



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

PUBLIC HEARING NOTICE

March 14, 2014

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

On **Wednesday, April 16, 2014**, 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. The hearing will be held in the District Headquarters' Board Room, 7th floor, 939 Ellis Street, San Francisco. District Board meetings commence at 9:45 a.m.

The Board of Directors will conduct a second public hearing on Wednesday, June 4, 2014 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, S and V pertain to fees from these sources.

The proposed amendments to the District's fee regulation would be effective on July 1, 2014 and would increase fee revenue in order to allow the District to meet budgetary needs for the upcoming fiscal year ending (FYE) 2015.

The rates in the Fee Schedules would be amended as follows: (1) 2% increase: Schedule C: Storage of Organic Liquids, Schedule G5: Miscellaneous Sources, Schedule M: Major Stationary Sources, Schedule N: Toxic Inventory, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule U: Indirect Sources, and Schedule V: Open Burning; (2) 7% increase: Schedule B: Combustion of Fuels, Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals, Schedule, Schedule I: Dry Cleaners; (3) 8% increase: Schedule F: Miscellaneous Sources; Schedule G4: Miscellaneous Sources; (4) 9% increase: Schedule A: Hearing Board Fees, Schedule E: Solvent Evaporating Sources, Schedule G1: Miscellaneous Sources, Schedule G2: Miscellaneous Sources, Schedule G3: Miscellaneous Sources, Schedule H: Semiconductor and Related Operations, Schedule K: Solid Waste Disposal Sites, Schedule L: Asbestos Operations, Schedule P: Major

Facility Review Fees, Schedule R: Equipment Registration Fees, and Schedule S: Naturally Occurring Asbestos Operations. The following fees in Regulation 3 would be increased by 3%: New and modified source filing fees, emissions banking filing and withdrawal fees, Regulation 2, Rule 9 alternative compliance plan fees, and permit renewal processing fees.

In addition, proposed amendments to Schedule T: Greenhouse Gases would increase the fee rate from \$0.048 to \$0.09 per metric ton of carbon dioxide equivalent (CDE) emissions. This fee increase is intended to fund stationary source programs necessary to implement the Board of Director's Climate Protection Resolution No. 2013-11. The proposed fee amendments, including Schedule T, will increase overall permit to operate fees between 4 and 15%.

The District has determined that these amendments to Regulation 3 and Regulation 5 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 have no possibility of causing significant environmental effects. The District intends to file a Notice of Exemption pursuant to State CEQA Guidelines, Section 15062.

A copy of the proposed amendments may be viewed 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 Engineering Division at (415) 749-4990. Staff will accept written comments on the proposed amendments until May 7, 2014. Please direct comments or questions to Joe Slamovich, Senior Advanced Project Advisor, at (415) 749-4681, or electronically at jslamovich@baaqmd.gov.

SAN FRANCISCO PUBLIC TRANSPORTATION

**MUNI -- #47 AND #49 NORTH AND SOUTH ON VAN NESS AVENUE
#38 EAST AND WEST ON GEARY BOULEVARD/O'FARRELL STREET
BART -- CIVIC CENTER STATION 8th AND MARKET STREETS**

Attendees are encouraged to ride public transit, rideshare, bicycle or walk to and from the workshop.