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

In the matter of the Application of)

) CASE NO ________________

) (applicant)

) for a ________________Variance

) (type)

) 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 __________________________

   ( ) ______________________
1. Location of business if different from above: __________________________

______________________________

Zip Code

5. Briefly describe the nature of your business: ________________________

______________________________

6. Briefly describe the equipment which is the subject of this petition
(list all District Permit numbers or answer 7 below):

______________________________

7. I have not yet received a permit.
My application was submitted on ____________, 19__.  
My application was deemed complete ___ incomplete ___ on ______, 19__.  
If deemed incomplete, responses to all items of incompleteness were
submitted to the District on ____________, 19__.  

8. Have you received a Notice of Violation for equipment which is the
subject of this Petition? Yes ___ No ____. If yes, please attach a
copy of the Notice to your Petition and briefly describe the actions
you took to correct the violation:

______________________________
9. Please include which District Rule or Regulation you are or will be in violation of:

__________________________________________________________________________

10. State why the conditions that caused or will cause you to be in violation of District Rules and Regulations are beyond your reasonable control:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

11. Please state the date you expect to be in compliance with District Rules and Regulations: _________________, 19__.
12. How do you intend to come into compliance with District Rules and Regulations? Provide a brief description of any equipment to be installed or modifications to be made and a projected compliance schedule showing the dates by which work will be completed:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

13. State why you believe that shutting down your equipment or business in lieu of obtaining a variance would not be reasonable under the circumstances:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
14. What would be the harm to your business, financial or otherwise, if the variance is not granted:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

15. What is the quantity of excess pollutant emissions that will result if the variance is granted?

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

16. What actions will take you to reduce emissions at your business to the maximum extent is granted?

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

17. Have you received any complaints from the public regarding the subject equipment within the last six (6) months? If so, indicate dates, nature of complaint(s), and address(s) of complainant(s). Yes ___ No ___

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
10. 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).

The undersigned, under penalty of perjury, states that the above Petition, including attachments, and the items therein set forth, are true and correct. *

DATE: ___________________________ SIGNATURE: ___________________________

TITLE: ___________________________

PRINT NAME: ___________________________

\( \bullet \) 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.