

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-16

ADOPTION OF EMERGENCY REGULATIONS AMENDING SECTION 2200,
CHAPTER 9, DIVISION 3, TITLE 23 OF THE CALIFORNIA CODE
OF REGULATIONS TO AMEND THE \$1,000 ANNUAL DISCHARGER FEE AS IT
RELATES TO GENERAL PERMITS AND TO DIRECT THE EXECUTIVE DIRECTOR
TO SUBMIT THE RULEMAKING PACKAGE TO THE
OFFICE OF ADMINISTRATIVE LAW

WHEREAS:

1. The Porter-Cologne Water Quality Control Act, Division 7 of the California Water Code, commencing with Section 13000, provides the authority for the regulation of waste to the waters of the State through the issuance of Waste Discharge Requirements (WDRs).
2. The proposed amendments to the regulations establish that general National Pollutant Discharge Elimination System (NPDES) permits and general WDRs are to be rated according to threat to water quality and complexity, and that all discharges that are subject to a specific general permit will pay the same fee. The current fixed annual general permit fee of \$1,000 contained in Section 2200, Chapter 9, Division 3, Title 23 of the California Code of Regulations would be replaced.
3. The proposed amendments to the regulations delete portions of Subsection 2200(a)(3) pursuant to the requirements of Chapter 15 regarding a surcharge for facilities discharging mining waste. This is in accordance with Chapter 642 of the statutes of 1989.
4. The proposed amendments to the regulations remove Subsections 2200(e) and 2200(f) regarding fees for NPDES permits issued prior to the transition to annual fees. All such NPDES permits expired by December 31, 1994.
5. The proposed regulations were noticed on December 30, 1994 by the Office of Administrative Law in the California Administrative Notice Register. Publication on this date opened the public comment period.
6. No public hearing was requested during the public comment period.
7. All public comments received have been addressed.

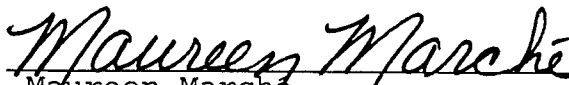
THEREFORE, BE IT RESOLVED THAT:

THE SWRCB:

1. Adopts the proposed amendments to regulations to be codified at Section 2200, Chapter 9, Division 3, Title 23 of the California Code of Regulations as emergency regulations in accordance with Section 13260(f) of the Water Code.
2. Directs the Executive Director or his designee to submit the proposed amendments to the regulations and the final rulemaking file to the Office of Administrative Law to complete the rulemaking process.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 20, 1995.


Maureen Marche
Administrative Assistant