

5. A nuisance as defined in District Rule 303 is not expected to occur as a result of this variance and continued operation is not likely to create an immediate threat or hazard to public health or safety.
6. The District staff supports the Petition as conditioned below.
7. Pursuant to Health and Safety Code section 42359.5, I find that "good cause" exists for the granting of Petitioner's request for an Emergency Variance.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That a 15-Day Emergency Variance be granted for the operation of the Petitioners Facility while in violation of District Rule 206, Condition 9.C.4 of Part 70/Permit to Operate 8232 from October 24, 2016 through November 07, 2016 with the following conditions:

1. Petitioner shall submit a written report to the Hearing Board and District by November 18, 2016. The report shall include the date compliance was achieved together with a description of the corrective action taken and the dates, times, and emissions (if any) that occurred during the variance.
2. Petitioner shall retain the obligation to comply with all other local, state and federal regulations not specifically referenced in the Order.
3. Failure to abide by all conditions of this Order shall subject the Petitioner receiving the variance to penalties set forth in Health and Safety Code section 42402.
4. Each day during any portion of which a violation occurs is a separate offense.

DATED: 11/4/16



Don Ward, Chair
Santa Barbara County Air Pollution Control District
Hearing Board