

BEFORE THE HEARING BOARD
OF THE
MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

IN THE MATTER OF THE
APPLICATION OF

Docket No. _____

APPLICATION FOR VARIANCE

_____ hereby petitions the Monterey Bay Unified
Air Pollution Control District Hearing Board for a _____ Term Variance that
would authorize _____

Due to the above, Petitioner is in violation of District Rule _____ /Permit to Operate No.

_____ .

Accordingly, Petitioner seeks relief from _____

_____ .

The term of the requested variance is from _____ to _____ .

Petitioner will use the variance period to _____

In support of this petition, Petitioner alleges as follows:

1. Name and address of authorized person to receive notices regarding this Petition.

2. Location of business or activity.

3. Description of business or activity.

4. Description of equipment subject to this Petition.

5. Facts constituting the reasons for granting variance.

(Conditions required by Health & Safety Code Sec. 42352)

- (a) THAT THE PETITIONER FOR A VARIANCE IS, OR WILL BE, IN VIOLATION OF SECTION 41701 OR OF ANY RULE, REGULATION OR ORDER OF THE DISTRICT.

- (b) THAT, DUE TO CONDITIONS BEYOND THE REASONABLE CONTROL OF THE PETITIONER, REQUIRING COMPLIANCE WOULD RESULT IN EITHER (1) AN ARBITRARY OR UNREASONABLE TAKING OF PROPERTY, OR (2) THE PRACTICAL CLOSING AND ELIMINATION OF A LAWFUL BUSINESS.

- (c) THAT THE CLOSING OR TAKING WOULD BE WITHOUT A CORRESPONDING BENEFIT IN REDUCING AIR CONTAMINANTS.

(d) THAT THE APPLICANT FOR THE VARIANCE HAS GIVEN CONSIDERATION TO CURTAILING OPERATIONS OF THE SOURCE IN LIEU OF OBTAINING A VARIANCE.

(e) DURING THE PERIOD THE VARIANCE IS IN EFFECT, THAT THE APPLICANT WILL REDUCE EXCESS EMISSIONS TO THE MAXIMUM EXTENT FEASIBLE.

(f) DURING THE PERIOD THE VARIANCE IS IN EFFECT, THAT THE APPLICANT WILL MONITOR OR OTHERWISE QUANTIFY EMISSION LEVELS FROM THE SOURCE, IF REQUESTED TO DO SO BY THE DISTRICT, AND REPORT THESE EMISSION LEVELS TO THE DISTRICT PURSUANT TO A SCHEDULE ESTABLISHED BY THE DISTRICT.

6. Emission Points.

7. Additional material.

Petitioner _____ intend to file additional material in support of this variance request.

8. Increments of progress.

9. Effect upon attainment and maintenance of pertinent national or State ambient air quality standards.

Petitioner is requesting the variance as set forth above.

I, the undersigned, do hereby declare under penalty of perjury that I have read the foregoing document; that I know its contents, and that it is true.

Type/Print
Name _____

Dated at _____, on _____

Signature _____

Title _____