

**SAN DIEGO COUNTY  
AIR POLLUTION CONTROL DISTRICT**

**NOTICE OF PUBLIC HEARING**

**NOTICE**, pursuant to State of California Health and Safety Code Sections 40725 and 42311, is hereby given of a public hearing on January 12, 2023, at 2:00 p.m., before the San Diego County Air Pollution Control District Governing Board (Governing Board), for the purpose of receiving public comments on and considering the adoption of proposed amendments to Rule 40 – Permit and Other Fees of the San Diego County Air Pollution Control District (District). Those wishing to participate in the public hearing and/or provide comments to the Governing Board on the proposed amendments to Rule 40 should visit the District website at <https://bit.ly/3F8NXsQ>.

Federal and state laws allow the District to adopt fees to recover the costs to administer mandated air pollution control programs. The District’s fees are specified in Rule 40 which includes fees for air quality permit applications, permit renewals, emission measurements ("source tests") and asbestos notifications. Moreover, there are two types of fees – those charged on an hourly basis (time & material) and flat fees, as specified.

The proposal meets federal and state requirements and is the result of a comprehensive analysis of District services provided to customers and the costs to provide those services. The results indicate that current fees are insufficient to fully recover the costs of District programs, and that a fee adjustment is necessary to recover operating expenses and costs. The District is also proposing to amend requirements for Toxic Hot Spots fee estimate deposits and to convert some fixed (flat) application fees for specific coating operations to “time & material”.

If adopted, the proposed amendments to Rule 40 will take effect on July 1, 2023, and are estimated to increase the District's total projected revenues by up to \$950,000 per fiscal year. Specifically, this proposal would increase the District’s estimated aggregate cost recovery percentage for its stationary source permitting, source testing, asbestos, and Hearing Board programs from the current 80% to 88% and would reduce estimated annual program related revenue deficits from \$2.4 million to \$1.4 million.

Written comments are welcome and must be received by January 11, 2023. Comments should be addressed to:

John Jayasinghe, Chief  
San Diego County Air Pollution Control District  
10124 Old Grove Road, San Diego, CA 92131

Copies of proposed amended Rule 40 may be examined or obtained at the District's headquarters, 10124 Old Grove Road, San Diego, CA 92131, or by visiting the District's website at <https://bit.ly/3lkUCYJ>. Specific information with respect to this matter may be obtained by contacting John Jayasinghe at (858) 586-2600 or [APCDFiscal@sdapcd.org](mailto:APCDFiscal@sdapcd.org).

**MARVICE MAZYCK**  
**Clerk of the Governing Board of the**  
**San Diego County Air Pollution Control District**

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APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY: VEERA TYAGI, SENIOR DEPUTY