

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 90-70

ADOPTION OF EMERGENCY REGULATIONS AMENDING SECTION 2200, SUBCHAPTER 9, CHAPTER 3, TITLE 23, AND SECTION 3833, SUBCHAPTER 17, CHAPTER 4, TITLE 23 OF THE CALIFORNIA CODE OF REGULATIONS TO ESTABLISH ANNUAL DISCHARGER FEES AND DIRECTING 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 discharges to the waters of the State through the issuance of Waste Discharge Requirements (WDRs).
2. Chapter 1062 of the Statutes of 1988 amended Section 13260 of the California Water Code. Section 13260 now requires the State Board to adopt an Annual Fee Schedule and necessary regulations to collect a fee each year from all dischargers regulated by WDRs.
3. The regulations establishing the Annual Fee Schedule would replace the regulations establishing the Filing Fee Schedule contained in Section 2200, Subchapter 9, Chapter 3, Title 23 of the California Code of Regulations.
4. The revenue generated by the collection of annual fees will be equal in amount to the scheduled reimbursements contained in the State Board's annual budget.
5. In conjunction with this regulation adoption process, the State Board proposes to amend Section 3833, Subchapter 17, Chapter 4, Title 23 of the California Code of Regulations.
6. The proposed regulations were noticed on November 17, 1989 by the Office of Administrative Law in the California Administrative Notice Register. Publication on this date opened the public comment period.
7. A public hearing was held on January 5, 1990 to receive public comment.
8. All public comments received have been addressed.
9. A second public hearing was held on May 23, 1990 to receive public comments relative to changes made to the proposed regulations as a result of comments received during the public comment period.

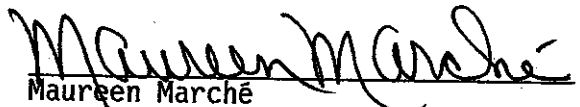
THEREFORE BE IT RESOLVED:

THAT THE STATE BOARD:

1. Adopts the proposed amendments to regulations to be codified at Section 2200, Subchapter 9, Chapter 3, Title 23 of the California Code of Regulations as emergency regulations in accordance with Section 13260 of the Water Code.
2. Adopts the proposed amendments to regulations to be codified at Section 3833, Subchapter 17, Chapter 4 of Title 23 of the California Code of Regulations, and
3. 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 State Board's 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 June 21, 1990.



Maureen Marché  
Administrative Assistant to the Board