

**SAN DIEGO COUNTY
AIR POLLUTION CONTROL DISTRICT**

NOTICE OF PUBLIC HEARING

NOTICE, pursuant to the State of California Health and Safety Code Section 42311, is hereby given of a public hearing on October 14, 2021, at 1:30 p.m. before the San Diego County Air Pollution Control District Governing Board (Governing Board), for the purpose of receiving public comments on the 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 on the proposed amendments to Rules 40 and 42 should visit the District's Governing Board website at <https://www.sdapcd.org/content/sdc/apcd/en/apcd-cob-agendas-and-meeting-materials-.html> for information on how to do so during the COVID-19 public health emergency.

Federal and state laws require 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 and flat fees, as specified. Rule 42 provides for fees for petitions to the District Hearing Board, including petitions for variances and permit appeals.

On May 21, 2021, the Governing Board adopted a cost recovery plan based on the recommendation of the California State Auditor Report 2019-127 (<http://auditor.ca.gov/pdfs/reports/2019-127.pdf>). The District has drafted proposed fee amendments to implement the plan. These proposed fee increases, if adopted, would result in additional projected revenues up to \$1.4 million per fiscal year. Specifically, this proposal would increase the District's cost recovery percentage for its stationary source permit program from the current 66% to 78% and would reduce annual revenue deficits from \$4.0 million to \$2.6 million. Importantly, current fees remain in effect until the District Governing Board considers and approves revisions to District Rules 40 and 42. A Governing Board hearing to consider the adoption of amendments to Rules 40 and 42 will be held no sooner than 30 days after the October 14, 2021, hearing.

The Board may consider modifications to the proposal, which may be deemed appropriate. Written comments are welcome and must be received by October 13, 2021. 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 the proposed amendments to Rules 40 and 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 Rule Development website at http://www.sdapcd.org/content/sdc/apcd/en/Rule_Development/Public_Hearings.html. Specific information with respect to this matter may be obtained by contacting John Jayasinghe at APCDFiscal@SDCounty.Ca.Gov.

Marvice Mazyck
Clerk of the Air Pollution Control Governing Board of the
San Diego County Air Pollution Control District

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: PAULA FORBIS, SENIOR DEPUTY