

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Supporting Documents and Information

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE AIR TOXICS "HOT SPOTS"
FEE REGULATION.

Public Hearing Date: January 25, 1996
Initial Public Availability Date: March 6, 1996
Subsequent Public Availability Date: May 1, 1996
Deadline for Public Comment: May 16, 1996

At a public hearing held on January 25, 1996 the Air Resources Board ("ARB"/"Board") considered the adoption of amendments to the Air Toxics "Hot Spots" Fee Regulation (Fee Regulation), sections 90700 through 90705, Titles 17 and 26, California Code of Regulations (CCR). As required by Health and Safety Code section 44380, the Fee Regulation is designed to recover the anticipated costs of the ARB and the Office of Environmental Health Hazard Assessment to implement the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (Act) (Health and Safety Code section 44300 et seq.). The Fee Regulation also establishes fee schedules for some air pollution control and air quality management districts (air districts). A facility may be subject to the Act and the Fee Regulation if: 1) it manufactures, formulates, uses or releases a toxic substance listed in Appendix A of the Emission Inventory Criteria and Guidelines Regulation (Title 17, CCR section 93300 et seq.); or 2) it is listed on an air district toxic inventory or survey. For fiscal year 1995-96 the Fee Regulation establishes each air district's portion of the State's cost and fee schedules for 12 air districts. The remaining 22 air districts are required to adopt fee rules that provide for the recovery of their portion of the State's cost as well as their air district's cost.

The proposed amendments to the Fee Regulation, presented to the ARB at the January 25, 1996 hearing, are described in detail in the Initial Statement of Reasons for Proposed Rulemaking: Proposed Amendments to the Air Toxics "Hot Spots" Fee Regulation (Staff Report), released on December 8, 1995. At the hearing the proposed amendments and several modifications to the original proposal were presented for consideration by the ARB. After considering the ARB staff's recommendation and the public testimony, the ARB approved Resolution 96-2, the originally proposed amendments and the modifications suggested by the staff at the hearing. The approved modifications were described in a Notice of Public Availability of Modified Text dated March 6, 1996 with a deadline for public comment of March 21, 1996.

The ARB has received additional written documentation and information that were relied upon for this rulemaking. The written documentation and information, which support earlier supplied facility counts, were received from the following air districts: the Bay Area, Feather River, Northern Sierra, South Coast, and the Yolo-Solano Air Quality Management Districts (AQMD); the Calaveras, El Dorado, Kern, Northern Sonoma, Santa Barbara and Siskiyou County Air Pollution Control Districts (APCD); and the Great Basin and Monterey Bay Unified APCDs. The

ARB also received additional written documentation and information which support earlier supplied material regarding District Board approved program costs, information supporting program costs, or justification for the flat fees contained in Table 4 of the Fee Regulation from the following air districts: the Imperial, Placer, and Tuolumne County APCDs; the San Joaquin Valley Unified APCD; and the Yolo-Solano AQMD. Additional written information in support of the de minimis levels established for boat and ship building and repair facilities and wastewater treatment facilities was received from the Bay Area AQMD. All of this additional documentation and information will be included in the rulemaking record.

The documentation and information described above are available for public inspection at the ARB's Public Information Office, 2020 L Street, Sacramento, California, 95814, (916) 322-2990. For further information concerning the above described documentation or information, please contact Ms. Genevieve A. Shiroma, Chief, Air Quality Measures Branch, at (916) 322-7072.

Written comments regarding the documentation and information must be submitted to the Board Secretary, Air Resources Board, P.O. Box 2815, Sacramento, California, 95812, no later than May 16, 1996, for consideration by the Executive Officer prior to final action. Only comments relating to the supporting documents and information described in this notice will be considered by the Executive Officer.