

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE AIR TOXICS "HOT SPOTS"
FEE REGULATION FOR FISCAL YEAR 1997-98.

Public Hearing Date: November 13, 1997
Public Availability Date: December 16, 1997
Deadline for Public Comment: December 31, 1997

At a public hearing held on November 13, 1997, the Air Resources Board (ARB/Board) approved amendments to the Air Toxics "Hot Spots" Fee Regulation (Fee Regulation), sections 90700 through 90705, title 17, California Code of Regulations (CCR). The modified regulatory language is now available to the public for comment for a period of at least 15 days.

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 sections 44300-44394) for the 1997-98 fiscal year. The Fee Regulation also establishes fee schedules for some air pollution control and air quality management districts (districts).

The Fee Regulation establishes each air district's portion of the State's cost and fee schedules for seven air districts. Each of the remaining 28 air districts is required to adopt a fee rule that provides for the recovery of its portion of the State's cost as well as the district's cost.

The proposed regulatory action presented to the ARB at the November 13, 1997 public hearing is 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 August 8, 1997.

At the hearing, the Board considered the staff's recommendation and the public testimony. The Board then approved the proposed amendments with modifications presented by the staff at the hearing. Attachment A to this notice is a copy of Board Resolution 97-41, approving the above described regulatory action. Attachment B to this notice is a copy of the modified regulatory text.

In the Fee Regulation, the proposed modifications set forth at the November 13, 1997, public hearing, and additional modifications proposed to reflect corrections to the underlying data supporting the original proposal, are indicated with a double underline to indicate a proposed addition to the proposal originally contained in the Staff Report; **shading** indicates a proposed deletion to the initial proposal. Text annotated in either manner represents the modified regulatory language available for public comment.

The proposed Fee Regulation in the Staff Report, made available with the Notice of Public Hearing, indicated proposed additions with a single underline and deletions ~~lined through~~.

The material described above and all other documentation relied upon in this regulatory action are available for public inspection at the ARB's Public Information Office, 2020 L Street, Sacramento, California, 95814, (916) 322-2990. Attachment A, Board Resolution 97-41, and Attachment B, modified regulatory text, are also available on the ARB's Internet Web page located at: <http://www.arb.ca.gov/ab2588/2588fees.htm>. For further information concerning

the proposed revisions, please contact Ms. Linda Murchison, Chief, Emission Inventory Branch, at (916) 322-6021.

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt sections 90700 through 90705, title 17, CCR, as approved, after making the modified regulatory language available to the public for comment for a period of at least 15 days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, make such modifications as may be appropriate, and present the regulation to the Board for further consideration if he determines that this is warranted.

Written comments on the proposed modifications available for public comment in this notice as shown in Attachment B to this notice must be submitted to the Clerk of the Board, Air Resources Board, P.O. Box 2815, Sacramento, California, 95812, no later than December 31, 1997, for consideration by the Executive Officer prior to final action. Only comments relating to the proposed modification described in this notice will be considered by the Executive Officer.

Attachments