STATE OF CALIFORNIA–OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

STD. 400 (REV. 2-91)

For use by Secretary of State only

ENDORSED FILED IN THE OFFICE OF

96 NOV 22 PM 12:01

Bill Jones
BILL JONES
SECRETARY OF STATE

AGENCY	AGENCY FILE NUMBER (If any)
AIR RESOURCES BOARD	

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER	PREVIOUS REGULATORY ACTION NUMBER
	Z96 0227-0	96-1009-01S		

For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
96 FEB 27 PM 4:57 OFFICE OF ADMINISTRATIVE LAW RECEIVED FOR FILING: FEB 27 '96 PUBLICATION DATE: MAR 8 '96	ENDORSED APPROVED FOR FILING AND PUBLICATION 96 OCT 29 PM 3:41 NOV 22 OFFICE OF ADMINISTRATIVE LAW Office of Administrative Law

Office of Administrative Law

A. PUBLICATION OF NOTICE *(Complete for publication in Notice Register)*

1. TOPIC OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
CCAA Fee Regulation—FY 1996-97	17	90800.7	March 8, 1996

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER
[X] Notice re Proposed Regulatory Action [ ] Other	Victoria E. Davis	(916) 322-2884

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	[ ] Approved as Submitted [ ] Approved as Modified [ ] Disapproved/Withdrawn	96, #10-2	3-8-96

B. SUBMISSION OF REGULATIONS *(Complete when submitting regulations)*

1. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) *(Including title 26, if toxics-related)*

TITLE(S)	
17	ADOPT: 90800.7
SECTIONS AFFECTED	AMEND: 90803 REPEAL:

2. TYPE OF FILING

[X] Regular Rulemaking (Gov. Code, § 11346) [ ] Resubmittal [ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100) [ ] Emergency (Gov. Code, § 11346.1(b))

[ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.4 - 11346.8 prior to, or within 120 days of, the effective date of the regulations listed above.

[ ] Print Only [ ] Other (specify)

3. DATE(S) OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE *(Cal. Code Regs. title 1, §§ 44 and 45)*

June 28, 1996 – July 15, 1996

4. EFFECTIVE DATE OF REGULATORY CHANGES *(Gov. Code § 11346.2)*

[X] Effective 30th day after filing with Secretary of State [ ] Effective on filing with Secretary of State [ ] Effective other *(Specify)*

5. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

[ ] Department of Finance (Form STD. 399) [ ] Fair Political Practices Commission [ ] State Fire Marshal N/A

[ ] Other (Specify)

6. CONTACT PERSON	TELEPHONE NUMBER
Victoria E. Davis, Staff Counsel	(916) 322-2884

7. *I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.*

SIGNATURE OF AGENCY HEAD OR DESIGNEE	DATE
	October 8, 1996

TYPED NAME AND TITLE OF SIGNATORY: Michael P. Kenny, Executive Officer

FINAL REGULATION ORDER

CALIFORNIA CLEAN AIR ACT
NONVEHICULAR SOURCE FEE REGULATIONS

Adopt New Section 90800.6
and Amend Section 90803
Subchapter 3.8, California Clean Air Act
Nonvehicular Source Fee Regulations,
as follows:

90800.6 Fee Requirements for Fiscal Year 1995-96.

(a) No later than 180 days after the operative date of this section, each district identified below shall transmit the dollar amount specified below to the Board for deposit into the Air Pollution Control Fund. The amount transmitted shall be collected from facilities which are the holders of permits for sources which emitted 500 tons or more per year of any nonattainment pollutant or precursors during the period from January 1, 1993, through December 31, 1993, inclusive. The fees shall be in addition to permit and other fees already authorized to be collected from such sources. The fee to be charged shall be $17.75 per ton.

(1) Bay Area Air Quality Management District: nine hundred eighty-three thousand two hundred ninety-seven dollars ($983,297);

(2) Imperial County Air Pollution Control District: twenty-three thousand twenty-two dollars ($23,022);

(3) Kern County Air Pollution Control District (SEDAB): one hundred twelve thousand seven hundred forty-eight dollars ($112,748);

(4) Mojave Desert Air Quality Management District:
three hundred twenty-two thousand six hundred seventy-seven dollars ($322,677);

(5) Monterey Bay Unified Air Pollution Control District:
one hundred five thousand eight hundred seventy-nine dollars ($105,879);

(6) Sacramento Metropolitan Air Quality Management District:
twenty-five thousand four hundred seventy-one dollars ($25,471);

(7) San Diego County Air Pollution Control District:
one hundred thirteen thousand seven hundred ninety-five dollars ($113,795);

(8) San Joaquin Valley Unified Air Pollution Control District:
three hundred eighty-five thousand eight hundred fifty dollars ($385,850);

(9) San Luis Obispo County Air Pollution Control District:
ninety-one thousand five hundred fifty-five dollars ($91,555);

(10) Santa Barbara Air Pollution Control District:
nine thousand two hundred eighty-three dollars ($9,283);

(11) South Coast Air Quality Management District:
five hundred thirteen thousand six hundred fifty dollars ($513,650);

(12) Ventura County Air Pollution Control District: thirty-nine thousand six hundred eighty-nine dollars ($39,689);

(13) Amador County Air Pollution Control District, Butte County Air Pollution Control District, Calaveras County Air Pollution Control District, Colusa County Air Pollution Control District, El Dorado County Air Pollution Control District, Feather River Air Quality Management District, Glenn County Air Pollution Control District, Great Basin Unified Air Pollution Control District, Mariposa County Air Pollution Control District, Mendocino County Air Pollution Control District, Modoc County Air Pollution Control District, North Coast Unified Air Quality Management District, Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, Shasta County Air Quality Management District, Siskiyou County Air Pollution Control District, Tehama County Air Pollution Control District, Tuolumne County Air Pollution Control District, Yolo-Solano Air Pollution Control District: zero dollars ($0).

(b) Emissions from facilities identified by the Air Resources Board on or before April 27, 1995, as having emitted 500 tons or more per year of any nonattainment pollutant or precursors during the period January 1, 1993, through December 31, 1993, shall be used to determine compliance with this regulation. Emissions from a facility are excluded from compliance with this regulation if the emissions from the facility would be subject to this regulation solely because the facility is in a district which is designated in section 60201 as not having attained

the state ambient air quality standard for ozone solely as a result of ozone transport identified in section 70500, Title 17, California Code of Regulations.

(c) In addition to the amount cited in subsection (a) above, a district shall, for any facility identified after April 27, 1995, as having emitted 500 tons or more per year of any nonattainment pollutant or its precursors during the period from January 1, 1993, through December 31, 1993, transmit to the Board for deposit into the Air Pollution Control Fund seventeen dollars and seventy-five cents ($17.75) per ton of such pollutant or precursor.

NOTE: Authority cited: Sections 39600, 39601 and 39612, Health and Safety Code. Reference: Sections 39002, 39500, 39600 and 39612, Health and Safety Code.

90803. Failure of Facility to Pay Fees.

In the event any district is unable to collect the assessed fee from any source due to circumstances beyond the control of the district, including but not limited to facility closure, emission quantification errors, or refusal of the operator to pay despite permit revocation and/or other enforcement action, such district shall notify the Executive Officer of the State Board. For demonstrated good cause, the district may be relieved from that portion of the fees the district is required to collect and remit to the state as set forth in section 90800 or section 90800.1 or section 90800.2 or section 90800.3 or section 90800.4 or section 90800.5 or section 90800.6. Nothing herein shall relieve the operator from any obligation to pay any fees assessed pursuant to these regulations.

NOTE: Authority cited: Sections 39600, 39601 and 39612, Health and Safety Code. Reference: Sections 39002, 39500, 39600 and 39612, Health and Safety Code.