

FINAL REGULATION ORDER

CALIFORNIA CLEAN AIR ACT
NONVEHICULAR SOURCE FEE REGULATIONS

Adopt New Section 90800.7
and Amend Section 90803
Subchapter 3.8, California Clean Air Act
Nonvehicular Source Fee Regulations,
as follows:

SECTION 90800.7 IS ALL NEW TEXT:

90800.7 Fee Requirements for Fiscal Year 1996-97.

(a) No later than 180 days after the operative date of this section, each district identified below shall transmit the dollar amount specified below to the Board for deposit into the Air Pollution Control Fund. The amount transmitted shall be collected from facilities which are the holders of permits for sources which emitted 500 tons or more per year of any nonattainment pollutant or precursors during the period from January 1, 1994, through December 31, 1994, inclusive. The fees shall be in addition to permit and other fees already authorized to be collected from such sources. The fee to be charged shall be \$18.78 per ton.

- (1) Bay Area Air Quality Management District:
one million one hundred sixty-eight thousand three hundred ninety-eight dollars
(\$1,168,398);
- (2) Imperial County Air Pollution Control District:
nine thousand four hundred forty-six dollars
(\$9,446);
- (3) Kern County Air Pollution Control District:
eighty-seven thousand seven hundred forty dollars (\$87,740);
- (4) Mojave Desert Air Quality Management District:
three hundred sixty-seven thousand three hundred thirty-seven dollars (\$367,337);
- (5) Monterey Bay Unified Air Pollution Control District:
two hundred six thousand two hundred four

dollars (\$206,204);

- (6) San Diego County Air Pollution Control District:
eighty-two thousand seven hundred eighty-two dollars (\$82,782);
- (7) San Joaquin Valley Unified Air Pollution Control District:
three hundred eighteen thousand ninety-six dollars (\$318,096);
- (8) San Luis Obispo County Air Pollution Control District:
eighty-five thousand six hundred seventy-four dollars (\$85,674);
- (9) South Coast Air Quality Management District:
four hundred seventy-five thousand two hundred eighty-four dollars (\$475,284);
- (10) Ventura County Air Pollution Control District:
twenty-eight thousand six hundred two dollars (\$28,602);
- (11) Amador County Air Pollution Control District,
Butte County Air Quality Management District,
Calaveras County Air Pollution Control District,
Colusa County Air Pollution Control District,
El Dorado County Air Pollution Control District,
Feather River Air Quality Management District,
Glenn County Air Pollution Control District,
Great Basin Unified Air Pollution Control District,
Lake County Air Quality Management District,
Lassen County Air Pollution Control District,
Mariposa County Air Pollution Control District,

Mendocino County Air Quality Management District,

Modoc County Air Pollution Control District,

North Coast Unified Air Quality Management District,

Northern Sierra Air Quality Management District,

Northern Sonoma County Air Pollution Control District,

Placer County Air Pollution Control District,

Sacramento Metropolitan Air Quality Management District,

Santa Barbara County Air Pollution Control District,

Shasta County Air Quality Management District,

Siskiyou County Air Pollution Control District,

Tehama County Air Pollution Control District,

Tuolumne County Air Pollution Control District,

Yolo/Solano Air Quality Management District:

zero dollars (\$0).

- (b) Emissions from facilities identified by the Air Resources Board on or before April 25, 1996, as having emitted 500 tons or more per year of any nonattainment pollutant or precursors during the period January 1, 1994, through December 31, 1994, shall be used to determine compliance with this regulation. Emissions from a facility are excluded from compliance with this regulation if the emissions from the facility would be subject to this regulation solely because the facility is in a district which is designated in section 60201 as not having attained the state ambient air quality standard for ozone solely as a result of ozone transport identified in section 70500, Title 17, California Code of Regulations.

- (c) In addition to the amount cited in subsection (a) above, a district shall, for any facility identified after April 25, 1996, as having emitted 500 tons or more per year of any nonattainment pollutant or its precursors during the period from January 1, 1994, through December 31, 1994, transmit to the Board for deposit into the Air Pollution Control Fund eighteen dollars and seventy-eight cents (\$18.78) per ton of such pollutant or precursor.

NOTE: Authority cited: Sections 39600, 39601 and 39612, Health and Safety Code. Reference: Sections 39002, 39500, 39600 and 39612, Health and Safety Code.

90803. Failure of Facility to Pay Fees.

In the event any district is unable to collect the assessed fee from any source due to circumstances beyond the control of the district, including but not limited to facility closure, emission quantification errors, or refusal of the operator to pay despite permit revocation and/or other enforcement action, such district shall notify the Executive Officer of the State Board. For demonstrated good cause, the district may be relieved from that portion of the fees the district is required to collect and remit to the state as set forth in section 90800 or section 90800.1 or section 90800.2 or section 90800.3 or section 90800.4 or section 90800.5 or section 90800.6 or section 90800.7. Nothing herein shall relieve the operator from any obligation to pay any fees assessed pursuant to these regulations.

NOTE: Authority cited: Sections 39600, 39601 and 39612, Health and Safety Code. Reference: Sections 39002, 39500, 39600 and 39612, Health and Safety Code.