

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

RULE 4.4 - HEARING BOARD FEES

(Adopted June 10, 1992; Revised March 8, 2000)

INDEX

100 GENERAL

- 101 PURPOSE
- 102 APPLICABILITY
- 110 EXEMPTIONS

200 DEFINITIONS

- 201 GENERAL VARIANCE
- 202 VARIANCE MODIFICATION
- 203 EMERGENCY VARIANCE

300 STANDARDS

- 301 FILING FEES
- 302 SUPPLEMENTARY FEES
- 303 WAIVER OR REDUCTION OF FEES
- 304 REFUND OF FEES
- 305 TRANSCRIPTS

400 ADMINISTRATIVE REQUIREMENTS

- 401 PAYMENT OF FEES

500 MONITORING AND RECORDS (VACANT)

100 GENERAL

101 PURPOSE:

To establish fees to be charged for petitions to the Hearing Board.

102 APPLICABILITY: The provisions of this Rule shall apply to petitions to the Hearing Board pursuant to District Rules 5.1, **PROCEDURE BEFORE THE HEARING BOARD**, and 5.2, **UPSET/BREAKDOWN CONDITIONS: EMERGENCY VARIANCE**.

110 EXEMPTIONS: The Air Pollution Control Officer (APCO) shall not be required to pay the fees required by this Rule.

200 DEFINITIONS

201 GENERAL VARIANCE: A variance for any petition specified in Rule 5.1, PROCEDURES BEFORE THE HEARING BOARD, section 402.5, except for subsection 402.5.a(vi).

202 VARIANCE MODIFICATION: A variance for a modification to a general variance.

203 EMERGENCY VARIANCE: A variance for any condition specified in Rule 5.2, UPSET/BREAKDOWN CONDITIONS: EMERGENCY VARIANCE.

300 STANDARDS

301 FILING FEES: Each petitioner, including any public agency, shall pay filing fees according to the schedule specified in Table 1.



302 SUPPLEMENTARY FEES: In the event a petition takes longer to process than the times specified in Table 2, the petitioner shall pay supplementary fees equal to the additional hours multiplied by the Time and Materials Labor Rate specified in Rule 4.1, PERMIT FEES - STATIONARY SOURCE.



303 WAIVER OR REDUCTION OF FEES: A petitioner may request a waiver or reduction of fees required by this Rule if the petitioner notifies the District in writing at least seven (7) working days prior to the hearing. Fees may be waived or reduced if the petitioner provides evidence to the APCO and the APCO determines that payment of such fees would cause financial hardship to the petitioner.

304 REFUND OF FEES:

304.1 In the event the Hearing Board reverses the decision of the APCO in an appeal to a permit decision, any fees paid by the petitioner as required by this Rule shall be refunded.

304.2 In the event a petition is withdrawn, and the petitioner notifies the District in writing seven (7) working days prior to the hearing, the petitioner shall receive a refund of fees paid to the District minus the actual costs incurred by the District.

305 TRANSCRIPTS: Any person requesting a transcript of a hearing shall pay the cost of preparing the transcript.

400 ADMINISTRATIVE REQUIREMENTS

401 PAYMENT OF FEES: Filing fees are due and payable at the time of filing a petition. If required pursuant to Section 302, supplementary fees are due and payable prior to the issuance of the Hearing Board's final Findings and Orders.