



PUBLIC HEARING NOTICE

March 19, 2012

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARINGS: PROPOSED AMENDMENTS TO REGULATION 3: FEES**

On **Wednesday, April 18, 2012**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to receive testimony on proposed amendments to District Regulation 3: Fees. On **Wednesday, June 6, 2012**, the Board of Directors will conduct a second public hearing to consider adoption of the proposed amendments to Regulation 3: Fees, and to approve the filing of a Notice of Exemption from CEQA. California Health and Safety Code Section 41512.5 requires a district board, prior to adopting or revising fees applicable to emission sources that are not permitted, to hold a public hearing at least 30 days prior to the meeting of the district board at which the fees are adopted or revised. Fee Schedules L, Q, R and S pertain to fees from these sources. **District Board meetings commence at 9:45 a.m.**

The proposed amendments to the District's fee regulation would be effective on July 1, 2012, and would increase fee revenue in order to allow the District to meet budgetary needs for the upcoming fiscal year ending (FYE) 2013.

The fee rates in the following Fee Schedules would be amended as follows: (1) No change: Schedule C: Storage of Organic Liquids, Schedule G2: Miscellaneous Sources, Schedule G4: Miscellaneous Sources, Schedule M: Major Stationary Sources, Schedule N: Toxic Inventory, Schedule T: Greenhouse Gases, and Schedule U: Indirect Sources; (2) 5% increase: Schedule B: Combustion of Fuels; (3) 7% increase: Schedule G5: Miscellaneous Sources; (4) 9% increase: Schedule A: Hearing Board Fees, Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals, Schedule E: Solvent Evaporating Sources, Schedule F: Miscellaneous Sources, Schedule G1: Miscellaneous Sources, Schedule G3: Miscellaneous Sources, Schedule H Semiconductor and Related Operations, Schedule I: Dry Cleaners, Schedule K: Solid Waste Disposal Sites, Schedule L: Asbestos Operations, Schedule P: Major Facility Review Fees, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, and Schedule S: Naturally Occurring Asbestos Operations. The following fees in Regulation 3 would be increased by 7%: New and modified source filing fees, emissions banking filing and withdrawal fees, Regulation 2, Rule 9 alternative compliance plan fees, and permit to operate renewal processing fees. A new fee would be added for inspection of sites required to have an Asbestos Dust Mitigation Plan under 17 CCR 93105. An annual renewal fee would be added for boilers, steam generators and process heaters subject

to Schedule R: Equipment Registration Fees. Finally, the amendments would clarify late fees for sources constructing without a permit.

The District has determined that these amendments to Regulation 3 are exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines, Sections 15061, subd. (b)(3) and 15273. The amendments increase District fees that are used to meet District operating expenses. The amendments are administrative in nature, do not affect air emissions from any sources, and can be seen with certainty to have no possibility of causing significant environmental effects. The District intends to file a Notice of Exemption pursuant to State CEQA Guidelines, Section 15062.

The proposed regulatory language is available on the District's website at <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx>. Copies are also available by calling the Compliance and Enforcement Division at (415) 749-4795. Staff will accept written comments on the proposed amendments until May 23, 2012. Please direct comments or questions to Brian Bateman, the District's Director of Compliance & Enforcement, at (415) 749-4653, or electronically at bbateman@baaqmd.gov.

PUBLIC TRANSPORTATION

MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE

BART -- CIVIC CENTER STATION 8TH AND MARKET STREETS

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.