

**AIR POLLUTION CONTROL DISTRICT  
COUNTY OF SAN DIEGO**

**PROPOSED AMENDMED RULE 40 – PERMIT AND OTHER FEES**

**WORKSHOP REPORT**

A workshop notice was mailed to all companies and government agencies in San Diego County that may be subject to proposed amended Rule 40 – Permit and Other Fees. Notices were also mailed to all Economic Development Corporations and Chambers of Commerce in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties.

The workshop was held on October 19, 2011, and was attended by 15 members of the public. The workshop comments and Air Pollution Control District (District) responses are as follows:

**1. WORKSHOP COMMENT**

Will a late fee be charged if the ACPD is late in distributing a renewal permit and/or the permit holder receives its renewal late?

**DISTRICT RESPONSE**

Typically, a late fee will not be charged if the APCD is late in distributing a renewal permit invoice. These are reviewed on a case-by-case basis.

**2. WORKSHOP COMMENT**

Does the District track an inactive permit differently than a permit that has not been renewed, so that a \$25 invoice is not generated for inactivity to a facility that is no longer in business?

**DISTRICT RESPONSE**

In this case, ‘inactive’ means an inactive piece of equipment. A facility may still be in business, but it has inactivated a piece of equipment. The facility would still receive an active permit with conditions stating that the piece of equipment cannot be used, and, in some cases, it would still be inspected by the District. A facility may also have an inactive piece of equipment if the equipment is broken and it is being repaired. By contrast, when a permit is retired, it is no longer considered active, and an invoice is not generated.

**3. WORKSHOP COMMENT**

For some, 30% of a permit renewal is a large amount of money for the first month’s late fee. Can the 30% be applied in the second 30-day period, rather than the first 30-day period? Can this amendment be postponed to a future date?

**DISTRICT RESPONSE**

The District considered this comment and agreed to postpone the amendment regarding late fees to a future date [Rule 40, Subsection (g)(1)(i)].

**4. WORKSHOP COMMENT**

The majority of source testing costs are time and materials (T+M), while some have a specific fee amount. Why not make all of them T+M?

**DISTRICT RESPONSE**

The sources with a fixed fee are tested more frequently by the District, thus more information is available to develop a fixed fee for these sources. Sources that are tested less frequently are assessed on a T&M basis. This methodology is consistent with past practice. Only the labor rates were adjusted, and the fee categories were kept the same. When the District conducts a more in-depth analysis of Rule 40, all fee categories will be reviewed.

SJ: jl  
10/31/11