State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE AIR TOXICS "HOT SPOTS" FEE REGULATION.

Public Hearing Date: July 8, 1993
Public Availability Date: January 14, 1994
Deadline for Public Comment: January 31, 1994

At a public hearing held on July 8, 1993, the Air Resources Board (ARB/Board) considered the adoption of amendments to the Air Toxics "Hot Spots" Fee Regulation (Fee Regulation), sections 90700 through 90705, Titles 17 and 26, California Code of Regulations (CCR). This Fee Regulation provides for the recovery of the anticipated costs of the ARB, the Office of Environmental Health Hazard Assessment (OEHHA), and some local air pollution control and air quality management districts (districts) to implement the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (Act) (Health and Safety Code section 44300 et seq.). Any facility which manufactures, formulates, or releases one or more of the toxic substances on the list of Substances to be Inventoried, Appendix A of the Emission Inventory Criteria and Guidelines Regulation (CCR sections 93330 through 93354), may be subject to the Act and the "Hot Spots" Fee Regulation.

The proposed amendments to the Fee Regulation, presented to the Board at the July 8, 1993, hearing are described in detail in the Initial Statement of Reasons for Proposed Rulemaking: Proposed Amendments to the Air Toxics "Hot Spots" Fee Regulation (Staff Report), released on May 21, 1993.

For fiscal year 1993-94, the Fee Regulation establishes each district's share of the state's cost and fee schedules for twelve districts that requested the Board's assessment of fees. Pursuant to Health and Safety Code section 44380, these twelve districts provided anticipated district Hot Spots program costs, approved by their district's governing board, to the ARB prior to April 1, 1993. The remaining 22 districts must adopt district Hot Spots fee rules that provide for the recovery of their portion of the state's cost and their district costs. For these 22 districts, the amended regulation will establish only each district's share of the state's cost of implementing the program.

At the hearing, after considering the ARB staff's recommendation and the public testimony, the Board approved Resolution 93-48, directing the Executive Officer to adopt sections 90700 through 90705, Titles 17 and 26, CCR, in accordance with the procedures set forth in Government Code sections 11346.4-11346.8, after making the regulation available to the public for a

period of 15 days and making modifications, as appropriate, in light of public comments received. The Board also noted and approved several modifications to the proposed regulations which had not been included in the Notice of Public Hearing and the Staff Report.

Modifications to the proposed regulation are as follows:

Modifications to the number of facilities categorized as Plan and Report, Risk Assessment, Notification, or Audit and Plan used to calculate each district's share of the state's costs (Table 1) and facility fees (Table 3): In previous fiscal years, the volume of criteria pollutants emitted served as the basis for allocation of the state's cost and facility fees. For fiscal year 1993-94, an amendment was proposed to change the fee basis. In response to the Board's directive and legislative mandates, the program category approach was developed for allocating the state's cost and establishing facility fees. The program category method uses the number of facilities each district has in the various Hot Spots Program categories and resource indexes to balance toxicity, health risk priority, and workload.

The following districts provided updated facility numbers prior to the Board Hearing: the Imperial, Lake, Kern, Mendocino, San Luis Obispo, and Santa Barbara County Air Pollution Control Districts (APCD); the Sacramento Metropolitan Air Quality Management District (AQMD); and the Yolo-Solano Unified APCD.

The number of facilities categorized as Risk Assessment-State was updated to include additional risk assessments received by the OEHHA between ~~December 1, 1992, and March 31, 1993. Facilities, whose risk assessments~~ were resubmitted for the OEHHA's review between April 1, 1992, and March 31, 1993, were recategorized as Risk Assessment-District facilities. The following districts' Risk Assessment-State facility numbers were updated: the Kern, Santa Barbara, and San Diego County APCDs; the Sacramento Metropolitan AQMD; and the San Joaquin Valley Unified APCD.

These modifications affect the distribution of the state's cost in all 34 districts (Table 1). The updates to facility numbers will also modify facility fees (Table 3) in the Kern, Mendocino, and Santa Barbara County APCDs; the Sacramento Metropolitan AQMD; and the San Joaquin Valley Unified APCD.

Modifications in district costs to be recovered through the Fee Regulation (Tables 2, and 4): The South Coast AQMD and the Santa Barbara County APCD, requested changes in their district costs for program implementation. These changes affect the amount to be recovered through the Fee Regulation for these two districts.

The South Coast Air Quality Management District requested an increase from $20 to $25 in the flat fee to be collected from E-II (survey) and industrywide-categorized facilities (Table 4). This does not change their

overall district cost, but decreases their cost to be recovered through the Fee Regulation from $4,252,961 to $4,192,961 (Table 2).

The Santa Barbara County APCD reduced their district cost from $297,200 to $225,000. This reduces their cost to be recovered through the Fee Regulation from $260,675 to $188,475 (Table 2). This is a one-time cost reduction due to the revisions in the reporting schedule contained in the Emission Inventory Criteria and Guidelines Regulation.

Modification of the definition of Plan and Report facility: Facilities judged by a district to be high priority, because of their toxic emissions, are required to prepare health risk assessments. The Santa Barbara County APCD also required risk assessments from intermediate priority facilities. The Santa Barbara County APCD requested that intermediate priority facilities, that had their health risk assessment prepared by the district, be recategorized from the Risk Assessment facility category to the appropriate Plan and Report facility category.

Modification of the definition of a small business: Because of the change in fee basis, the ARB staff anticipated that some smaller businesses might be included in higher fee categories. To lessen the economic burden on these facilities, the staff proposed to set a fee cap of $700. To qualify for this fee cap the staff proposed a "small business" definition in section 90701(v). At the hearing, the Board directed the staff to review the cap on the amount of annual gross receipts a facility may have accrued and still qualify as a small business. Having reviewed the available data, we propose to increase the cap on annual gross receipts from $500,000 to $1,000,000, and include an aggregate cap for gross receipts for California operations of $5,000,000. For fee assessment, the Board further directed staff to modify the small business definition to ensure that the applicability criteria would be applied to oil producers in the San Joaquin Valley Unified APCD in the same manner as they are in other districts.

Modification of the proposed amendment for annual adoption of a state Fee Regulation: An amendment to section 90704(a) of the Fee Regulation was proposed in the Staff Report that would change the requirement for the state's annual adoption of a Fee Regulation. The proposed amendment would require the state to review the Fee Regulation and amend only as necessary. In response to comments received, this proposed amendment was rescinded. The state will continue to annually adopt a Fee Regulation to recover the state's cost.

Updates to Appendix A, "Air Pollution Control District Air Toxic Inventories, Reports or Surveys": The Sacramento Metropolitan AQMD supplied an updated air toxic inventory for the district entitled "Sacramento Air Quality Management District Toxic Air Pollutant Emission Inventory for Sacramento County June 1993".

District name change for the San Bernardino County APCD: The San Bernardino County APCD changed the name of their district to the Mojave Desert AQMD.

All references to the San Bernardino County APCD have been changed to the Mojave Desert AQMD (Tables 1, 2, 3, 4).

Attached is a copy of Board Resolution 93-48, approving the above described regulatory action. Attachment A to this resolution, the Air Toxics Hot Spots Fee Regulation, contains the approved regulatory language. In the Fee Regulation, the modifications described above are indicated with a double underline consisting of a solid line and a dashed line to indicate a proposed addition to the proposal originally contained in the Staff Report; a dashed line through the text indicates a proposed deletion to the original proposal. (The draft Fee Regulation in the Staff Report, made available with the Notice of Public Hearing, indicated proposed additions with a single underline and deletions with a diagonal slash.)

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt sections 90700 through 90705, as approved, after making the modified regulatory language and additional supporting documents and information available to the public for comment for a period of at least 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulation to the Board for further consideration if he determines that this is warranted.

The materials described above and all other documentation relied upon in this regulatory action are available for public inspection at the Board's Public Information Office, 2020 L Street, Sacramento, CA 95814, (916) 322-2990. For further information concerning the proposed revisions, please contact Genevieve Shiroma, Chief, Toxic Air Contaminant Identification Branch, at (916) 322-7072.

Written comments must be submitted to the Board Secretary, Air Resources Board, P.O. Box 2815, Sacramento, California 95812, no later than January 31, 1994, for consideration by the Executive Officer prior to final action. Only comments relating to the modifications or supporting documents and information described in this notice, will be considered by the Executive Officer.

Attachments

Attachment A

Proposed Amendments to the Air Toxics Hot Spots Fee Regulation For Fiscal Year 1993-94

Note: Language to be added is double underlined and language to be removed is dashed through

SUBCHAPTER 3.6 AIR TOXICS "HOT SPOTS" FEE REGULATION

Article 1. General

90700. Purpose and Mandate.

(a) This regulation sets forth the list of substances compiled by the Air Resources Board pursuant to Health and Safety Code Section 44321 and provides for the establishment of fees to pay for the cost of implementing and administering the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (the "Act"; Stats 1987 ch 1252; Health and Safety Code Section 44300 et seq.).

(b) Each district with jurisdiction over facilities meeting the criteria set forth in Section 90702(a)(1), (a)(2), and (a)(3) shall annually collect from the operator of each such facility, and each operator shall pay, fees which shall provide for the following:

(1) Recovery of anticipated costs to be incurred by the State Board and the ~~Department~~ Office to implement and administer the Act, as set forth in Table 1 of this regulation, and

(2) Recovery of anticipated costs to be incurred by the district to implement and administer the Act, including but not limited ~~to the cost incurred to: review emissions inventory plans,~~ review emissions inventory data, review risk assessments, verify plans and data, and administer this regulation and the Air Toxics "Hot Spots" program.

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, and 44380, Health and Safety Code.

90701. Definitions.

(a) "Air pollution control district" or "district" has the same meaning as defined in Section 39025 of the Health and Safety Code.

(b) "Air release" has the same meaning as defined in Section 44303 of the Health and Safety Code.

(c) "Approved emissions inventory" means an inventory of pollutants designated by the Executive Officer of the Air Resources Board in writing as the inventory to be used by the State Board for purposes of calculating the fee schedule for, and by districts

for purposes of billing facility operators pursuant to Section 90704 of the Air Toxics "Hot Spots" Fee Regulation.

(b) "Audit and Plan Facility" means a facility that is required by the district, by April 1 of the calendar year prior to the fiscal year, to prepare a Risk Reduction Audit and Plan in accordance with Sections 44390 through 44394 of the Health and Safety Code.

(dc) "Criteria pollutant" means, for purposes of this regulation, total organic gases, particulate matter, nitrogen oxides or sulfur oxides.

(e) "Department" means the State Department of Health Services.

(fd) "Facility" has the same meaning as defined in Section 44304 of the Health and Safety Code.

(e) "Facility Program Category" means a list of facilities provided to the Air Resources Board by the districts by April 1 of the calendar year prior to the fiscal year, which lists the facilities which meet the definitions in Section 90701 (b), (f), (g), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), and (z).

(f) "Industrywide Facility" means a facility included in an industrywide emission inventory prepared by an air pollution control district pursuant to Health and Safety Code Section 44323, or an individual facility which emits less than 10 tons per year of each criteria pollutant, falls within a class composed of primarily small businesses, as defined by subsection (v) below, and whose emissions inventory report was prepared by the air pollution control district.

(g) "Notification Facility" means a facility that is required by the district by April 1 of the calendar year prior to the fiscal year, to notify the public of the potential health risk associated with the air toxics emissions from that facility pursuant to Health and Safety Code Section 44362(b).

(h) "Office" means the Office of Environmental Health Hazard Assessment.

(gi) "Operator" has the same meaning as defined in Section 44307 of the Health and Safety Code.

(h) "Person" has the same meaning as defined in section 39047 of the Health and Safety Code.

(j) "Plan and Report Facility" means a facility that by April 1 of the calendar year prior to the fiscal year, has been required by the district to prepare an individual plan and report in accordance with Sections 44340, 44341, and 44344 of the Health and Safety Code. This includes facilities completing an update plan, an update report, ~~or~~ a biennial summary form~~.~~, and facilities in the Santa Barbara APCD that were categorized as intermediate priority for health risk assessment, and had a health risk assessment prepared for them by the district.

(k) "Plan and Report Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(j), and has more than five processes as determined by six-digit Source Classification Codes (SCC).

(l) "Plan and Report Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(j), and has three to five processes as determined by six-digit SCC.

(m) "Plan and Report Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(j), and has one or two processes as determined by six-digit SCC.

(n) "Risk Assessment-District Facility" means a facility that by ~~April 1 of the calendar year prior to the fiscal year,~~ has been required by the district to prepare a health risk assessment in accordance with Section 44360(b) of the Health and Safety Code, and whose risk assessment has not yet been approved by the district.

(o) "Risk Assessment-District Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(n), and has more than five different processes as determined by six-digit SCC.

(p) "Risk Assessment-District Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(n), and has three to five different processes as determined by six-digit SCC.

(q) "Risk Assessment-District Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(n), and has one or two different processes as determined by six-digit SCC.

(r) "Risk Assessment-State Facility" means a facility whose risk assessment was received by the Office between April 1, 1992, and March 31, 1993.

(s) "Risk Assessment-State Facility (Complex)" means a facility that meets the criteria set forth in Section 90701(r), and has more than five different processes as determined by six-digit SCC.

(t) "Risk Assessment-State Facility (Intermediate)" means a facility that meets the criteria set forth in Section 90701(r), and has three to five different processes as determined by six-digit SCC.

(u) "Risk Assessment-State Facility (Simple)" means a facility that meets the criteria set forth in Section 90701(r), and has one or two different processes as determined by six-digit SCC.

(v) "Small Business" means a ~~business~~ facility which is independently owned and operated and ~~meets~~ has met the following criteria in the preceeding year: ~~,~~ ~~or a business affiliated with another concern, if the combined activities of both concerns meet the following criteria: 1) the number of employees is 10 or less; and 2) the total annual gross receipts are less than $500,000.~~ 1) the facility has 10 or fewer employees; 2) the facility's total annual gross receipts are less than $1,000,000; and 3) the total annual gross receipts for the California operations of the business the facility is part of are less than $5,000,000. All oil producers in the San Joaquin Valley Unified Air Pollution Control District, will be judged by the criteria of San Joaquin Valley Unified Air Pollution Control District Rule 2201, subsections 3.31.1 - 3.31.3 to determine overall facility size and boundaries for purposes of qualifying as a small business.

(Operative October 21, 1993)

(w) "Source Classification Codes" means number codes created by the United States Environmental Protection Agency used to identify processes associated with point sources that contribute emissions to the atmosphere.

(~~j~~x) "State costs" means the reasonable anticipated cost which will be incurred by the State Board and the ~~Department of Health Services~~ Office to implement and administer the Act, as shown in Table 1 of this part.

(y) "Supplemental Fee" means the fee charged to cover the costs of the district to review a health risk assessment containing supplemental information which was prepared in accordance with the provisions of Section 44360(b)(3) of the Health and Safety Code.

(z) "Survey Facility" means a facility which emits less than ten tons per year of criteria pollutants, and which falls in any class listed in Appendix E-II to Sections 93300 et seq. of Title 17 of the California Code of Regulations.

(~~j~~aa) "Total organic gases" or "TOG" means all gases containing carbon, except carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.

NOTE: Authority cited: Sections 39600, 39601, ~~and~~ 44380, and 44380.5, Health and Safety Code. Reference: Sections 44320, ~~44321, and~~ 44380, and 44380.5, Health and Safety Code.

~~Article 2. Applicability~~

90702. Facilities Covered.

(a) Except for facilities exempted by Health and Safety Code Section 44324, this regulation applies to any facility which:

(1) manufactures, formulates, uses, or releases any of the substances listed by the State Board pursuant to Health and Safety Code Section 44321 and contained in Appendix A ~~of this regulation~~ to Sections 93300 et seq. of Title 17 of the California Code of Regulations, which is incorporated by reference, or any other substance which reacts to form a substance so listed, and releases 10 tons per year or greater of any criteria pollutant, or

(2) is listed in any current toxics use or toxics air emission survey, inventory, or report released or compiled by an air pollution control district and referenced in Appendix ~~B~~ A, or

(3) manufactures, formulates, uses or releases any listed substance or any other substance which reacts to form any listed substance, and which releases less than 10 tons per year of each criteria pollutant and falls in any class listed in Appendix E to Sections 93300 to 93354 of Title 17 of the California Code of Regulations.

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, 44322, and 44380, Health and Safety Code.

Article 3. Fees

90703. District Board Adoption of Fees.

Except for the districts that have fulfilled all of the requirements specified in Section 90704(a), every district shall annually adopt a rule or regulation which recovers the costs specified in 90700(b), unless the district rule or regulation contains a specific provision for automatic readoption of the rule or regulation annually by operation of law.

(a) The State Board shall calculate each district's share of state costs on the basis of ~~criteria pollutant emissions as set forth in the most recent approved emissions inventory~~/ the number of facilities in program categories as defined in Sections 90701(b), (g), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), and (u).

NOTE: Authority cited: Sections 39600, 39601, 44321, and 44380, Health and Safety Code. Reference: Sections 44320, 44321, 44322, and 44380, Health and Safety Code.

90704. State Board Adoption of Fees.

(a) The State Board shall annually ~~review and may amend the fee regulation, including the adopt~~ a adopt a fee schedule which assesses a fee upon the operators of facilities subject to this regulation, and which identifies and provides for the recovery of both state costs and district costs to administer and implement the Act pursuant to Section 90700(b), for facilities located in districts that have completed all of the following requirements:

(1) The district board has approved, and adopted by resolution, the cost of implementing and administering the Act for the applicable fiscal year as specified in 90700(b)(2);

(2) The district has submitted a written request specifying the amount to be collected for the applicable fiscal year, through fees established by the State Board regulation, as calculated pursuant to Section 90704(~~c~~c), (d), (e), and (f), and including documentation of the calculations;

(3) The district has submitted the resolution, request and documentation specified in subsections (1) and (2) to the State Board by April 1 preceding the applicable fiscal year.

(b) Calculation of Fees.

(1) The State Board shall establish ~~calculate~~ the fee rate applicable to each facility for the recovery of state and district costs and shall notify each district in writing by December 1 of each year of the amount to be collected from each facility and of the amount of revenue which the district must remit to the State Board for reimbursement of state costs, as set forth in Table 1. When calculating the fees, the State Board shall take into account and allow for the unanticipated closing of businesses, ~~unpredictable changes in emissions,~~ nonpayment of fees, and other circumstances which ~~would result in a shortfall in anticipated revenue.~~

(2) The State Board shall calculate fees on the basis of ~~emissions of criteria pollutants as set forth in the most recently approved emissions inventory, except for facilities subject to this regulation on the basis of the criteria set forth in Section 90702(a)(2)~~ the facility program category as set forth by the district by April 1 preceding the applicable fiscal year, except for facilities covered by Section 90704(d) and (e).

~~(3) The fee for any facility which meets the criteria set forth in both 90702(a)(1) and 90702(a)(2) shall be calculated on the basis of the procedures set forth for facilities covered by Section 90702(a)(1). Any facility which meets the criteria set forth in both 90702(a)(2) and 90702(a)(3) shall be assessed a fee pursuant to Section 90704(c)(4). Any facility which is subject to this regulation solely on the basis of the criteria set forth in Section 90702(a)(2) shall be assessed a fee pursuant to Section 90704(d).~~

(c) Fees Based on Emissions of Criteria Pollutants/ Facility Program Category.

(1) The State Board shall provide a flat fee per facility based on the facility program category of the facility as set forth in Table 3. The program categories are Plan and Report (Simple), Plan and Report (Intermediate), Plan and Report (Complex), Risk Assessment-District (Simple), Risk Assessment-District (Intermediate), Risk Assessment-District (Complex), Risk Assessment-State (Simple), Risk Assessment-State (Intermediate), Risk Assessment-State (Complex), Notification, and Audit and Plan.

(1) The State Board shall provide both a graduated cost per facility fee based on categories of emissions equal to or greater than 25 tons per year and a per ton emission fee for emissions of criteria pollutants equal to or greater than 25 tons per year/ as set forth in Tables 3 / 7/

(2) For Lassen County APCD/ San Bernardino County APCD/ Shasta County APCD/ and South Coast AQMD/ the State Board shall calculate a per ton emission fee for emissions of criteria pollutants equal to or greater than 10 tons per year/ as set forth in Table 7/

(3) For those districts not specified in subsection (c)(2) above/ the State Board shall provide a flat fee for facilities which emit equal to or greater than 10 tons but fewer than 25 tons per year of criteria pollutants/ as set forth in Table 8/

(4) Facilities which are subject to fees solely on the basis of Section 90702(a)(3)/ and those facilities subject to fees solely on the basis of 90702(a)(2) and (a)(3) shall be assessed the flat fee specified in Table 9 as follows/ those facilities which fall in any class listed in Appendix E/I of Sections 93300/93354 of Title 17/ California Code of Regulations (Emission Inventory Criteria and Guidelines Regulation)/ except for facilities for which the district is preparing an industrywide emissions inventory and health risk assessment pursuant to Health and Safety Code Section 44323/ shall be assessed the flat fee specified in Table 9/ Column A/ those facilities which fall in any class listed in Appendix E/II of the same regulation/ except for facilities for which the district is preparing an industrywide emissions inventory and health risk assessment pursuant to Health and Safety Code Section 44323 shall be assessed the flat fee specified in Table 9/ Column B/ those facilities for which the district is preparing an industrywide emissions inventory and

Health risk assessment pursuant to Health and Safety Code Section 44323 shall be assessed the flat fee specified in Table 9, Column C. If a facility was previously assessed, and has paid, a fee pursuant to Column B of Table 9, subsequent fees pursuant to Column B of Table 9 shall be waived by the district, if the district determines that there are insignificant costs with respect to said facility under the Act.

(5) Upon review and approval by an air pollution control officer, a facility covered by Section 90702(a)(1) which manufactures, uses, or formulates, but does not release, a listed substance or precursor and whose emissions of criteria pollutants equal to or greater than 10 tons per year are limited solely to noncombustion/related particulate matter shall pay a flat fee of $100/00, provided the facility operator demonstrates to the satisfaction of the air pollution control officer that the noncombustion/related air release does not contain a substance listed in Appendix A.

(d) Fees for Facilities on District Inventories.

(1) Except as provided in Section 90703 and Section 90704(d)(2), (d)(3), (d)(4), and (d)(5), below, facilities subject to fees solely on the basis of the criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of $100/00.

(2) Facilities located in the Santa Barbara County APCD which are subject to fees solely on the basis of the criteria set forth in section 90702(a)(2) and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323 shall be assessed an annual fee of $300.

(3) Facilities located in the San Joaquin Valley Unified APCD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of $400.

(4) Facilities located in Kern County APCD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of $450.

(5) Facilities located in South Coast AQMD which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which do not meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed an annual fee of $200.

(6) Facilities which are subject to fees solely on the basis of criteria set forth in Section 90702(a)(2), and which meet the criteria for industrywide inventories as specified in Health and Safety Code Section 44323, shall be assessed the annual fee specified in Table 9, Column C.

(d) Specified Flat Fees.

(1) A Survey Facility shall be assessed the flat fee specified in Table 4, Column A. An Industrywide Facility shall be assessed the flat fee specified in Table 4, Column B. If a facility was previously assessed, and has paid, a fee pursuant to the program categories specified for Column A or B of Table 4, subsequent fees pursuant to Column A or B of Table 4 shall be waived by the district, if the district determines that there are insignificant costs with respect to said facility under the Act.

(e) Other Flat Fees.

(1) Pursuant to the provisions of Section 44380.5 of the Health and Safety Code, the supplemental fee which may be assessed upon the operator of a facility, to cover the direct costs to the district to review the information supplied, shall be $2,000.

(2) The maximum fee which a small business, as defined in Section 90701(v), shall pay will be $700. The districts shall provide to ARB by April 1 of the calendar year prior to the fiscal year, the number of facilities in each facility program category meeting the small business definition.

(3) If in the judgment of a district the action will not result in a shortfall in revenue, a district may request the fee for the Plan and Report (Simple) category be set at no more than $1,000.

(ef) Costs to be recovered by the regulation adopted by the State Board pursuant to Section 90704 shall be calculated as follows: Each district board shall approve its anticipated costs to implement and administer the Act. Before submitting this program cost information to the State Board, the district shall subtract

from this amount anticipated revenues from collection of the flat fee specified in Section ~~90704(c)(4)~~ and 90704(d)(1); and any excess revenues obtained by the district pursuant to Section 90705(c). When submitting board-approved program costs to the State Board, the district shall include a breakdown of how the collected fees will be used.

NOTE: Authority cited: Section 39600, 39601, and 44380, Health and Safety Code. Reference: Sections 44320, 44322, 44380, and 44380.5, Health and Safety Code.

90705. Fee Payment and Collection.

(a) Each district shall notify and assess the operator of each facility subject to this regulation in writing of the fee due. Except as provided in Sections 90703, ~~90704(c)(4)~~, and 90704(d), and 90704(e), each district shall use the ~~approved emissions inventory~~ facility program category as the basis for billing. The operator shall remit the fee to the district within 60 days after the receipt of the fee assessment notice or the fee will be considered past due. If an operator fails to pay the fee within 60 days of this notice, the district shall assess a penalty of not more than 100 percent of the assessed fee, but in an amount sufficient, in the district's determination, to pay the district's additional expenses incurred by the operator's non-compliance. ~~If an operator fails to pay the fee within 120 days~~ after receipt of this notice, the district may initiate permit revocation proceedings. If any permit is revoked it shall be reinstated only upon full payment of the overdue fee plus any late penalty, and a reinstatement fee to cover administrative costs of reinstating the permit.

(b) Each district shall collect the fees assessed by or required to be assessed by this regulation. After deducting the costs to the district to implement and administer the program, each district shall transmit to the State Board the amount the district is required to collect for recovery of state costs pursuant to Section 90700(b)(1), as set forth in Table 1, on or before April 1 of each year. Checks shall be made payable to the State Air Resources Board. The State Board shall forward the revenues to the State Controller for deposit in the Air Toxics Inventory and Assessment Account.

(c) Any fee revenues received by a district for which fees have been adopted pursuant to Section 90704 which exceed district and state costs shall be reported to the State Board and shall be retained by the district for expenditure in the next two fiscal years.

(d) In the event a district does not collect sufficient revenues to cover both the district program costs and the portion of the state costs which the district is required to remit to the State Board due to circumstances beyond the control of the district, including but not limited to plant closure or refusal of the source operator to pay despite permit revocation and/or other enforcement action, such district shall notify the Executive Officer of the State Board and may for demonstrated good cause be relieved by the Executive Officer from an appropriate portion of the fees the district is required to collect and remit to the state.

Documentation of the circumstances resulting in the shortfall shall be submitted to the ARB upon request. Nothing herein shall relieve the operator from any obligation to pay any fees assessed pursuant to this regulation.

(1) A district for which the Board has adopted a fee schedule pursuant to Section 90704 may, upon notifying the Executive Officer of the State Board, carry over such shortfall in revenue to the fiscal year after which the shortfall was discovered and add the shortfall amount to the program costs for such subsequent fiscal year.

Notes: Authority cited: Sections 39600, 39601, and 44380, Health and Safety Code. Reference: Section 44380, Health and Safety Code.

Table 1

Revenues to be Remitted to Cover State Costs
by Air Pollution Control District

Air Pollution Control District	Revenues to be Remitted		
Amador	20/010	8,761	8,877
Bay Area	723/761	408,062	413,433
Butte	17/772	25,098	25,430
Calaveras	1/305	1,184	1,200
Colusa	13/697	23,441	23,751
El Dorado	8/536	6,630	6,717
Feather River	11/445	17,996	18,233
Glenn	12/429	21,569	21,840
Great Basin	6/121	12,076	12,235
Imperial	20/309	29,126	17,273
Kern	114/252	59,117	55,092
Lake	9/571	3,315	4,318
Lassen	7/640	3,788	3,838
Mariposa	547	474	480
Mendocino	8/893	12,786	8,877
Modoc	0		
Monterey	110/542	124,833	126,464
North Coast	53/062	8,761	8,876
Northern Sierra	20/938	28,820	22,311
Northern Sonoma	62/021	4,972	5,038
Placer	15/075	32,201	32,627
Sacramento	22/002	95,792	102,835
San Bernardine Mojave Desert	263/487	79,541	80,586
San Diego	140/276	304,892	301,627
San Joaquin Valley Unified	754/928	820,519	812,333
San Luis Obispo	97/624	61,449	61,773
Santa Barbara	56/095	97,100	66,934
Shasta	24/822	41,547	42,092
Siskiyou	2/748	1,421	1,439
South Coast	1/027/918	2,929,688	2,967,806
Tehama	5/460	4,262	4,318
Tuolumne	13/479	7,577	7,677
Ventura	68/159	115,322	116,843
Yolo-Solano	18/607	62,327	45,342
Total	3/734/640	5,428,500	5,428,516

Table 2

District Costs to be Recovered Through the Fee Regulation

Air Pollution Control District	Anticipated District Costs*		
Calaveras		0	
Great Basin	3,500	5,500	
Kern	42,924	64,234	
Lassen	6,396	3,000	
Mendocino	14,055	26,714	
Placer		47,559	
Sacramento		42,314	
San Bernardino Mojave Desert	366,039	376,089	
San Joaquin Valley Unified	1,218,340	1,830,600	
Santa Barbara	230,400	260,675	188,475
Shasta	21,827		
South Coast	2,781,697	4,252,961	4,192,961
Tehama	3,428		
Tuolumne		23,800	
Total	$4,688,606		

* These amounts do not include program costs which will be recovered by the flat fees described in Section 90704(c)(4) or (d), or may reflect adjustments for excess or insufficient revenues pursuant to Section 90705(c) and (d)(1).

Table 3 *

Cost per Facility by District and Facility Program Category

Air Pollution Control District	Plan and Report (Simple)		Plan and Report (Intermediate)		Plan and Report (Complex)		Risk[1] Assessment (Simple)		Risk[2] Assessment (Simple)		Risk[1] Assessment (Intermediate)		Risk[2] Assessment (Intermediate)		Risk[1] Assessment (Complex)		Risk[2] Assessment (Complex)		Notification		Audit & Plan
Calaveras	~~474~~	480	~~740~~	720																	
Great Basin	~~547~~	553	~~929~~	939	~~4678~~	1691															
Kern	~~744~~	858	~~4428~~		~~3844~~	4742							~~4364~~	5109	~~4497~~	6634	~~40665~~	12800			
Lassen	~~868~~	874																			
Mendocino	~~848~~	1000	~~4743~~	2911	~~4384~~		~~874~~				4371		~~6443~~	11914							
Placer	~~944~~	951	~~2440~~	2134	~~6644~~	5674															
Sacramento	~~877~~	588	~~4848~~	1043	~~4873~~	2038				1230	~~4223~~	1259	~~3694~~	3757	~~2486~~	2576	~~8654~~	8822			
San Bernardino Majave Desert	1000		~~5962~~	5928	~~18454~~	18321			~~4220~~	1230	~~9464~~	9401	~~14032~~	11899	~~27208~~	27002	~~33376~~	33248	~~37035~~	37681	
San Joaquin Valley	~~794~~	811	~~4669~~	1715	~~4444~~	4276	~~874~~	980		1230	~~2380~~	2378	~~4777~~	4876	~~6743~~	5934	~~44044~~	12180			
Santa Barbara	~~769~~	844	~~4594~~	1811	~~3894~~	4595		980	~~4220~~			2538			~~5368~~	6413	~~44636~~				
South Coast	~~899~~	810	~~4746~~	1711	~~4299~~	4264	~~874~~	980	~~4220~~	1230	~~2386~~	2372	~~4864~~	4870	~~6975~~	5916	~~42443~~	12163			
Tuolumne			~~2480~~	2389	~~6847~~	6522					~~3460~~	3501			~~8207~~	9303					

* ~~This is a new table; however underlines have been omitted for clarity.~~

[1] Risk assessment under review by the district.

[2] Risk assessment submitted to OEHHA from April 1, 1992 through March 31, 1993.

** Fees for San Bernardino reflect 50 small businesses paying $700 and a Plan and Report simple fee cap of $1000.

TABLE 9Table 4

Fees for Sources Emitting Less Than Ten Tons of Each Criteria Pollutant as Required by Section 90704(c)(4)
Survey and Industrywide Facilities

District	A	B	A Survey Facilities	C	B Industrywide Facilities	
Calaveras			100		100	
Great Basin	25		25		25	
Kern	450		100		250	
Lassen	100		100		100	
Mendocino	300		100		100	
Placer			50		50	
Sacramento			100		100	
San Bernardine						
Mojave Desert	100		100		100	
San Joaquin Valley Unified	200	100		200	100	
Santa Barbara	300	100	75	200	75	
Shasta	400	100		100		
South Coast	200	100	25	100	20	25
Tehama	60	30		60		
Tuolumne			100		30	

Table 3
Cost Per Facility Releasing Total
Organic Gases by District and Emissions Category

Dollars

Air Pollution Control District (APCD)	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 1000
Great Basin Unified	-	746	-	-	
Tehama	283	-	1200	-	-

Table 4
Cost Per Facility Releasing Particulate Matter by District and Emissions Category

Dollars

Air Pollution Control District (APCD)	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 1000
Great Basin Unified	513	914	-	-	-
Tehama	423	713	-	-	-

Table 5
Cost Per Facility Releasing Nitrogen
Oxides by District and Emissions Category

Dollars

Air Pollution Control District (APCD)	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 100
Great Basin Unified	501	-	-	-	-
Tehama	498	600	1495	-	-

Table 6
Cost Per Facility Releasing Sulfur Oxides by District and Emissions Category

Dollars

Air Pollution Control District (APCD)	Tons per Year 25 - 49	Tons per Year 50 - 99	Tons per Year 100 - 499	Tons per Year 500 - 999	Tons per Year ≥ 1000
Great Basin Unified	-	-	1434	-	-
Tehama	-	-	-	-	-

Table 7

Cost Per Ton Values (by District)

Air Pollution Control District	Cost Per Ton
Kern	10.04
Lassen	13.70
Mendocino	18.08
San Bernardino	17.92
San Joaquin Valley Unified	19.49
Santa Barbara	37.86
Shasta	14.02
South Coast	28.00

Table 8

Fee for 10-25 Ton Sources (by District)

Air Pollution Control District	Cost per Facility
Great Basin	185
Kern	450
Mendocino	850
San Joaquin Valley Unified	400
Santa Barbara	800
Tehama	286

Appendix A

List of Substances

APPENDIX A

AB 2588 LIST OF SUBSTANCES
(as required by Health and Safety Code Section 44321)

Sources: (1) California Air Resources Board
(2) Environmental Protection Agency
(3) International Agency for Research on Cancer
(4) Governor's List of Carcinogens and Reproductive Toxicants (HSC Section 25249.8)
(5) National Toxicology Program
(6) Hazard Evaluation System and Information Service
(7) Added pursuant to HSC Section 44321 (f)

FOOTNOTES: * Single CAS number not applicable.

** Metal compounds are to be reported as the metal atom equivalent in the compound, unless specific compounds are listed.

[] This designation indicates a synonym for the substance listed.

[POM] Substances with this designation are Polycyclic Organic Matter (POM) compounds. See the page containing the alphabetized listing of POM for its definition. POM is listed pursuant to sources (1) and (2); therefore, all substances that fit into this defined category will also have sources (1) and (2) listed.

[PAH, POM] Substances with this designation are Polycyclic Aromatic Hydrocarbon (PAH) compounds and are a subgroup of POM. See the page containing the alphabetized listing of PAHs for its definition.

[PAH-Derivative, POM] Substances with this designation are Polycyclic Aromatic Hydrocarbon derivatives and are a subgroup of POM. See the page containing the alphabetized listing of PAH-Derivatives for its definition.

ADD DATES: Dates designate when each listed substance was approved by the Board. The following codes apply: (A)=July 1988; (B)=September 1989; (C)=September 1990 (D)=June 1991

CATEGORY 1: Substances required to be included on the AB 2588 list by HSC Sections 44321 (c),(d),(e), and (f).

CATEGORY 2: Substances required to be listed by HSC Sections 44321 (a) and (b) but which may be removed from the list based on criteria in HSC Section 44321 (a).

CATEGORY 1

Chemical Abstract Service (CAS) Number	Chemical Name	Source	Add Date
75070	Acetaldehyde	1,2,3,4	A
60355	Acetamide	1,2,3,4	A
67641	Acetone	1	D
75058	Acetonitrile	1,2	D
98862	Acetophenone	1,2	D
53963	2-Acetylaminofluorene [PAH-Derivative, POM]	1,2,4,5	A
62476599	Acifluorfen [POM]	1,2,4	C
107028	Acrolein	1,2	A
79061	Acrylamide	1,2,3,4	A
79107	Acrylic acid	1,2	D
107131	Acrylonitrile	1,2,3,4,5	A
23214928	Adriamycin [PAH-Derivative, POM]	1,2,3,4,5	A
107186	Allyl alcohol	7	D
107051	Allyl chloride	1,2,4	A
28981977	Alprazolam [POM]	1,2,4	C
7429905	Aluminum	1	D
1344281	Aluminum oxide (fibrous forms)	7	D
117793	2-Aminoanthraquinone [PAH-Derivative, POM]	1,2,4,5	A
60093	p-Aminoazobenzene [4-Aminoazobenzene] [POM]	1,2,3,4	A
97563	o-Aminoazotoluene [POM]	1,2,3,4,5	A
92671	4-Aminobiphenyl [POM]	1,2,3,4,5	A
6109973	3-Amino-9-ethylcarbazole hydrochloride [POM]	1,2,4,5	B
82280	1-Amino-2-methylanthraquinone [PAH-Derivative, POM]	1,2,4,5	A
7664417	Ammonia	1,2	A
6484522	Ammonium nitrate	1	D
7783202	Ammonium sulfate	1	D
62533	Aniline	1,2,4	C
90040	o-Anisidine	1,2,3,4,5	A
104949	p-Anisidine	7	D
-	Anthracene [PAH, POM]	(see PAHs)	
7440360	Antimony	7	D
*	Antimony compounds** including but not limited to:	1,2	D
1327339	Antimony trioxide	1,2,3,4	C

CAS Number	Chemical Name	Source	Add Date
7440382	Arsenic	1,2,3,4,5	A
*	Arsenic compounds **	1	D
*	Arsenic compounds (inorganic) ** including but not limited to:	1,2,3,4,5	A
7784421	Arsine	1,2,7	A
492808	Auramine [POM]	1,2,3,4,5	A
103333	Azobenzene [POM]	1,2,4	C
7440393	Barium	7	D
*	Barium compounds **	1	D
-	Benz[a]anthracene [PAH, POM]	(see PAHs)	
98873	Benzal chloride	7	D
55210	Benzamide	7	D
71432	Benzene	1,2,3,4,5	A
92875	Benzidine (and its salts) [POM]	1,2,3,4,5	A
*	Benzidine-based dyes [POM] including but not limited to:	1,2,3	A
1937377	Direct Black 38 [PAH-Derivative, POM]	1,2,4,5	A
2602462	Direct Blue 6 [PAH-Derivative, POM]	1,2,4,5	A
16071866	Direct Brown 95 (technical grade)[POM]	1,2,4	B
-	Benzo[a]pyrene [PAH, POM]	(see PAHs)	
-	Benzo[b]fluoranthene [PAH, POM]	(see PAHs)	
98077	Benzoic trichloride (Benzotrichloride)	1,2,4,5	A
-	Benzo[j]fluoranthene [PAH, POM]	(see PAHs)	
-	Benzo[k]fluoranthene [PAH, POM]	(see PAHs)	
98884	Benzoyl chloride	1	D
94360	Benzoyl peroxide	7	D
5411223	Benzphetamine hydrochloride [POM]	1,2,4	C
100447	Benzyl chloride	1,2,4	A
1694093	Benzyl violet 4B [POM]	1,2,3,4	A
7440417	Beryllium	1,2,3,4,5	A
*	Beryllium compounds **	1,2,3,4,5	B
92524	Biphenyl [POM]	1,2	D
111444	Bis(2-chloroethyl) ether (DCEE)	1,2,4	B
494031	N-N-Bis(2-chloroethyl)-2-naphthylamine (Chlornaphazine) [PAH-Derivative,POM]	1,2,3,4,5	A
542881	Bis(chloromethyl) ether	1,2,3,4,5	A
108601	Bis(2-chloro-1-methylethyl) ether	7	D
103231	Bis(2-ethylhexyl) adipate	1	D
7726956	Bromine	2	A
*	Bromine compounds (inorganic) ** including but not limited to:	1,2	A
7758012	Potassium bromate	1,3,4	A
75252	Bromoform	1,2,4	D
106990	1,3-Butadiene	1,2,3,4,5	A
141322	Butyl acrylate	1	D
71363	n-Butyl alcohol	1	D

CAS Number	Chemical Name	Source	Add Date
78922	sec-Butyl alcohol	1	D
75650	tert-Butyl alcohol	1	D
85687	Butyl benzyl phthalate	1	D
123728	Butyraldehyde	7	D
7440439	Cadmium	1,2,3,4,5	A
*	Cadmium compounds **	1,2,3,4,5	A
156627	Calcium cyanamide	1,2	D
105602	Caprolactam	1,2	D
133062	Captan	1,2,4	C
63252	Carbaryl [PAH-Derivative, POM]	1,2	D
*	Carbon black extracts	1,3,4	A
75150	Carbon disulfide	1,2,4	B
56235	Carbon tetrachloride	1,2,3,4,5	A
463581	Carbonyl sulfide	1,2	D
120809	Catechol	1,2	D
133904	Chloramben	1,2	D
1620219	Chlorcyclizine hydrochloride [POM]	1,2,4	A
57749	Chlordane	1,2,4	B
7782505	Chlorine	1,2	A
10049044	Chlorine dioxide	1	D
79118	Chloroacetic acid	1,2	D
532274	2-Chloroacetophenone	1,2	D
*	Chlorobenzenes including but not limited to:	1	D
108907	Chlorobenzene	1,2	A
25321226	Dichlorobenzenes (mixed isomers)	1,7	D
95501	including: 1,2-Dichlorobenzene	1,7	D
541731	1,3-Dichlorobenzene	1,7	D
106467	p-Dichlorobenzene (1,4-Dichlorobenzene)	1,2,3,5	A
120821	1,2,4-Trichlorobenzene	1,2	D
510156	Chlorobenzilate [POM] (Ethyl-4,4'-dichlorobenzilate)	1,2,4	C
67663	Chloroform	1,2,3,4,5	A
107302	Chloromethyl methyl ether (technical grade)	1,2,4,5	A
*	Chlorophenols including but not limited to:	1,3	A
120832	2,4-Dichlorophenol	1,7	D
87865	Pentachlorophenol	1,2,4	C
95954	2,4,5-Trichlorophenol	1,2	D
88062	2,4,6-Trichlorophenol	1,2,4	A
76062	Chloropicrin	7	A
126998	Chloroprene	1,2	A
7440473	Chromium	7	D
*	Chromium compounds **	1,2	D

CAS Number	Chemical Name	Source	Add Date
18540299	Chromium, hexavalent (and compounds)** including but not limited to:	1,2,3,4,5	A
10294403	Barium chromate	1,2,5	D
13765190	Calcium chromate	1,2,5	D
1333820	Chromium trioxide	1,2,5	D
7758976	Lead chromate	1,2,5	D
10588019	Sodium dichromate	1,2,5	D
7789062	Strontium chromate	1,2,5	D
-	Chrysene [PAH,POM]	(see PAHs)	
4680788	C.I. Acid Green 3 [POM]	1,2,7	D
569642	C.I. Basic Green 4 [POM]	1,2,7	D
989388	C.I. Basic Red 1 [POM]	1,2,7	D
569619	C.I. Basic Red 9 monohydrochloride [POM]	1,2,4,5	B
2832408	C.I. Disperse Yellow 3 [POM] (Note: "C.I." means "color index ")	1,2,7	D
87296	Cinnamyl anthranilate [POM]	1,2,4,5	B
6358538	Citrus Red No. 2 [POM]	1,2,3,4	A
50419	Clomiphene citrate [POM]	1,2,4	C
7440484	Cobalt	7	D
*	Cobalt compounds**	1,2	D
*	Coke oven emissions	1,2,3,4,5	A
7440508	Copper	2	A
*	Copper compounds **	1,2	B
*	Creosotes	1,3,4	A
1319773	Cresols (mixtures of) [Cresylic acid] including:	1,2	A
108394	m-Cresol	1,2	D
95487	o-Cresol	1,2	D
106445	p-Cresol	1,2	D
98828	Cumene	1,2	D
80159	Cumene hydroperoxide	1	D
*	Cyanide compounds** including but not limited to:	1,2	D
74908	Hydrocyanic acid	2	A
110827	Cyclohexane	1	D
66819	Cycloheximide	6	A
20830813	Daunomycin [PAH-Derivative, POM]	1,2,3,4	A
23541506	Daunorubicin hydrochloride [PAH-Derivative, POM]	1,2,4	C
3468631	D&C Orange No. 17 [PAH-Derivative, POM]	1,2,4	C
2092560	D&C Red No. 8 [PAH-Derivative, POM]	1,2,4	D
5160021	D&C Red No. 9 [PAH-Derivative, POM]	1,2,4	C
81889	D&C Red No. 19 [POM]	1,2,4	C
50293	DDT [1,1,1-Trichloro-2,2-bis(p-chloro-phenyl)ethane] [POM]	1,2,3,4,5	A
1163195	Decabromodiphenyl oxide [POM]	1,2	D
613354	N,N'-Diacetylbenzidine [POM]	1,2,3,4	A
2303164	Diallate	7	D
*	Dialkylnitrosamines including but not limited to:	1	A
1116547	N-Nitrosodiethanolamine	1,3,4,5	A
55185	N-Nitrosodiethylamine	1,3,4,5	A
62759	N-Nitrosodimethylamine	1,2,3,4,5	A
924163	N-Nitrosodi-n-butylamine	1,3,4,5	A
621647	N-Nitrosodi-n-propylamine	1,3,4,5	A
10595956	N-Nitrosomethylethylamine	1,3,4	A
101804	4,4'-Diaminodiphenyl ether [POM]	1,2,3,4,5	A
*	Diaminotoluenes (mixed isomers) including but not limited to:	1,4	C
95807	2,4-Diaminotoluene [2,4-Toluenediamine]	1,2,3,4,5	A
334883	Diazomethane	1,2	D
226368	Dibenz[a,h]acridine [POM]	1,2,3,4,5	A
224420	Dibenz[a,j]acridine [POM]	1,2,3,4,5	A
-	Dibenz[a,h]anthracene [PAH, POM]	(see PAHs)	
194592	7H-Dibenzo[c,g]carbazole [POM]	1,2,3,4,5	A
132649	Dibenzofuran [POM]	1,2	D
*	Dibenzofurans (chlorinated) [POM] (see Polychlorinated dibenzofurans)		
-	Dibenzo[a,e]pyrene [PAH, POM]	(see PAHs)	
-	Dibenzo[a,h]pyrene [PAH, POM]	(see PAHs)	
-	Dibenzo[a,i]pyrene [PAH, POM]	(see PAHs)	
-	Dibenzo[a,l]pyrene [PAH, POM]	(see PAHs)	
96128	1,2-Dibromo-3-chloropropane [DBCP]	1,2,3,4,5	A
84742	Dibutyl phthalate	1,2	D
-	p-Dichlorobenzene [1,4-Dichlorobenzene] (see Chlorobenzenes)		
91941	3,3'-Dichlorobenzidine [POM]	1,2,3,4,5	A
28434868	3,3'-Dichloro-4,4'-diaminodiphenyl ether [POM]	1,2,3,4	B
72548	Dichlorodiphenyldichloroethane[DDD] [POM]	1,2,4	B
72559	Dichlorodiphenyldichloroethylene [DDE] [POM]	1,2,4	B
75343	1,1-Dichloroethane [Ethylidene dichloride]	1,2,4	C
540590	1,2-Dichloroethylene	7	D
94757	Dichlorophenoxyacetic acid, salts and esters [2,4-D]	1,2	D
78875	1,2-Dichloropropane [Propylene dichloride]	1,2,4	C
542756	1,3-Dichloropropene	1,2,3,4,5	A
78886	2,3-Dichloropropene	7	D
62737	Dichlorovos [DDVP]	1,2,4	B
115322	Dicofol [POM]	1,2	D
84173	Dienestrol [POM]	1,2,4	C
*	Diesel engine exhaust	1,3,4	C
111422	Diethanolamine	1,2	D
117817	Di(2-ethylhexyl) phthalate [DEHP]	1,2,3,4,5	A

CAS Number	Chemical Name	Source	Add Date
84662	Diethyl phthalate	7	D
56531	Diethylstilbestrol [POM]	1,2,3,4,5	A
64675	Diethyl sulfate	1,2,3,4,5	A
119904	3,3'-Dimethoxybenzidine [POM]	1,2,3,4,5	A
20325400	3,3'-Dimethoxybenzidine dihydrochloride [POM]	1,2,4	D
60117	4-Dimethylaminoazobenzene [POM]	1,2,3,4,5	A
121697	N,N-Dimethylaniline	1,2	D
57976	7,12-Dimethylbenz[a]anthracene [PAH-Derivative, POM]	1,2,4	C
119937	3,3'-Dimethylbenzidine [o-tolidine] [POM]	1,2,3,4,5	A
79447	Dimethyl carbamoyl chloride	1,2,3,4,5	A
68122	Dimethyl formamide	1,2,3	C
57147	1,1-Dimethylhydrazine	1,2,3,4,5	A
105679	2,4-Dimethylphenol [2,4-Xylenol]	7	D
131113	Dimethyl phthalate	1,2	D
77781	Dimethyl sulfate	1,2,3,4,5	A
25154545	Dinitrobenzenes (mixtures of) including:	4,7	C
99650	m-Dinitrobenzene	7	D
528290	o-Dinitrobenzene	7	D
100254	p-Dinitrobenzene	7	D
534521	4,6-Dinitro-o-cresol, and salts	1,2	D
51285	2,4-Dinitrophenol	1,2	D
42397648	1,6-Dinitropyrene [PAH-Derivative, POM]	1,2,3,4	D
42397659	1,8-Dinitropyrene [PAH-Derivative, POM]	1,2,3,4	D
25321146	Dinitrotoluenes (mixed isomers) including but not limited to:	7	D
121142	2,4-Dinitrotoluene	1,2,4	B
606202	2,6-Dinitrotoluene	7	D
117840	n-Dioctyl phthalate	7	D
123911	1,4-Dioxane	1,2,3,4,5	A
*	Dioxins [Chlorinated dibenzodioxins] [POM] (see Polychlorinated dibenzo-p-dioxins)		
630933	Diphenylhydantoin [POM]	1,2,4	A
122667	1,2-Diphenylhydrazine [Hydrazobenzene] [POM]	1,2,4,5	A
2475458	Disperse Blue 1 [PAH-Derivative, POM]	1,2,3,4	D
*	Environmental tobacco smoke	1,3,4	A
106898	Epichlorohydrin	1,2,3,4,5	A
106887	1,2-Epoxybutane	1,2	D
*	Epoxy resins	6	B
379793	Ergotamine tartrate [POM]	1,2,4	C
140885	Ethyl acrylate	1,2,3,4,5	A
100414	Ethyl benzene	1,2	D
75003	Ethyl chloride [Chloroethane]	1,2,4	A
541413	Ethyl chloroformate	7	D
-	Ethyl-4,4'-dichlorobenzilate (see Chlorobenzilate)		
74851	Ethylene	7	D
106934	Ethylene dibromide [1,2-Dibromoethane]	1,3,4,5,6	A

CAS Number	Chemical Name	Source	Add Date
107062	Ethylene dichloride [1,2-Dichloroethane]	1,2,3,4,5	A
107211	Ethylene glycol	1,2	D
151564	Ethyleneimine [Aziridine]	1,2	D
75218	Ethylene oxide	1,2,3,4,5,6	A
96457	Ethylene thiourea	1,2,3,4,5	A
33419420	Etoposide [POM]	1,2,4	C
*	Fluorides and compounds including but not limited to:	2	B
7664393	Hydrogen fluoride	1,2,7	A
2164172	Fluometuron	7	D
*	Fluorocarbons (brominated)	6	A
*	Fluorocarbons (chlorinated) including but not limited to:	1,6	A
76131	Chlorinated fluorocarbon [CFC-113]	2,6	A
50000	Formaldehyde	1,2,3,4,5,6	A
*	Gasoline vapors	1,2,3,4	A
111308	Glutaraldehyde	1,6	A
*	Glycol ethers and their acetates including but not limited to:	1,2,6	A
111466	Diethylene glycol	1,6	C
111966	Diethylene glycol dimethyl ether	1,2,6	C
112345	Diethylene glycol monobutyl ether	1,2,6	C
111900	Diethylene glycol monoethyl ether	1,2,6	C
111773	Diethylene glycol monomethyl ether	1,2,6	C
25265718	Dipropylene glycol	1,6	C
34590948	Dipropylene glycol monomethyl ether	1,6	C
629141	Ethylene glycol diethyl ether	1,2,6	C
110714	Ethylene glycol dimethyl ether	1,2,6	C
111762	Ethylene glycol monobutyl ether	1,2,6	C
110805	Ethylene glycol monoethyl ether	1,2,6	B
111159	Ethylene glycol monoethyl ether acetate	1,2,6	C
109864	Ethylene glycol monomethyl ether	1,2,6	B
110496	Ethylene glycol monomethyl ether acetate	1,2,6	C
2807309	Ethylene glycol monopropyl ether	1,2,6	C
107982	Propylene glycol monomethyl ether	1,6	C
108656	Propylene glycol monomethyl ether acetate	1,6	C
112492	Triethylene glycol dimethyl ether	1,2,6	C
23092173	Halazepam [POM]	1,2,4	C
76448	Heptachlor	1,2,4	B
87683	Hexachlorbutadiene	1,2	D
118741	Hexachlorobenzene	1,2,3,5	A
*	Hexachlorocyclohexanes included but not limited to:	1,3,4,5	A
58899	Lindane	1,2,4	C
77474	Hexachlorocyclopentadiene	1,2	A
67721	Hexachloroethane	1,2,4	C

CAS Number	Chemical Name	Source	Add Date
1335871	Hexachloronaphthalene [PAH-Derivative, POM]	1,2,7	D
680319	Hexamethylphosphoramide	1,2,3,4,5	A
110543	Hexane	1,2	D
302012	Hydrazine	1,2,3,4,5	A
7647010	Hydrochloric acid	1,2	A
-	Hydrocyanic acid (see Cyanide compounds)		
7783064	Hydrogen sulfide	1,2	A
123319	Hydroquinone	1,2	D
-	Indeno[1,2,3-cd]pyrene [PAH, POM]	(see PAHs)	
78842	Isobutyraldehyde	7	D
*	Isocyanates	6	A
	Including but not limited to:		
822060	Hexamethylene-1,6-diisocyanate	1,2	D
101688	Methylene diphenyl diisocyanate [MDI] [POM]	1,2	D
624839	Methyl isocyanate	1,2	A
-	Toluene-2,4-diisocyanate (see Toluene diisocyanates)		
-	Toluene-2,6-diisocyanate (see Toluene diisocyanates)		
78591	Isophorone	1,2	D
67630	Isopropyl alcohol	1	D
80057	4,4'-Isopropylidenediphenol [POM]	1,2	D
77501634	Lactofen [POM]	1,2,4	B
7439921	Lead	1,4,6	A
*	Lead compounds **	1,2	D
	Including but not limited to:		
301042	Lead acetate	1,2,4,5	A
1335326	Lead subacetate	1,2,4	C
*	Lead compounds (inorganic) **	1,3	A
	Including but not limited to:		
7446277	Lead phosphate	1,4,5	A
846491	Lorazepam [POM]	1,2,4	C
108316	Maleic anhydride	1,2	A
7439965	Manganese	1,2	A
*	Manganese compounds **	1,2	B
7439976	Mercury	1,2,4,6	A
*	Mercury compounds **	1,2,4	B
	Including but not limited to:		
7487947	Mercuric chloride	2	A
593748	Methyl mercury [Dimethylmercury]	2	A
67561	Methanol	1,2	A
72435	Methoxychlor [POM]	1,2	D
96333	Methyl acrylate	7	D
75558	2-Methylaziridine [1,2-Propyleneimine]	1,2,3,4	A
74839	Methyl bromide [Bromomethane]	1,2,6	A
74873	Methyl chloride [Chloromethane]	1,2	D
71556	Methyl chloroform [1,1,1-Trichloroethane]	1,2,6	A
56495	3-Methylcholanthrene [PAH-Derivative, POM]	1,2,4	C
3697243	5-Methylchrysene [PAH-Derivative, POM]	1,2,3,4,5	A
101144	4,4'-Methylene bis(2-chloroaniline) [MOCA] [POM]	1,2,3,4,5	A
838880	4,4'-Methylene bis(2-methylaniline) [POM]	1,2,3,4	B
101611	4,4'-Methylene bis(N,N-dimethyl) benzenamine [POM]	1,2,4,5	A
74953	Methylene bromide	7	D
75092	Methylene chloride [Dichloromethane]	1,2,3,4,5,6	A
101779	4,4'-Methylenedianiline (and its dichloride) [POM]	1,2,3,4,6	A
78933	Methyl ethyl ketone [2-Butanone]	1,2	D
60344	Methyl hydrazine	1,2	D
74884	Methyl iodide [Iodomethane]	1,2,4,6	A
108101	Methyl isobutyl ketone [Hexone]	1,2	D
80626	Methyl methacrylate	1,2,6	A
129157	2-Methyl-1-nitroanthraquinone (uncertain purity) [PAH Derivative, POM]	1,2,3,4	A
1634044	Methyl tert-butyl ether	1,2	D
90948	Michler's ketone [POM]	1,2,4,6	A
59467968	Midazolam hydrochloride [POM]	1,2,4	C
*	Mineral fibers (other than manmade)	2,7	A
	Including but not limited to:		
1332214	Asbestos	1,2,3,4,6	A
12510428	Erionite	2,3,4	A
*	Talc containing asbestiform fibers	2,3,4	A
*	Mineral Fibers (fine) (fine mineral fibers which are manmade and are airborne particles of a respirable size of greater than 6.0 microns in length, less than or equal to 3.5 microns in diameter, with a length to diameter ratio of 3:1)	1,2,7	D
	Including but not limited to:		
*	Ceramic fibers	1,2,3,4	B
*	Glasswool fibers	1,2,3,4	B
*	Rockwool fibers	1,2,3	B
*	Slagwool fibers	1,2,3	B
70476823	Mitoxantrone hydrochloride [PAH-Derivative, POM]	1,2,4	C
1313275	Molybdenum trioxide	1	D
86220420	Nafarelin acetate [PAH-Derivative, POM]	1,2,4	C
3771195	Nafenopin [POM]	1,2,3,4	A
-	Naphthalene [PAH, POM]	(see PAHs)	
134327	1-Naphthylamine [PAH-Derivative, POM]	1,2,4	C
91598	2-Naphthylamine [PAH-Derivative, POM]	1,2,3,4,6	A
7440020	Nickel	1,2,3,4,5	A

CAS Number	Chemical Name	Source	Add Date
*	Nickel compounds**	1,2,3,4,5	A
	including but not limited to:		
373024	Nickel acetate	1,2,5	D
3333393	Nickel carbonate	1,2,5	D
13463393	Nickel carbonyl	1,2,4,5	A
12054487	Nickel hydroxide	1,2,5	D
1271289	Nickelocene	1,2,5	D
1313991	Nickel oxide	1,2,5	D
12035722	Nickel subsulfide	1,2,4,5	A
7697372	Nitric acid	1	D
139139	Nitrilotriacetic acid	1,4,5	A
602879	5-Nitroacenaphthene [PAH-Derivative, POM]	1,2,3,4	A
98953	Nitrobenzene	1,2	A
92933	4-Nitrobiphenyl [POM]	1,2,4	B
7496028	6-Nitrochrysene [PAH-Derivative, POM]	1,2,3,4	D
607578	2-Nitrofluorene [PAH-Derivative, POM]	1,2,3,4	D
55630	Nitroglycerin	7	D
88755	2-Nitrophenol	7	D
100027	4-Nitrophenol	1,2	D
79469	2-Nitropropane	1,2,3,4,5	A
5522430	1-Nitropyrene [PAH-Derivative, POM]	1,2,3,4	D
57835924	4-Nitropyrene [PAH-Derivative, POM]	1,2,3,4	D
156105	p-Nitrosodiphenylamine [POM]	1,2,4,5	A
86306	N-Nitrosodiphenylamine [POM]	1,2,4	B
59892	N-Nitrosomorpholine	1,2,3,4,5	A
684935	N-Nitroso-N-methylurea	1,2,4,5	A
303479	Ochratoxin A [POM]	1,2,4	C
2234131	Octachloronaphthalene [PAH-Derivative, POM]	1,2,7	D
2646175	Oil Orange SS [PAH-Derivative, POM]	1,2,3,4	A
20816120	Osmium tetroxide	7	D
*	#PAHs (Polycyclic aromatic hydrocarbons) [POM]	1,2	A
	including but not limited to:		
120127	Anthracene	1,2,7	D
56553	Benz[a]anthracene	1,2,3,4,5	A
50328	Benzo[a]pyrene	1,2,3,4,5	A
205992	Benzo[b]fluoranthene	1,2,3,4,5	A
205823	Benzo[j]fluoranthene	1,2,3,4,5	A
207089	Benzo[k]fluoranthene	1,2,3,4,5	A
218019	Chrysene	1,2,4	C

#PAH: (Polycyclic Aromatic Hydrocarbon) - An organic compound consisting of a fused ring structure containing at least two (2) benzene rings, and which may also contain additional fused rings not restricted exclusively to hexagonal rings. The structure does not include any heteroatoms or substituent groups. The structure includes only carbon and hydrogen. PAHs are a subgroup of POM and have a boiling point of greater than or equal to 100°C.

CAS Number	Chemical Name	Source	Add Date
53703	Dibenz[a,h]anthracene	1,2,3,4,5	A
192654	Dibenzo[a,e]pyrene	1,2,3,4,5	A
189640	Dibenzo[a,h]pyrene	1,2,3,4,5	A
189559	Dibenzo[a,i]pyrene	1,2,3,4,5	A
191300	Dibenzo[a,l]pyrene	1,2,3,4,5	A
193395	Indeno[1,2,3,-cd]pyrene	1,2,3,4,5	A
91203	Naphthalene	1,2	A

(+) Dibenz[a,h]acridine, Dibenz[a,j]acridine, 7H-Dibenzo[c,g]carbazole, 7,12-Dimethylbenz[a]anthracene, 3-Methylcholanthrene, and 5-Methylchrysene are now alphabetized on the list.

*	#PAH-Derivatives (Polycyclic aromatic hydrocarbon-derivatives) [POM]	1,2,7	D
	(including but not limited to those substances listed in Appendix A with the bracketed designation [PAH-Derivative, POM])		
56382	Parathion	1,2	D
1336363	PCBs (Polychlorinated biphenyls) [POM]	1,2,3,4,5,6	A
82688	Pentachloronitrobenzene [Quintobenzene]	1,2	D
79210	Peracetic acid	1	D
127184	Perchloroethylene [Tetrachloroethene]	1,2,3,4,5,6	A
108952	Phenol	1,2	A
59961	Phenoxybenzamine [POM]	1,2,4	B
63923	Phenoxybenzamine hydrochloride [POM]	1,2,3,4,5	C
106503	p-Phenylenediamine	1,2	D
90437	2-Phenylphenol [POM]	1,2	D
57410	Phenytoin [POM]	1,2,3,4,5	A
75445	Phosgene	1,2	A
7723140	Phosphorus	1,2	A
*	Phosphorus compounds:	2	B
7803512	Phosphine	1,2,7	A
7664382	Phosphoric acid	1,2	B

PAH-DERIVATIVE: (Polycyclic Aromatic Hydrocarbon Derivative) - An organic compound consisting of a fused ring structure containing at least two (2) benzene rings, and which may also contain additional fused rings not restricted exclusively to hexagonal rings. The fused ring structure does not contain heteroatoms. The structure does contain one or more substituent groups. PAH-derivatives are a subgroup of POM and have a boiling point of greater than or equal to 100°C.

CAS Number	Chemical Name	Source	Add Date
10025873	Phosphorus oxychloride	2	B
10026138	Phosphorus pentachloride	2	B
1314563	Phosphorus pentoxide	2	B
7719122	Phosphorus trichloride	2	B
126738	Tributyl phosphate	2	B
78400	Triethyl phosphine	2	B
512561	Trimethyl phosphate	2	B
78308	Triorthocresyl phosphate [POM]	1,2	B
115866	Triphenyl phosphate [POM]	1,2	B
101020	Triphenyl phosphite [POM]	1,2	B
85449	Phthalic anhydride	1,2	A
88891	Picric acid	7	D
18378897	Plicamycin [PAH-Derivative, POM]	1,2,4	C
*	Polybrominated biphenyls [PBBs] [POM]	1,2,3,4,5	A
*	Polychlorinated dibenzo-p-dioxins [PCDDs] [POM]	1,2	A
	including but not limited to:		
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin [TCDD] [POM]	1,2,3,4,5	A
40321764	1,2,3,7,8-Pentachlorodibenzo-p-dioxin [POM]	1,2	A
39227286	1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin [POM]	1,2,4	A
57653857	1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin [POM]	1,2	A
19408743	1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin [POM]	1,2	A
35822469	1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin [POM]	1,2	A
*	Polychlorinated dibenzofurans [PCDFs] [POM]	1,2	A
	including but not limited to:		
51207319	2,3,7,8-Tetrachlorodibenzofuran [POM]	1,2	A
57117416	1,2,3,7,8-Pentachlorodibenzofuran [POM]	1,2	A
57117314	2,3,4,7,8-Pentachlorodibenzofuran [POM]	1,2	A
70648269	1,2,3,4,7,8-Hexachlorodibenzofuran [POM]	1,2	A
57117449	1,2,3,6,7,8-Hexachlorodibenzofuran [POM]	1,2	A
72918219	1,2,3,7,8,9-Hexachlorodibenzofuran [POM]	1,2	A
60851345	2,3,4,6,7,8-Hexachlorodibenzofuran [POM]	1,2	A
67562394	1,2,3,4,6,7,8-Heptachlorodibenzofuran [POM]	1,2	A
55673897	1,2,3,4,7,8,9-Heptachlorodibenzofuran [POM]	1,2	A
*	#POM (Polycyclic organic matter)	1,2	B
	(including but not limited to those substances listed in Appendix A with the bracketed designation of [POM], [PAH, POM], or [PAH-Derivative, POM])		
3761533	Ponceau MX [PAH-Derivative, POM]	1,2,3,4	A
3564098	Ponceau 3R [PAH-Derivative, POM]	1,2,3,4	A
1120714	1,3-Propane sultone	1,2,3,4,5	A
57578	beta-Propiolactone	1,2,3,4,5	A
123386	Propionaldehyde	1,2	D
114261	Propoxur (Baygon)	1,2	D
115071	Propylene	1,2	A
-	1,2-Propyleneimine	(see 2-Methylaziridine)	
75569	Propylene oxide	1,2,3,4,5	A
110861	Pyridine	7	D
91225	Quinoline	1,2	D
106514	Quinone	1,2	D
*	Radionuclides	1,2,4	A
	including but not limited to:		
24267669	Iodine-131	1,2,4	B
*	Radon and its decay products	1,4	B
50555	Reserpine [POM]	1,2,4,5	A
7782492	Selenium	2	A
*	Selenium compounds **	1,2	A
	including but not limited to:		
7446346	Selenium sulfide	2,4,5	C
*	Silica, crystalline	1,3,4	A
7440224	Silver	7	D
*	Silver compounds**	1	D
1310732	Sodium hydroxide	1,2	A
132274	Sodium o-phenylphenate [POM]	1,2,3,4	A
10048132	Sterigmatocystin [POM]	1,2,3,4	A
100425	Styrene	1,2,3,6	A
96093	Styrene oxide	1,2,3,4	A
7664939	Sulfuric acid	1	D
64965241	Tamoxifen citrate [POM]	1,2,4	C
846504	Temazepam [POM]	1,2,4	C
100210	Terephthalic acid	1	D
79345	1,1,2,2-Tetrachloroethane	1,2,4	C
961115	Tetrachlorvinphos	7	D
7440280	Thallium	7	D
*	Thallium compounds**	7	D

POM: (Polycyclic Organic Matter) - Includes organic compounds with more than one benzene ring, and which have a boiling point of greater than or equal to 100°C.

CAS Number	Chemical Name	Source	Add Date
139651	4,4'-Thiodianiline [POM]	1,2,3,4	A
62566	Thiourea	1,3,4,5	A
7550450	Titanium tetrachloride	1,2	D
108883	Toluene	1,2,4,6	A
-	2,4-Toluenediamine (see 2,4-Diaminotoluene)		
*	Toluene diisocyanates	1,3	D
	including but not limited to:		
584849	Toluene-2,4-diisocyanate	1,2,3,5	A
91087	Toluene-2,6-diisocyanate	1,2,3,5	A
95534	o-Toluidine	1,2,3,4,5	A
8001352	Toxaphene [Polychlorinated camphenes]	1,2,3,4,5	A
28911015	Triazolam [POM]	1,2,4	C
52686	Trichlorfon	7	D
-	1,1,1-Trichloroethane (see Methyl chloroform)		
79005	1,1,2-Trichloroethane	1,2,4	D
	[Vinyl trichloride]		
79016	Trichloroethylene	1,2,4	A
-	2,4,6-Trichlorophenol (see Chlorophenols)		
121448	Triethylamine	1,2	D
1582098	Trifluralin	1,2	D
95636	1,2,4-Trimethylbenzene	1	D
540841	2,2,4-Trimethylpentane	1,2	D
72571	Trypan blue [PAH-Derivative; POM]	1,2,3,4	A
51796	Urethane [Ethyl carbamate]	1,2,3,4,6	A
*	Vanadium (fume or dust)	7	D
143679	Vinblastine sulfate [POM]	1,2,4	C
2068782	Vincristine sulfate [POM]	1,2,4	C
108054	Vinyl acetate	1,2	D
593602	Vinyl bromide	1,2,3,4	A
75014	Vinyl chloride	1,2,3,4,6	A
75354	Vinylidene chloride	1,2	A
81812	Warfarin [POM]	1,2,4	A
*	Wood preservatives	6	B
	(containing arsenic and chromate)		
*	Xylenes (mixed xylenes)	1,2,6	A
	including:		
108383	m-Xylene	1,2	D
95476	o-Xylene	1,2	D
106423	p-Xylene	1,2	D
7440666	Zinc	2	A
*	Zinc compounds **	1,2	A
	including but not limited to:		
1314132	Zinc oxide	2	A

CATEGORY 2

Chemical abstract service (CAS) number	Chemical name	Source	Add Date
26148685	A-alpha-C [2-Amino-9H-pyrido[2,3-b] indole]	3,4	B
34256821	Acetochlor	4	B
546883	Acetohydroxamic acid	4	C
50760	Actinomycin D	4	C
3688537	AF-2	3,4	A
*	Aflatoxins	3,4,5	A
15972608	Alachlor	4	B
309002	Aldrin	4	B
39831555	Amikacin sulfate	4	C
125848	Aminoglutethimide	4	C
68006837	2-Amino-3-methyl-9H-pyrido(2,3-b)indole [MeA-alpha-C]	3,4	B
712685	2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	3,4	A
54626	Aminopterin	4	A
	2-Amino-9H-Pyrido(2,3-b)indole (see A-alpha-C)		
61825	Amitrole	3,4,5	A
*	Analgesic mixtures containing phenacetin	3,4,5	A
*	Androgenic (anabolic) steroids including but not limited to:	3,4	A
58184	Methyltestosterone	4	C
434071	Oxymetholone	4,5	A
58220	Testosterone and its esters including but not limited to:	4	B
315377	Testosterone enanthate	4	C
134292	o-Anisidine hydrochloride	4,5	A
140578	Aramite	3,4	A
50782	Aspirin	4	D
115026	Azaserine	3,4	A
446866	Azathioprine	3,4,5	A
271896	Benzofuran	4	D
*	Betel quid with tobacco	3,4	A
154938	Bischloroethyl nitrosourea	3,4	A
*	Bitumens, extracts of steam-refined and air-refined bitumens	3,4	A
*	Bleomycins	3	A
75274	Bromodichloromethane	4	C
1689845	Bromoxynil	4	D
55981	1,4-Butanediol dimethanesulfonate [Busulfan]/[Myleran]	3,4,5	A
25013165	Butylated hydroxyanisole [BHA]	3,4	A

CAS Number	Chemical Name	Source	Add Date
3068880	beta-Butyrolactone	3,4	A
2425061	Captafol	4	B
630080	Carbon monoxide	4	B
41575944	Carboplatin	4	C
*	Carrageenan (degraded)	3,4	A
474259	Chenodiol	4	C
305033	Chlorambucil	3,4,5	A
56757	Chloramphenicol	3,4	A
143500	Chlordecone [Kepone]	3,4	A
6164983	Chlordimeform	4	B
115286	Chlorendic acid	3,4,5	B
108171262	Chlorinated paraffins (Average chain length, C12; approx. 60% chlorine by weight)	3,4,5	B
124481	Chlorodibromomethane	4	C
13010474	1-(2-chloroethyl)-3-cyclohexyl-1-nitrosourea [CCNU]	3,4,5	A
13909096	1-(2-chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea [Methyl CCNU]	3	A
95830	4-Chloro-o-phenylenediamine	3,4,5	A
563473	3-Chloro-2-methylpropene	4,5	B
95692	p-Chloro-o-toluidine	3,4	A
*	p-Chloro-o-toluidine (strong acid salts)	3	D
*	Chlorophenoxy herbicides	3	A
1897456	Chlorothalonil	4	B
15663271	Cisplatin	3,4	A
8007452	Coal tars	3,4,5	B
120718	p-Cresidine	3,4,5	A
135206	Cupferron	4,5	A
21725462	Cyanazine	4	C
14901087	Cycasin	3,4	A
50180	Cyclophosphamide	3,4	A
13121705	Cyhexatin	4	B
147944	Cytarabine	4	B
4342034	Dacarbazine	3,4,5	A
1596845	Daminozide	4	C
17230885	Danazol	4	C
615054	2,4-Diaminoanisole	3,4	A
39156417	2,4-Diaminoanisole sulfate	4,5	A
764410	1,4-Dichloro-2-butene	4	C
60571	Dieldrin	4	B
1464535	Diepoxybutane	3,4,5	A
*	Diesel fuel (marine)	3	D
1615801	1,2-Diethylhydrazine	3,4	A
101906	Diglycidyl resorcinol ether [DGRE]	3,4,5	A
94586	Dihydrosafrole	3,4	A

CAS Number	Chemical Name	Source	Add Date
55738540	trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	3,4	A
540738	1,2-Dimethylhydrazine	3,4	A
513371	Dimethylvinylchloride (DMVC)	4,5	B
39300453	Dinocap	4	C
88857	Dinoseb	4	B
564250	Doxycycline	4	C
*	Estrogens, nonsteroidal	3,5	A
*	Estrogens, steroidal	3,5	A
	including but not limited to:		
*	Conjugated estrogens	4	C
50282	Estradiol 17 beta	4,5	A
53167	Estrone	4,5	A
57636	Ethinyl estradiol	4,5	A
72333	Mestranol	3,4,5	A
62500	Ethyl methanesulfonate	3,4	A
54360480	Etretinate	4	A
51218	Fluorouracil	4	B
76437	Fluoxymesterone	4	C
13311847	Flutamide	4	C
133073	Folpet	4	B
3570750	2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3,4	A
67458	Furazolidone	4	C
60568050	Furmecyclox	4	C
*	Gasoline engine exhaust	3	C
	including but not limited to:		
*	Gasoline engine exhaust (condensates & extracts)	4	D
67730114	Glu-P-1 [2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole]	3,4	A
67730103	Glu-P-2 [2-Aminodipyrido[1,2-a:3',2'-d]imidazole]	3,4	A
765344	Glycidaldehyde	3,4	A
556525	Glycidol	4	C
126078	Griseofulvin	3,4	A
16568028	Gyromitrin (Acetaldehyde methylformylhydrazone)	4	A
2784943	HC Blue 1	4,5	B
1024573	Heptachlor epoxide	4	B
10034932	Hydrazine sulfate	4,5	A
3778732	Ifosfamide	4	C
76180966	IQ [2-Amino-3-methylimidazo[4,5-f]quinoline]	3,4	A
9004664	Iron dextran complex	3,4,5	A
120581	Isosafrole	4	C
4759482	Isotretinoin	4	A

CAS Number	Chemical Name	Source	Add Date
303344	Lasiocarpine	3,4	B
554132	Lithium carbonate	4	D
919164	Lithium citrate	4	D
*	Lubricant base oils and derived products, specifically vacuum distillates, acid treated oils, aromatic oils, mildly solvent-refined oils, mildly hydrotreated oils, and used engine oils	3,4,5	B
8018017	Mancozeb	4	C
12427382	Maneb	4	C
595335	Megestrol acetate	4	D
148823	Melphalan	3,4,5	A
9002680	Mepotropins	4	C
6112761	Mercaptopurine	4	C
531760	Merphalan	4	B
3963959	Methacycline hydrochloride	4	D
60560	Methimazole	4	C
59052	Methotrexate	4	B
15475666	Methotrexate sodium	4	C
484208	5-Methoxypsoralen	3	A
590965	Methylazoxymethanol	4	C
592621	Methylazoxymethanol acetate	3,4	B
66273	Methyl methanesulfonate	3,4	A
70257	N-Methyl-N'-nitro-N-nitrosoguanidine	3,4	A
615532	N-Methyl-N-nitrosourethane	3	A
924425	N-Methyloacrylamide	4	C
56042	Methylthiouracil	3,4	A
9006422	Metiram	4	C
443481	Metronidazole	3,4,5	A
*	Mineral oils (untreated and mildly treated oils; and those used in occupations such as mulespinning, metal machining, and jute processing)	3,4,5	A
2385855	Mirex	3,4,5	A
62015398	Misoprostol	4	C
50077	Mitomycin C	3,4	A
315220	Monocrotaline	3,4	A
139913	5-(Morpholinomethyl)-3-[(5-nitro furfurylidene)amino]-2-oxazolidinone	3,4	A
505602	Mustard gas [Sulfur mustard]	3,4,5	A
1405103	Neomycin sulfate	4	C
66391672	Netilmicin sulfate	4	C
*	Nickel refinery dust from the pyrometallurgical process	4	B
54115	Nicotine	4	C
61674	Nitridazole	3,4	A

CAS Number	Chemical Name	Source	Add Date
*	Nitrilotriacetic acid (salts) including but not limited to:	3	D
18662538	Nitrilotriacetic acid, trisodium salt monohydrate	4	D
99592	6-Nitro-o-anisidine	4,5	A
1836755	Nitrofen (technical grade)	3,4,5	A
67209	Nitrofurantoin	4	D
59870	Nitrofurazone	4	C
555840	1-[(5-Nitrofurfurylidene)amino]-2-imidazolidinone	3,4	A
531828	N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	3,4	A
51752	Nitrogen mustard [Mechlorethamine]	3,4,5	A
55867	Nitrogen mustard hydrochloride	4,5	B
302705	Nitrogen mustard N-oxide	3,4	A
759739	N-Nitroso-N-ethylurea	4,5	A
60153493	3-(N-Nitrosomethylamino)propionitrile	3,4	B
64091914	4-(N-Nitrosomethylamino)-1-(3-pyridyl)-1-butanone [NNK]	3,4	B
615532	N-Nitroso-N-methylurethane [N-Methyl-N-nitrosourethane]	3,4	A
4549400	N-Nitrosomethylvinylamine	3,4,5	A
16543558	N-Nitrosonornicotine	3,4,5	A
100754	N-Nitrosopiperidine	3,4,5	A
930552	N-Nitrosopyrrolidine	3,4,5	A
13256229	N-Nitrososarcosine	3,4,5	A
6533002	Norgestrel	4	C
79572	Oxytetracycline	4	D
794934	Panfuran S [Dihydroxymethylfuratrizine]	3,4	A
115673	Paramethadione	4	C
52678	Penicillamine	4	D
57330	Pentobarbital sodium	4	C
63989	Phenacemide	4	C
62442	Phenacetin	3,4,5	A
94780	Phenazopyridine hydrochloride	3,4,5	A
3546109	Phenesterin	4,5	B
50066	Phenobarbital	3,4	A
122601	Phenyl glycidyl ether	3,4	C
54911	Pipobroman	4	C
53973981	Polygeenan	4	B
366701	Procarbazine hydrochloride	3,4,5	A
*	Progestins including but not limited to:	3	A
71589	Hedroxyprogesterone acetate	3,4	A
68224	Norethisterone	4,5	A
57830	Progesterone	3,4,5	A
51525	Propylthiouracil	3,4,5	A
*	Residual (Heavy) Fuel Oils	3,4	D

CAS Number	Chemical Name	Source	Add Date
302794	all-trans-Retinoic acid	4	B
*	Retinol/retinyl esters	4	B
36791045	Ribavirin	4	C
81072	Saccharin	3,4,5	A
94597	Safrole	3,4,5	A
*	Shale oils	3,4	A
128449	Sodium saccharin	4	B
*	Soots	3,4	A
3810740	Streptomycin sulfate	4	D
18883664	Streptozotocin	3,4,5	A
95067	Sulfallate	3,4,5	A
5216251	p-alpha,alpha,alpha-Tetrachlorotoluene	4	C
64755	Tetracycline hydrochloride	4	D
509148	Tetranitromethane	4	C
50351	Thalidomide	4	A
62555	Thioacetamide	3,4,5	A
154427	Thioguanine	4	C
1314201	Thorium dioxide	4,5	A
*	Tobacco products, smokeless	3,4	A
49842071	Tobramycin sulfate	4	C
*	alpha-chlorinated toluenes	3	A
636215	o-Toluidine hydrochloride	4,5	A
106490	p-Toluidine	4	C
299752	Treosulfan	3,4	A
13647353	Trilostane	4	C
127480	Trimethadione	4	D
68768	Tris(aziridinyl)-p-benzoquinone [Triaziquone]	4	C
52244	Tris(1-aziridinyl) phosphine sulfide [Thiotepa]	3,4,5	A
126727	Tris(2,3-dibromopropyl)phosphate	4	B
62450060	Trp-P-1 [3-amino-1,4-dimethyl-5H-pyrido[4,3-b]indole]	3,4	A
62450071	Trp-P-2 [3-Amino-1-methyl-5H-pyrido[4,3-b]indole]	3,4	A
66751	Uracil mustard	3,4	A
26995915	Urofollitropin	4	C
99661	Valproate	4	A
106876	4-Vinyl-1-cyclohexene diepoxide [Vinyl cyclohexene dioxide]	4	C
87627	2,6-Xylidene	4	D
12122677	Zineb	4	C

Appendix BA

District Air Toxic Inventories, Reports, and Surveys

Appendix BA

Air Pollution Control District
Air Toxic Inventories, Reports or Surveys

1. Bay Area Air Quality Management District "Current BAAQMD Air Toxics Inventory. October 27, 1990."

2. "Kern County Air Pollution Control District, "District's Toxic Use List, Southeast Desert Portion of Kern County, February 14, 1992."

3. Sacramento Metropolitan Air Quality Management District "Toxic Air Pollutant Emission Inventory For Sacramento County, ~~(Revised)~~. June ~~1990~~1993."

4. San Bernardino County Air Pollution Control District "Toxics Inventory List. June 27, 1990."

5. San Diego County Air Pollution Control District "List of Semiconductor Manufacturers Using Toxic Gases. May 1988."

6. San Joaquin Valley Unified Air Pollution Control District ~~"District's Toxics Use List, San Joaquin Valley Unified APCD, February 21, 1992."~~ "San Joaquin Valley Unified APCD Toxics List, March 3, 1993."

7. Current San Luis Obispo County Air Pollution Control District "Air Toxics Inventory List for AB 2588, May 3, 1990."

8. Santa Barbara County Air Pollution Control District "Current Santa Barbara County Air Pollution Control District List of Air Toxic Sources. May 27, 1992".

9. South Coast Air Quality Management District "Current SCAQMD Air Toxics Inventory for AB 2588. May 11, 1990."

10. Monterey Bay Unified Air Pollution Control District, "AB 2588 Facilities Affected FY 92/93 and FY 93/94," April 8, 1993.

State of California
AIR RESOURCES BOARD

Resolution 93-48

July 8, 1993

Agenda Item No.: 93-8-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board ("ARB" or the "Board") to adopt standards, rules, and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature found in the Air Toxics "Hot Spots" Information and Assessment Act of 1987 ("the Act", Health and Safety Code section 44300 et seq.) that facilities manufacturing or using hazardous substances may be exposing nearby populations to toxic air releases on a routine basis and that it is in the public interest to ascertain the nature and quantity of hazardous releases from specific sources which may create air toxics "hot spots";

WHEREAS, the Act sets forth a program to develop air toxics emission inventories and to assess the risk to public health from exposure to these emissions;

WHEREAS, On November 14, 1988, effective December 15, 1988, the Board adopted the Fee Regulation set forth in section 90700 et seq. of Title 17 of the California Code of Regulations pursuant to Health and Safety Code section 44380(a), which assessed a fee upon the operator of every facility subject to the Act in order to recover the costs to the Board, local air pollution control districts ("districts"), and the Department of Health Services (hereinafter the Office of Environmental Health Hazard Assessment, or the "Office") to implement and administer the Act;

WHEREAS, the Board has amended the Fee Regulation each year since 1988 to reflect changes in the emission inventory, the sources subject to the Act's requirements, and the state and district costs of implementing the Act;

WHEREAS, Health and Safety Code section 44380(a) was amended in 1990 to require that the Board adopt a regulation which requires all districts, except for districts that have submitted specified information to the Board prior to April 1 of each year, to adopt rules which assess a fee upon the operator of every facility subject to the Act in order to recover the costs to the Districts, the Board and the Office to implement and administer the Act, and this Fee Regulation was amended accordingly on December 31, 1991, effective January 30, 1992;

WHEREAS, the amendments to the 1992-93 fee schedule approved by the Board on August 14, 1992 and adopted by the Board on May 7, 1993, set forth in section 90700 et seq. of Title 17 of the California Code of Regulations pursuant to Health and Safety Code section 44380(a), provided for the assessment of a fee upon the operator of every facility subject to the Act in order to recover the costs to the Board, local air pollution control districts, and the Office to implement and administer the Act in fiscal year 1992-93;

WHEREAS, Board staff, in consultation with the districts and the fee regulation committee originally convened pursuant to the 1987 Act, has developed amendments to the fee regulation for fiscal year 1993-94 which have been discussed with the public at seven consultation meetings;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code;

WHEREAS, changes have been proposed to the originally noticed text of the regulations based on information presented by the Districts regarding costs of implementing the Act and facility program categories, among other things;

WHEREAS, based upon the information presented by the staff and the written and oral comments received prior to and at the hearing, the Board finds that:

1. The proposed amendments would allocate state costs among the districts based on facility program categories;

2. The Calaveras, Kern, Lassen, Placer, San Bernardino, Santa Barbara, and Tuolumne Air Pollution Control Districts (APCDs), the Great Basin and San Joaquin Valley Unified APCDs, and the Mendocino, Sacramento Metropolitan and South Coast Air Quality Management Districts (AQMDs) have requested that the Board adopt a fee schedule for them, and have submitted to the Air Resources Board the districts' program costs, approved by the district boards, prior to April 1, 1993, and that for these districts, the proposed amendments to the fees in the regulation are based on program costs approved by the district boards and on facility program categories; or on fees otherwise determined by the district to be reasonable for facilities designated as Survey or Industrywide;

3. The Amador, Butte, Colusa, El Dorado, Glenn, Imperial, Mariposa, Modoc, Northern Sonoma, San Diego, San Luis Obispo, Shasta, Siskiyou, Tehama and Ventura County APCDs, the Feather River, Monterey Bay Unified, and Yolo-Solano APCDs, and the Bay Area, Lake, North Coast Unified, and Northern Sierra AQMDs will be

adopting district Air Toxics Hot Spots Program fee rules for fiscal year 1993-94;

4. The revenues to be assessed pursuant to the proposed fee regulation are reasonably necessary to recover the anticipated program costs which will be incurred by the Board, the districts, and the Office to implement and administer the Act's provisions in fiscal year 1993-1994;

5. On the basis of a financial analysis conducted to indicate the economic impacts on affected facilities resulting from the fees proposed in this regulation, the staff has determined that the proposed amendments may have a significant adverse economic impact on businesses, or on private persons directly affected by the regulation; and

6. Because the Board is sensitive to current adverse economic conditions, we are proposing a reduction from the Governor's proposed budget for the Air Toxics Hot Spots Program for fiscal year 1993-94 of $457,000; and

7. This regulatory action will not have a significant adverse impact on the environment and may indirectly benefit air quality by stimulating a reduction in emissions of both toxic and criteria pollutants.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves sections 90700-90705, Title 17, California Code of Regulations including the appendix referenced therein, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to adopt sections 90700-90705, Title 17, California Code of Regulations after making them available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to revise the facility program categories as necessary to reflect needed revisions brought to the Board's attention through July 8 only, and to accept no further revisions after that date.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to provide a 15-day period in which the public may review and comment on the modifications which the Board has approved to the original proposal.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to direct the Air Resources Board to work with the Office of Environmental

Health Hazard Assessment on the Five Year Program Plan, and report to the Board on the status of the Plan at the next year's hearing to consider amendments to the Fee Regulation.

I hereby certify that the above is a true and correct copy of Resolution 93-48, as adopted by the Air Resources Board.

Pat Hutchens

Pat Hutchens, Board Secretary