

**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 November 14, 2024, at 2:00 pm, before the San Diego County Air Pollution Control District Governing Board (Governing Board) in the City of San Diego Public Utilities Department, Metropolitan Operations Complex (MOC II) Auditorium, 9192 Topaz Way, San Diego, CA 92123, 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 website at <https://bit.ly/3F8NXsQ> for additional information including meeting time and location.

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.

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 fee provision to recover costs for mandated emission inventory services.

If adopted, the proposed emission inventory fee provision amendments to Rule 40 will take effect on January 1, 2025, and the proposed adjustments to current fees will take effect on July 1, 2025. These proposed revisions will result in projected additional estimated revenues of up to \$1.5 million per fiscal year. This proposal would increase the District’s estimated aggregate cost recovery percentage for its stationary source permitting, source testing, asbestos, emissions inventory, and Hearing Board programs to approximately 96%.

Written comments are welcome and must be received by November 13, 2024. Comments should be addressed to:

Stephanie Nicholas, Chief
San Diego County Air Pollution Control District
10124 Old Grove Road, San Diego, CA 92131

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 information with respect to this matter may be obtained by contacting Stephanie Nicholas at (858) 586-2600 or APCDFiscal@sdapcd.org.

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

Published: 10/15/2024

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: HEIDI GABRIEL-PACK, SENIOR DEPUTY