

AIR POLLUTION CONTROL DISTRICT
REGULATORY COMPLIANCE DIVISION

POLICIES AND PROCEDURES

Policy No. VII.B.5
Supersedes Date _____
Date April 6, 1989

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Topic: Interim Variances

Distribution: All Policy Holders

If an eligible source requires variance relief prior to the noticed hearing on a 90-day or regular variance, they may apply for an Interim Variance to cover the time until a noticed hearing can be held on their application for a 90-day or Regular Variance. An Interim Variance is valid for 90 days from the date of issuance or the date of hearing for a 90-day or Regular Variance, whichever occurs first. Eligible sources should be informed that an application for an Interim Variance must be filed in conjunction with an application for a Regular Variance or 90-day Variance. Consistent with Police VII.B.1, "Requirements for Filing a Variance Petition", two fees must accompany the submittal, one for the Interim and one for the 90-day or Regular Variance.

It is the responsibility of the appropriate section supervisor to prepare and submit a staff report to the Hearing Board within 10 days after District receipt of the variance petition. The staff report should be prepared consistent with the requirements of Policy No. VII.B.4.

The Chair of the Hearing Board, or any member of the Hearing Board designated by the Board, may hear an application for an Interim Variance. If the Interim Variance petition is heard by an individual Board member, it is the responsibility of the section supervisor to coordinate with the applicant and Board member as to the time and place for consideration of the application, to prepare the Interim Variance order (approval with findings and conditions, or denial) and transmit the original and 12 copies of such order to the Clerk of the Hearing Board for distribution to other Board members and affected persons. A copy of the Variance Order shall be retained in the District's variance files.

When an Interim Variance is heard before the entire Board, the Variance Order is prepared by the Clerk of the Hearing Board and distributed to all affected persons.