to implement and administer the Act, and this Fee Regulation was amended accordingly on December 31, 1991, effective January 30, 1992;

WHEREAS, the amendments to the 1992-93 fee schedule approved by the Board on August 14, 1992 and adopted by the Board on May 7, 1993, set forth in section 90700 et seq. of Title 17 of the California Code of Regulations pursuant to Health and Safety Code section 44380(a), provided for the assessment of a fee upon the operator of every facility subject to the Act in order to recover the costs to the Board, local air pollution control districts, and the Office to implement and administer the Act in fiscal year 1992-93;

WHEREAS, Board staff, in consultation with the districts and the fee regulation committee originally convened pursuant to the 1987 Act, has developed amendments to the fee regulation for fiscal year 1993-94 which have been discussed with the public at seven consultation meetings;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code;

WHEREAS, changes have been proposed to the originally noticed text of the regulations based on information presented by the Districts regarding costs of implementing the Act and facility program categories, among other things;

WHEREAS, based upon the information presented by the staff and the written and oral comments received prior to and at the hearing, the Board finds that:

1. The proposed amendments would allocate state costs among the districts based on facility program categories;
2. The Calaveras, Kern, Lassen, Placer, San Bernardino, Santa Barbara, and Tuolumne Air Pollution Control Districts (APCDs), the Great Basin and San Joaquin Valley Unified APCDs, and the Mendocino, Sacramento Metropolitan and South Coast Air Quality Management Districts (AQMDs) have requested that the Board adopt a fee schedule for them, and have submitted to the Air Resources Board the districts' program costs, approved by the district boards, prior to April 1, 1993, and that for these districts, the proposed amendments to the fees in the regulation are based on program costs approved by the district boards and on facility program categories; or on fees otherwise determined by the district to be reasonable for facilities designated as Survey or Industrywide;
3. The Amador, Butte, Colusa, El Dorado, Glenn, Imperial, Mariposa, Modoc, Northern Sonoma, San Diego, San Luis Obispo, Shasta, Siskiyou, Tehama and Ventura County APCDs, the Feather River, Monterey Bay Unified, and Yolo-Solano APCDs, and the Bay Area, Lake, North Coast Unified, and Northern Sierra AQMDs will be

adopting district Air Toxics Hot Spots Program fee rules for fiscal year 1993-94;

4. The revenues to be assessed pursuant to the proposed fee regulation are reasonably necessary to recover the anticipated program costs which will be incurred by the Board, the districts, and the Office to implement and administer the Act's provisions in fiscal year 1993-1994;
5. On the basis of a financial analysis conducted to indicate the economic impacts on affected facilities resulting from the fees proposed in this regulation, the staff has determined that the proposed amendments may have a significant adverse economic impact on businesses, or on private persons directly affected by the regulation; and
6. Because the Board is sensitive to current adverse economic conditions, we are proposing a reduction from the Governor's proposed budget for the Air Toxics Hot Spots Program for fiscal year 1993-94 of \$457,000; and
7. This regulatory action will not have a significant adverse impact on the environment and may indirectly benefit air quality by stimulating a reduction in emissions of both toxic and criteria pollutants.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves sections 90700-90705, Title 17, California Code of Regulations including the appendix referenced therein, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to adopt sections 90700-90705, Title 17, California Code of Regulations after making them available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the facility program categories as necessary to reflect needed revisions brought to the Board's attention through July 8 only, and to accept no further revisions after that date.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to provide a 15-day period in which the public may review and comment on the modifications which the Board has approved to the original proposal.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to direct the Air Resources Board to work with the Office of Environmental

Health Hazard Assessment on the Five Year Program Plan, and report to the Board on the status of the Plan at the next year's hearing to consider amendments to the Fee Regulation.

I hereby certify that the above is a true and correct copy of Resolution 93-48, as adopted by the Air Resources Board.

Pat Hutchens
Pat Hutchens, Board Secretary