AIR POLLUTION CONTROL DISTRICT REGULATORY COMPLIANCE DIVISION

POLICIES AND PROCEDURES

Policy NoVII.B Supersedes Date DateApril 5, 1989	Draft _ Final _ Pages _	X 7
Topic: <u>Variances</u>		
Distribution: All Policy Holders		

A Variance is an administrative order issued by the Hearing Board granting temporary relief from the provisions of a District Rule, Regulation or Order. Any person who holds a valid Permit to Operate may apply to the Hearing Board for a variance. A variance will allow a source to continue operating while taking steps to achieve compliance with the Rule, Regulation or Order in question. While a variance may generally be granted from any Rule or Regulation of the District, the statutory provisions of the State Health and Safety Code prohibit the granting of a variance from the requirement to obtain an Authority to Construct (Rule 201.A), and for public nuisance (Rule 303).

In addition, where the subject of the variance application involves a request for temporary relief from the provisions of a District Rule or Regulation due to recurring conditions or problems, a variance may not be obtained unless the source can demonstrate that the recurring conditions or problems are beyond their reasonable control and that all other required findings can be made.

Sources eligible for variance will be informed by the inspector or project manager of the required variance filing procedures, applicable filing fees, forms and variance application contents at the time the violation is noted.

BEFORE THE HEARING BOARD OF THE SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

T., +1	ne matter of the Application of) CASE NO
III CI	ne matter of the Application of) CASE NO
) (applicant)
_	· · · · · · · · · · · · · · · · · · ·
for a	type) Variance)
from	
	Rules/Health and Safety Code
	THE ABOVE FOR APCD USE ONLY
1.	PETITIONER'S Name (indicate corporation, individual, partnership,
	etc.), Address and Phone:
	Zip Code()
	The PETITIONER respectfully submits to the District hearing Board this Petition for:
2.	Emergency Variance, Interim/90-Day Variance,
	Interim/Regular Variance, 90-Day Variance, or
	Regular Variance
	In support of this Petition, PETITIONER alleges as follows:
3.	Name of authorized person(s) to receive notices regarding this Petition (list address and phone number if different from above):
	Zip Code

. = -= -=:	Zip Code
	describe the nature of your business:
	•
Briefly ((list al:	describe the equipment which is the subject of this petit l District Permit numbers or answer 7 below):
I have no Mv applic	ot yet received a permit.
My applic	cation was submitted on, 19 cation was deemed complete incomplete on,
submitted	d incomplete, responses to all items of incompleteness we to the District on, 19
···	
nave you subject c	received a Notice of Violation for equipment which is the fact of this Petition? Yes No If yes, please attaches the Notice to your Petition and briefly describe the action
copy of t	to correct the violation:

State why th violation of control:	e cond Distr	itions ict Ru	that les ar	caused nd Regi	d or wi ılatior	ill c ns ar	ause y e beyo	you to	be	in reas	OI
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schedule showing the	tions to be made and a projected complianc dates by which work will be completed:
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Ctate where were helicone	
State why you believe lieu of obtaining a vacircumstances:	that shutting down your equipment or busing ariance would not be reasonable under the
lieu of obtaining a va	that shutting down your equipment or businariance would not be reasonable under the
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the variance	ce is not granted:
What is th	e quantity of excess pollutant emissions that will resul ce is granted?
What actio	ons will take you to reduce emissions at your business to
maximum ex	tent is granted?
maxImum ex	tent is granted?
maxImum ex	tent is granted?
	tent is granted?
Have you	received any complaints from the public regarding the su within the last sic (6) months? If so, indicate dates, complaint(s), and address(s) of complainant(s). Yes
Have you	received any complaints from the public regarding the su
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	I have enclosed my filing fee of \$ and have provided the required number of copies of my Petition to the Clerk of the hearing Board and Air Pollution Control District. (See instructions).
Petit and o	The undersigned, under penalty of perjury, states that the above zion, including attachments, and the items therein set forth, are true correct.*
DATE:	SIGNATURE:
	TITLE:
	PRINT NAME:

______ the person whose signature appears above is not the owner or operator of equipment the subject of this Petition, please attach correspondence from the equipment owner or operator that authorizes you to act on his or her behalf.