

TITLES 17 AND 26. CALIFORNIA AIR RESOURCES BOARD

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

The Air Resources Board (ARB) will conduct a public hearing at the time and place noted below to consider amendments to the Air Toxics Hot Spots Fee Regulation.

DATE: July 28, 1994

TIME: 9:30 A.M.

PLACE: Air Resources Board  
Board Hearing Room, Lower Level  
2020 L Street  
Sacramento, California

This item will be considered at a two-day meeting of the ARB commencing at 9:30 a.m., July 28, 1994 and, continuing at 8:30 a.m., July 29, 1994 if necessary. This item may not be considered until July 29, 1994. Please consult the agenda for this meeting, which will be available at least ten days before July 28, 1994 to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION

Sections Affected: Sections 90700-90705, Titles 17 and 26, California Code of Regulations (CCR) and Appendix A to sections 90700-90705 (The Air Toxics Hot Spots Fee Regulation).

Background: The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (Act) (Health and Safety Code section 44300 et seq.) established a program to inventory air toxics emissions from facilities in California and to assess the potential risk to public health from exposure to these emissions. The Act also requires that the public be notified of any potentially significant health risks associated with the emissions from high risk facilities. These high risk facilities must reduce their toxic emissions below the level of significance within five years. The Act specifies activities which must be carried out by the ARB, the Office of Environmental Health Hazard Assessment (OEHHA), and local air pollution control and air quality management districts (districts), to implement the Act. The Act requires the ARB to adopt a fee regulation to ensure that all costs incurred by the State and districts in implementing and administering the Hot Spots Program (Program) be defrayed by assessing fees on facilities subject to the requirements of the Act (Health and Safety Code section 44380).

To implement the Act, the ARB first adopted the Air Toxics Hot Spots Fee Regulation (Fee Regulation) in 1988. Each year, the ARB staff, in

consultation with the districts and the Fee Regulation Committee, prepares amendments to the Fee Regulation for the ARB's consideration. Annual revisions have been needed to ensure that the State's and districts' costs of implementing the Air Toxics Hot Spots Program will be recovered.

A district may adopt its own fee rule to recover its costs and its portion of the State's cost. Alternatively, a district may request the ARB to adopt a fee schedule to recover its costs, as well as state costs. A district making this request must submit its district Program costs, approved by its district governing board, to the ARB by April 1, prior to the applicable fiscal year.

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 is an air quality program unique to the State of California. No parallel federal requirement exists at this time. There is no federal fee which targets Hot Spots facilities. Accordingly, there is no conflict or duplication between this Fee Regulation and current federal regulations.

For fiscal year 1994-95, the ARB staff is proposing to distribute the State's cost and calculate facility fees using the same Hot Spots Program Category method developed for fiscal year 1993-94 with minor modifications. Assessments to the districts to recover the State's costs and facility fee calculations are based on resource indexes and the number of facilities each district has in specific Program categories. Twelve districts submitted district costs approved by their governing boards and are requesting ARB adoption of facility fee schedules.

Proposed Amendments: We are proposing several changes to the Fee Regulation and to the Hot Spots Program Category method to distribute the State's cost and calculate facility fees.

Our first proposal is to reduce the State's Program cost for fiscal year 1994-95. To allow the State to implement this required program, the total proposed State Program cost for fiscal year 1994-95 is \$4,987,000. This is a permanent reduction of \$183,000 from the approved fiscal year 1993-94 budget of \$5,170,000. Additionally, we are proposing to carry forward \$750,000 of Program savings accrued from previous fiscal years. This one-time savings carry-over reduces the overall State's cost by \$933,000. The total proposed State's cost for fiscal year 1994-95 is reduced to \$4,237,000. This is an eighteen percent reduction from the approved 1993-94 budget. With the adjustment factor of five percent added, the total of the State's cost to be recovered is \$4,448,850 (this amount may differ from the amount shown in Table 1 of the Fee Regulation due to rounding).

Second, we propose to modify the Facility Program Category method by increasing the resource indexes for the Notification and Audit and Plan facilities. Increasing these indexes results in assessing the highest State cost to the Notification and Audit and Plan facilities. These facilities pose the highest potential health risks due to their toxic emissions. We propose to make this change to comply with the mandate of Senate Bill 1378

(McCorquodale; Statutes of 1992; Chapter 375), which requires Hot Spots fees to be based on toxic emissions and risk priority to the extent practical.

We also propose to subdivide the Notification and Audit and Plan categories into simple, intermediate, and complex using the same Source Classification Code criterion used for the other Program categories. This subdivision is partially workload and complexity related, and is intended to relieve possible economic burden on smaller facilities in these categories.

Another change we are proposing to the method is to assess a portion of the State's cost to Industrywide facilities. In previous fiscal years, the fees collected from these facilities were used by the districts to help defray their Program costs. The State incurs a programmatic cost for all facilities subject to the Act. Therefore, it is equitable to assess the districts a small cost for each Industrywide facility.

Other proposed amendments to the Fee Regulation for fiscal year 1994-95 include:

- 1) changes to the amounts in Table 1 of the Fee Regulation that each of the 34 districts would remit to recover the reasonably anticipated cost of the State;
- 2) updates to the list of districts requesting the ARB to adopt fee schedules for them and removal of the districts that are adopting district fee rules;
- 3) updates to Table 2 which lists the districts' costs to be recovered by the Fee Regulation;
- 4) updates to facility fees in Table 3 of the Fee Regulation;
- 5) updates to the district specified flat fees for Survey and Industrywide facilities listed in Table 4 of the Fee Regulation;
- 6) updates to Appendix A "Air Pollution Control District Air Toxic Inventories, Reports, or Surveys;"
- 7) changes in the resource indexes used to distribute the State's and districts' costs and calculate facility fees;
- 8) modifications, additions, and reassigning the alphabetic notation to the definitions in section 90701 of the Fee Regulation (all references in other sections of the Fee Regulation were modified to reflect the new alphabetic notation for the definitions);
- 9) addition of a new subpart to section 90704(c), to allow districts in the Fee Regulation to assess a Plan and Report (Simple) fee to facilities that are required to submit a plan and report after the State's Fee Regulation has been adopted;

- 10) addition of a new subsection, 90704(g), to initiate a labor tracking program for review of health risk assessments by the OEHHA;
- 11) updates to section 90702(a)(3) to include the new citation for the Emission Inventory Criteria and Guidelines Regulation;
- 12) addition of a new subpart to section 90704(b), to establish a fixed cost for State review of health risk assessments for facilities that had their risk assessment prepared by the Santa Barbara County Air Pollution Control District using an automated program approved by the ARB;
- 13) a change to the fee cap for facilities qualifying as small businesses;
- 14) a change to the fee cap for facilities in the Plan and Report (Simple) program category; and
- 15) addition of a new subpart to section 90704(e) which sets a fee cap for facilities in the Risk Assessment-District (Simple) program category.

These proposed changes to the Fee Regulation for fiscal year 1994-95 are discussed in more detail below.

Recovery of the State's Cost: The proposed amendments to the Fee Regulation would change the amount that each of the State's 34 districts must remit (Table 1 of the Fee Regulation) to the State to recover the reasonably anticipated costs of the State to administer the Air Toxics Hot Spots Program for fiscal year 1994-95. This change is proposed to account for changes in facility numbers among the districts, as well as the decrease in the State's cost of \$933,000. As discussed earlier, the State's cost for fiscal year 1994-95 has been reduced to \$4,237,000. Each district's share of the State's costs includes a five percent adjustment factor.

District Fee Schedules: The proposed amendments would add fee schedules for the Imperial and Mariposa County Air Pollution Control Districts (APCD), and the Yolo-Solano Air Quality Management District (AQMD). The amendments would delete fee schedules for Calaveras and Placer County APCDs, and for Sacramento Metropolitan AQMD. Calaveras and Placer County APCDs and Sacramento Metropolitan AQMD, as well as 19 other districts, are required by law to adopt district fee rules for fiscal year 1994-95.

The proposed regulation would again establish fee schedules for the following nine districts: the Kern, Lassen, Mendocino, Santa Barbara, and Tuolumne County APCDs; the Great Basin, and San Joaquin Valley Unified APCDs; and the Mojave Desert and South Coast AQMDs.

The method used to calculate facility fees for the above 12 districts is the same method used for calculating the distribution of the State's costs. For these districts, an adjustment factor of five percent is added to the districts' costs to be recovered. The same Program Categories are used but different resource indexes are assigned. Each district's cost to be

recovered is divided by the sum of the products to arrive at a unit cost for a Plan and Report (Simple) facility. This district unit cost is multiplied by the other Program category indexes to arrive at a district cost per facility.

The fee schedules in the Fee Regulation include cost-per-facility fees. Flat fees are specified by each district for all facilities emitting less than ten tons per year of any criteria pollutant. The Survey (facilities required to complete a one-time survey) and Industrywide facilities (facilities that qualify to have their emission inventory completed by the district as part of an industrywide emission inventory) would pay a facility fee between \$15 and \$250. If a Survey or Industrywide facility has paid a fee once, and the district will not expend significant resources on the facility, the fee may be waived.

These 22 districts have chosen to adopt district rules to recover the Program costs in fiscal year 1994-95: the Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Modoc, Placer, San Diego, San Luis Obispo, Shasta, Siskiyou, Tehama, and Ventura County APCDs; the Feather River, Monterey Bay Unified and Northern Sonoma Unified APCDs; and the Bay Area, North Coast Unified, Northern Sierra, and Sacramento Metropolitan AQMDs.

Districts' Costs to be Recovered: Table 2 of the Fee Regulation was updated to reflect changes in each district's cost to be recovered for the nine districts again requesting ARB adoption of facility fees. District costs to be recovered for the Imperial and Mariposa County APCDs and the Yolo-Solano AQMD were added to Table 2. The Calaveras and Placer County APCDs' and Sacramento Metropolitan AQMD's costs were deleted from Table 2. For all districts requesting ARB adoption of facility fees, a five percent adjustment factor is added to the district's cost to be recovered.

In previous years, districts subtracted the portion of their cost that would be collected from Industrywide facilities. This year, because the State is assessing a cost for Industrywide facilities, we will subtract the amount to be recovered from Industrywide facilities before calculating their other facility fees. If a district decides to waive the fee for Industrywide facilities, other facilities in the district will defray the costs associated with Industrywide facilities.

Changes to Table 3 of the Fee Regulation: Facility fees in Table 3 of the Fee Regulation were changed to reflect the State's new cost for each facility program category and changes in the district's cost. Facility fees were added for the subdivisions of the Notification and Audit and Plan facilities. Facility fees were added for the Imperial and Mariposa County APCDs, and the Yolo-Solano AQMD. Facility fees for the Calaveras and Placer County APCDs and Sacramento Metropolitan AQMD were deleted.

Changes to Specified Fees: Flat fees specified by the districts for Survey and Industrywide facilities in Table 4 were updated. Flat fees for the Calaveras and Placer County APCDs and Sacramento Metropolitan AQMD were deleted. Flat fees for the Imperial and Mariposa County APCDs and the

Yolo-Solano AQMD were added. Fees in Table 4 range from \$15 to \$250.

Changes to Appendix A: Appendix A of the Fee Regulation was changed to reflect updated toxic inventories from the San Joaquin Valley Unified and the San Luis Obispo APCDs.

Resource Index Changes: A district resource index was added for simple risk assessments. Last year the district's cost for review was fixed at \$500. To more accurately reflect actual workload associated with these facilities, a resource index was applied for Risk Assessment-District (Simple) and Risk Assessment-State (Simple) facilities.

Resource indexes for districts' costs were adjusted for Risk Assessment-State facilities. During the time a risk assessment is being reviewed by the OEHHA, the district's cost associated with that facility is reduced. To address this, the resource indexes for districts' costs for Risk Assessment-State (Intermediate) and Risk Assessment-State (Complex) facilities were reduced to the corresponding Plan and Report indexes.

State risk assessment indexes for Notification and Audit and Plan facilities were increased because of the high health risk priority of these facilities.

Facility Definition Modifications: Section 90701 of the Fee Regulation was updated to add new definitions, modify existing definitions, and reassign the alphabetical listing resulting from these changes. All other references in the Fee Regulation to the definitions in section 90701 were updated to reflect these changes.

The definitions for Risk Assessment-State facilities were modified. To be defined as a Risk Assessment-State facility, the district would have submitted the facility's risk assessment to the OEHHA for review between April 1, 1993 to March 31, 1994.

Definitions for the subcategories of Notification and Audit and Plan facilities were added to section 90701 of the Fee Regulation. We propose to subdivide these two categories into simple, intermediate, and complex based on the number of source classification codes.

We propose to modify the definition for Industrywide facilities. Any facility that qualifies to be included in an industrywide emissions inventory prepared by the district may be categorized as an Industrywide facility.

Fee Assessment for Newly Subject Facilities: In previous fiscal years, upon approval of the State's regulation, the regulation was not clear that new facilities required to prepare a plan and report could be assessed a fee. For districts requesting ARB adoption of facility fees, we propose to add subpart (2) to section 90704(c) which would allow a district to collect a Plan and Report (Simple) fee from these facilities. The fee may be collected during the fiscal year the facility is notified to prepare and submit a plan and report.

Labor Tracking for Health Risk Assessment Review: We propose to add a new subsection (g) to section 90704 of the Fee Regulation. This proposal would initiate a program of labor tracking for health risk assessment review. The OEHHA will begin a program to track the actual hours spent on review of a specific facility's risk assessment. This tracking would be used to establish a database to be used to assess efficiency and predict the future workload.

Citation Update: The citation for the Emission Inventory Criteria and Guidelines Regulation contained in section 90702(a)(3) of the Fee Regulation was updated. The new citation for this regulation is Title 17, CCR, sections 93300 to 93355.

Fixed Cost for State Review of Health Risk Assessments: At the request of the Santa Barbara County APCD, we are proposing to establish a new fixed cost for State review of health risk assessments for facilities whose health risk assessments were prepared by the district using an automated computer program approved by the ARB. For such facilities, the Risk Assessment-State (Intermediate) facilities and Risk Assessment-State (Complex) facilities will pay a lower State cost. The appropriate district cost would be added to this cost to arrive at the facility fee.

Changes to the Small Business Fee Cap: We propose to reduce the fee cap for facilities qualifying as small businesses from \$700 to \$300. Program costs for both the districts and the State are decreasing, so reducing the fee cap for this category would pass some of this cost savings to these smaller facilities.

Changes to the Plan and Report (Simple) Fee Cap: We propose to reduce the fee cap for facilities in the Plan and Report (Simple) category from \$1,000 to \$800. This fee cap is at the option of the district. Program costs for both the districts and the State are decreasing, so reducing the fee cap for facilities in this category would pass some of this cost savings to these smaller facilities.

Addition of a Risk Assessment-District (Simple) Fee Cap: At the request of the Mojave Desert Air Quality Management District, we propose to add a new subpart (4) to subsection 90704(e) to establish a new fee cap for facilities in the Risk Assessment-District (Simple) program category. The new fee cap of \$2,000 would be at the option of the district. This fee cap would keep the fee for this category closer to the fee for the same category for the previous year, and would reduce the overall economic impact of the change in fee schedules for the facilities.

#### AVAILABILITY OF DOCUMENTS AND CONTACT PERSON

A Staff Report is available which includes the initial statement of reasons for the proposed action and a summary of the environmental impacts of the proposal, if any. Copies of the Staff Report and the full text of the proposed regulatory language, in underline and strike-out format, may be obtained from the California Air Resources Board, Public Information Office,

2020 L Street, Sacramento, California 95814, at least 45 days prior to the scheduled hearing. The ARB staff has compiled a record which includes all information upon which the proposal is based. Copies of the documents may be obtained through the Public Information Office, 2020 L Street, Sacramento, CA 95814.

Further inquiries regarding this matter should be directed to Genevieve Shiroma, Chief, Toxic Air Contaminant Identification Branch, Stationary Source Division, P.O. Box 2815, Sacramento, CA 95812, (916) 322-7072.

The ARB has determined that it is not feasible to draft the regulation in plain English due to the technical nature of the regulation; however, a plain English summary of the regulation is available from the agency contact person named in this notice.

#### COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the ARB's Executive Officer concerning the cost or savings necessarily incurred in reasonable compliance with the proposed amendments to the Fee Regulation are presented below.

The ARB's Executive Officer has determined that the amended Fee Regulation will impose a mandate upon and create costs to the districts with jurisdiction over facilities subject to the Act. However, the mandate does not require State reimbursement pursuant to Government Code sections 17500 et seq. and section 6 of Article XIIIB of the California Constitution because the districts have the authority to levy fees sufficient to pay for the mandated Program (Health and Safety Code section 44380). These fees are intended to recover the full costs of district implementation of the Air Toxics Hot Spots Program, including compliance with the amended Fee Regulation. The estimated fiscal year 1994-95 district costs to implement the amended Fee Regulation are approximately \$972,000.

The Executive Officer has determined that adoption of the amended Fee Regulation will impose a mandate upon and create costs to some publicly-owned treatment works (POTWs). POTWs are subject to the Fee Regulation if they emit or use substances listed in Appendix A of the Emission Inventory Criteria and Guidelines Regulation (Title 17, CCR, sections 93300-93355), release the specified quantity of at least one of the four criteria pollutants, and are classified by the district in one of the prescribed Program categories. The costs of complying with the Fee Regulation are not reimbursable within the meaning of section 6, Article XIIIB, California Constitution and Government Code sections 17500 et seq., because POTWs are authorized to levy service charges to cover the costs associated with the mandated Program. The total cost for POTWs to comply with the Fee Regulation is estimated to be \$91,737 for fiscal year 1994-95.

The Executive Officer has also determined that the amended Fee Regulation does impose a mandate on local school districts which must pay fees pursuant to the amended Fee Regulation. However, elementary and secondary schools'

costs of compliance with the regulation are not reimbursable by the State within the meaning of Article XIII B, Section 6 and Government Code Sections 17500 et seq., because the school districts have the authority to levy assessments sufficient to pay for the program mandated by this Act. The estimated total cost to local school districts is \$3,953 for fiscal year 1994-95.

The Executive Officer has determined that the amended Fee Regulation does not create cost or savings in federal funding to any State agency or program.

The Executive Officer has also determined that the amended Fee Regulation will impose costs on affected State agencies. The costs to the ARB to implement and administer the Air Toxics Hot Spots Program, including the amended Fee Regulation, will be recovered by fees authorized by Health and Safety Code section 44380 and sections 90700-90705 of Title 17, CCR. The costs for the ARB to develop and implement the amended Fee Regulation have been estimated to be \$158,000.

Other affected State agencies (e.g., universities, hospitals, correctional institutions, laboratories) that must pay fees pursuant to the amended Fee Regulation as emitters of specified pollutants should be able to absorb their costs within existing budgets and resources. Costs to these State agencies are estimated to total \$85,256 for fiscal year 1994-95.

The Board's Executive Officer has determined, pursuant to Government Code 11343.2, that the regulation will affect small business.

In developing the proposal, the staff has determined there is a potential cost impact on private persons or businesses directly affected by the regulation. The Executive Officer has also determined that adopting these amendments may have a significant adverse economic impact on some businesses operating with little or no margin of profitability, including the ability of California businesses to compete with businesses in other states, based on an assessment of the evidence available in the record.

Accordingly, the following information is provided pursuant to Government Code section 11346.53:

(A) Identification of the types of businesses that would be affected.

All businesses that emit a criteria pollutant and a listed substance (Health and Safety Code sections 44320-44322; Title 17, CCR, section 90702) must pay a Hot Spots fee, (Health and Safety Code sections 44380-44382; Title 17, CCR, sections 90703-90705) unless specified conditions have been met, and will be affected by these proposed amendments. Businesses that are operating with little or no margin of profitability may experience significant adverse impacts by paying these fees. Appendix VII of the Staff Report includes a list, which may be modified, of the categories of businesses that may be included in the scope of this regulation.

- (B) Description of the projected reporting, recordkeeping, and other compliance requirements that would result from the proposed action.

To comply with these proposed amendments, businesses will have to pay the fees assessed on them. These proposed amendments will not result in any additional reporting, recordkeeping, or other compliance requirements, beyond keeping records of payment.

- (C) The ARB staff finds that the amendment of this regulation may have a significant adverse economic impact on businesses operating with little or no margin of profitability, including the ability of California businesses to compete with businesses in other states. The ARB staff has considered proposed alternatives that would lessen any adverse economic impact on businesses and invites you to submit proposals. Submissions may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

Submissions may also include the following considerations which more closely apply to these amendments:

- (i) The establishment of differing payment requirements or timetables which take into account the resources available to businesses.
- (ii) Exemption or partial exemption from the fee requirements for businesses.
- (iii) Any other alternative that would lessen any adverse impact the fees may have on businesses.

In accordance with Government Code section 11346.54, the Executive Officer has determined that for businesses operating with little or no margin of profitability, the proposed regulatory action may affect the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within California, or the expansion of businesses currently doing business within California. A

detailed assessment of the economic impacts of the proposed regulatory action can be found in the Staff Report.

In considering the proposed amendments, the ARB must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected private persons than the proposed action. The imposition of the fees and the requirement that the fees, in the aggregate, cover costs of implementing the Program, are mandated by statute. However, the Fee Regulation includes a cap on fees for small businesses and allows a fee waiver for facilities in two Program categories if certain criteria are met. These provisions are meant to minimize the burden of the regulation.

#### SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing. To be considered by the ARB, written submissions must be addressed to and received by the ARB Secretary, Air Resources Board, P.O. Box 2815, Sacramento, CA 95812, or 2020 L Street, 5th floor, Sacramento, CA 95814, no later than 12:00 noon, July 27, 1994 or received by the Board Secretary at the hearing.

The ARB requests but does not require that 20 copies of any written statement be submitted and that all written statements be filed at least ten days prior to the hearing. The ARB encourages members of the public to bring any suggestions for modification of the proposed regulatory action to the attention of staff in advance of the hearing.

#### STATUTORY AUTHORITY AND HEARING PROCEDURES

Amendments to the Fee Regulation are proposed pursuant to the authority granted to the ARB in sections 39600, 39601, 44321, 44380, and 44380.5 of the Health and Safety Code. The purpose of the Fee Regulation is to implement, interpret, and make specific sections 44320, 44321, 44322, 44380, and 44380.5 of the Health and Safety Code.

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with section 11340) of the Government Code.

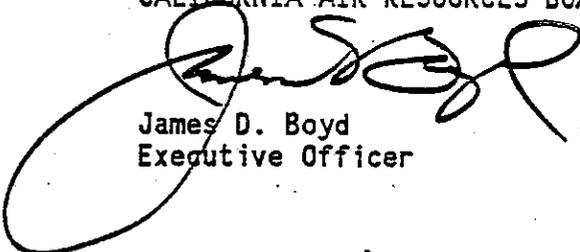
Following the public hearing, the ARB may adopt the regulatory language as originally proposed or with nonsubstantial or grammatical modifications. The ARB may also adopt the proposed regulatory language with other modifications, if the modifications are sufficiently related to the originally proposed text such that the public was adequately placed on notice that the regulatory language, as modified, could result from the proposed regulatory action. Such modifications are expected to include but are not limited to the following:

- (1) Each district's share of the State's costs may be revised on the basis of districts updating the number of facilities in the previously mentioned Program categories, changes to the State's budget, or adjustments to the resource indexes.
- (2) The specified amounts of fees may be adjusted, on the basis of updates to numbers of facilities in the previously mentioned Program categories, changes to the State's budget, or adjustments to the resource indexes.
- (3) Fees specified by districts may be changed on the basis of information being provided by each such district.
- (4) Changes to Appendix A of the regulation in response to information provided between this date and the public hearing.
- (5) Changes to definitions in response to information provided between this date and the public hearing.

In the event that such modifications are made, the full regulatory text with the modifications clearly indicated will be made available to the public for written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text from the Air Resources Board Public Information Officer, 2020 L Street, 1st Floor, Sacramento, CA 95814, (916) 322-2990.

This is a statewide regulation. Once adopted by the ARB, the fee schedule will be applicable to all covered facilities in the 12 districts for which the proposed amendments would provide fee schedules. The remaining 22 districts will be required to adopt district rules to comply with the Fee Regulation.

CALIFORNIA AIR RESOURCES BOARD



James D. Boyd  
Executive Officer

Date: May 31, 1994