

**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 April 14, 2022, 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 and Rule 42 – Hearing Board 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 Rules 40 and 42 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. Rule 42 sets fees for petitioning the District Hearing Board for various actions such as permit appeals and variances (i.e., temporary relief) from air pollution control requirements.

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 amendments to include blended hourly rates for Time and Material (T&M) and conversion of some fixed (flat) application fees to T&M.

If adopted, the proposed amendments to Rules 40 and 42 will take effect on July 1, 2022, and are estimated to increase the District's total projected revenues by up to \$1.3 million 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 72% to 83% and would reduce estimated annual program related revenue deficits from \$3.4 million to \$2.1 million.

Written comments may also be provided to District staff prior to the hearing and 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 and Rule 42 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 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
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DEPUTY