



IMPERIAL COUNTY FARM BUREAU

1000 Broadway, El Centro, CA 92243 • Tel: (760) 352-3831 • Fax: (760) 352-0232

June 30, 2005

Yvonne Sanchez, CUPA Manager
Department of Toxic Substances Control
Imperial County Environmental Health Department
939 West Main Street, Suite B7
El Centro, California 92243

RE: Imperial County Certified Unified Program Agency

Dear Ms. Sanchez:

The Imperial County Farm Bureau has advocated for the local agricultural community for many years and represents approximately 900 member families. We have recently become quite concerned about the new CUPA program that is to be implemented by the Department of Toxic Substances Control and the proposed fee structure to run the program. We appreciate the opportunity to comment on the proposed fee structure and look forward to working with your department to make the transition of a new CUPA program as smooth as possible with local businesses.

Some of our concerns/suggestions are outlined below:

- Look into alternative funding for the entire first year's budget so that DTSC can ensure that the fees are appropriately distributed amongst permittees.
- The proposed fee structure burdens a small number of current permittees with a higher fee as the true number of permittees is unknown. Therefore the fees are higher than necessary to begin with. If this cannot be helped as DTSC staff suggests we would ask that you provide an incentive for people to "sign up" early.
- More research needs to be done to find out who the generators are so that fees can be fairly distributed.
- For businesses signed up early and stuck with paying higher fees, there should be some sort of reimbursement later on. At the same time, for businesses that don't get signed up until later, there should be some sort of retroactive fee.
- The proposed permit fees when compared to other areas are high, which places us at an unfair disadvantage with our neighboring areas.

- Permittees in programs in need of minimal oversight are being charged the same amount as those that are in need of more oversight. It makes sense that the flat fee should be charged proportionally to the program that the permittee falls under. Fees should also vary depending on the size of the generator.
- Make sure that the fees do not have any "hidden charges."
- Run the program as efficiently as possible to keep the fees reasonable.

Please take our concerns into account when evaluating the proposed CUPA fee structure for the Imperial County. We would be glad to provide assistance in any capacity that you may need to see the CUPA be a success for both the department and the agricultural community.

Respectfully,



Nicole M. Rothfleisch
Executive Director