

**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 February 12, 2026, at 2:00 pm, before the San Diego County Air Pollution Control District Governing Board (Governing Board) in the County Administration Center, Room 302, 1600 Pacific Highway, San Diego, CA 92101, 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's Governing Board's website at <https://bit.ly/3F8NXsQ> and click on "Meeting Information" for instructions on how to participate, and/or click on "Agendas & Minutes" to view the meeting agenda and supporting documentation.

Federal and State laws allow the District to adopt fees to recover the costs for services provided to administer mandated air pollution control programs. The District's fees, both those charged on an hourly basis (time and material, or T&M) and fixed (flat) fees, are specified in Rule 40 which includes fees for services related to air quality permit applications, permit renewals, emission measurements ("source tests"), asbestos notifications, and emission inventory services.

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 a new flat fee provision for sources not subject to T&M emissions inventory fees, to recover costs for mandated emission inventory services.

If adopted, the proposed flat emission inventory fee provision amendments to Rule 40 will take effect on February 12, 2026, and the proposed adjustments to current fees will take effect on July 1, 2026. These proposed revisions will result in projected additional estimated revenues of up to \$1.2 million per fiscal year. This proposal would increase the District's estimated aggregate cost recovery percentage for its stationary source permitting, source testing, asbestos, and emissions inventory programs to approximately 97%. The Governing Board may consider modifications to the proposal, which may be deemed appropriate.

Written comments are welcome and must be received by February 11, 2026. Comments should be addressed to:

Nick Cormier, Rule Development Division  
San Diego County Air Pollution Control District  
10124 Old Grove Road, San Diego, CA 92131  
[APCDRules@sdapcd.org](mailto:APCDRules@sdapcd.org)

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 questions or information with respect to this matter may be obtained by contacting Nick Cormier, Supervising Air Resources Specialist, at (858) 586-2798 or [Nick.Cormier@sdapcd.org](mailto:Nick.Cormier@sdapcd.org).

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

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY: HEIDI GABRIEL-PACK, SENIOR DEPUTY