

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0010

RESOLUTION FINDING A CONDITION OF EMERGENCY AND ADOPTING AN
EMERGENCY REGULATION SETTING FEES FOR THE
WASTEWATER TREATMENT PLANT CLASSIFICATION AND
OPERATOR CERTIFICATION PROGRAM (PROGRAM)

WHEREAS:

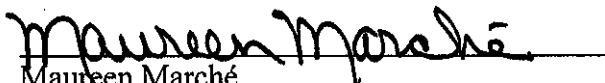
1. Water Code section 13628 requires the State Water Resources Control Board (SWRCB) to establish a fee schedule to provide revenues to cover the cost of the Program;
2. The present fee schedule set forth in section 3717, Title 23, of the California Code of Regulations does not generate sufficient revenues to pay costs associated with the administration including enforcement of the Program;
3. The SWRCB has determined that an increase in the fee categories listed in section 3717, Title 23, of the California Code of Regulations is necessary to fully support the costs; and
4. The SWRCB has consulted with the Program Advisory Committee in accordance with Water Code section 13633.

THEREFORE BE IT RESOLVED THAT:

1. For the reasons set forth in the Finding of Emergency prepared in connection with the proposed regulation amendment, a condition of emergency exists for the purposes of Government Code section 11346.1, subdivision (b) justifying the immediate adoption of the proposed regulation in order to preserve the public peace, health and safety, and general welfare;
2. The proposed **amendment to section 3717**, Title 23, of the California Code of Regulations is adopted on an emergency basis, and the Executive Director is authorized to transmit the amendment to the Office of Administrative Law for filing with the Secretary of State; and
3. If the Executive Director finds that there is a substantial risk that the provisions of Title 23, California Code of Regulations, Division 3, Chapter 26, section 3717 will expire before permanent regulations take effect, the Executive Director is authorized to adopt emergency regulations as appropriate to provide authority for the SWRCB require an increase in fees to provide revenues to cover the cost of the Program. This delegation includes authorization to make a finding or findings of emergency, to readopt emergency regulations with any revisions determined to be appropriate by the Executive Director, and to transmit any emergency regulations adopted by the Executive Director to the Office of Administrative Law for filing with the Secretary of State.

CERTIFICATION

The undersigned, Clerk 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 February 4, 2002.


Maureen Marché
Clerk to the Board