

**PETITION FOR APPEAL
BEFORE THE HEARING BOARD OF THE
MONTEREY BAY AIR RESOURCES DISTRICT**

Instructions

An appeal may be filed related to the issuance of permits to construct, permits to operate, permit conditions, emission reduction credits or other Monterey Bay Air Resources District (MBARD) denials. The Appellant may request the Hearing Board to hold a public hearing to determine whether the permit was properly issued or other actions properly determined.

Appeal petitions may be filed by any aggrieved person who, in person or through a representative, appeared, submitted written testimony, or otherwise participated in the action before MBARD. The Petition for Appeal must specify how the Appellant meets this requirement.

The Petition for Appeal must be signed by the Appellant, aggrieved third party, or authorized agent. Incomplete or unsigned petitions will not be accepted for filing. Petitions without the required fee will not be accepted for filing.

The Petition for Appeal must be filed within 30 days of the action specified in Health & Safety Code Sections 42302, 42302.1, 42501, or 40713. You are responsible for reviewing these code sections to determine the details governing the deadline for filing your petition.

If you choose to use the form Petition for Appeal provided on the next pages, please type or print legibly.

If you choose to write your own Petition for Appeal, please make sure it includes all the information requested in this form. You can refer to the MBARD's website (<https://mbard.specialdistrict.org/current-rules>) to determine all applicable rules and regulations that apply to your appeal petition.

The Petition for Appeal must be accompanied by the required filing fee. The filing fee for an appeal can be found on. Online credit card or e-check payments subject to a third party processing fee may be made online at <https://mbard.specialdistrict.org/payments>; or checks made out to "Monterey Bay Air Resources District" may be mailed to:

Clerk of the Boards
Monterey Bay Air Resources District
24580 Silver Cloud Court
Monterey, CA 93940

A public hearing will be scheduled within 30 days of receipt of the Petition for Appeal.

You may attach additional pages as needed.

**PETITION FOR APPEAL
BEFORE THE HEARING BOARD OF THE
MONTEREY BAY AIR RESOURCES DISTRICT**

CASE NO: _____

(assigned by Clerk of the Board)

IN THE MATTER OF

1. FACILITY/COMPANY NAME: _____

ADDRESS: _____

[location of equipment/operation]

CITY, STATE & ZIP CODE: _____

The Petitioner is the permit applicant denied a permit or any aggrieved person who, in person or through a representative, appeared, submitted written testimony, or otherwise participated in the action before MBARD.

2. PETITIONER NAME (if different from above): _____

ADDRESS: _____

CITY, STATE & ZIP CODE: _____

Phone: _____ Email: _____

NOTE: If the Petitioner is not the owner, operator and/or permittee of the facility/equipment you **must** answer No. 11, on Page 6.

3. Petitioner respectfully submits to the Hearing Board this petition appealing the (check one):

ISSUANCE of OR DENIAL of

Permits(s) to Construct

Emission Reduction Credits (ERC)

Permits(s) to Operate

_____ Plan

Permit Condition(s)

OTHER _____

4. **CONTACT(S):** Name, title, company, address, and phone number of persons to contact and authorized to receive notices regarding this Petition (no more than two authorized persons).

Name

Title

Company

Address:

Address:

Phone:

Phone:

E-mail

E-mail

5. Is this a Title V facility? Yes No

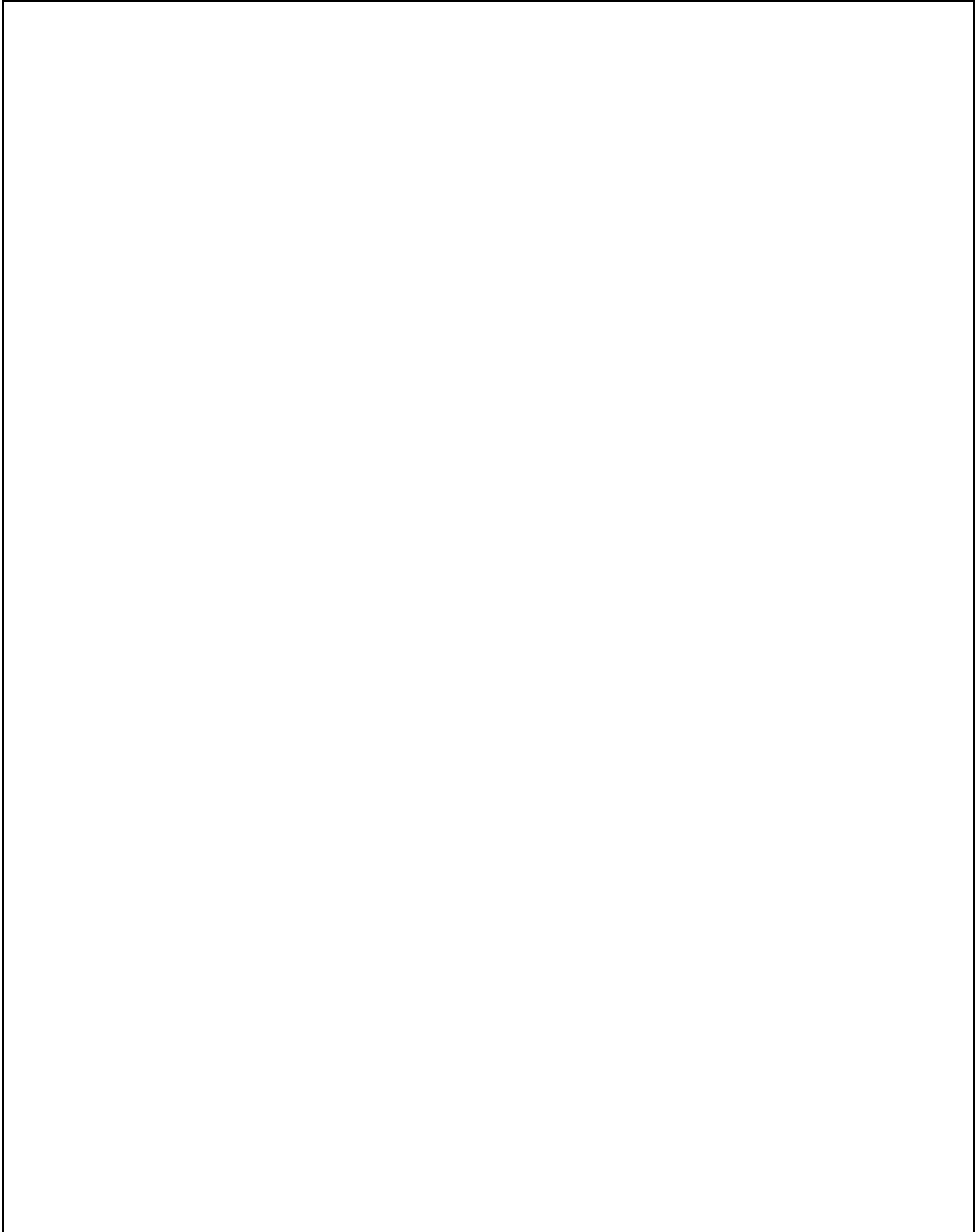
6. Is this petition a supplement to an appeal pending before the Hearing Board? Yes
No If yes, indicate Case No. _____

7. Briefly describe the equipment or operation which is the subject of this petition.

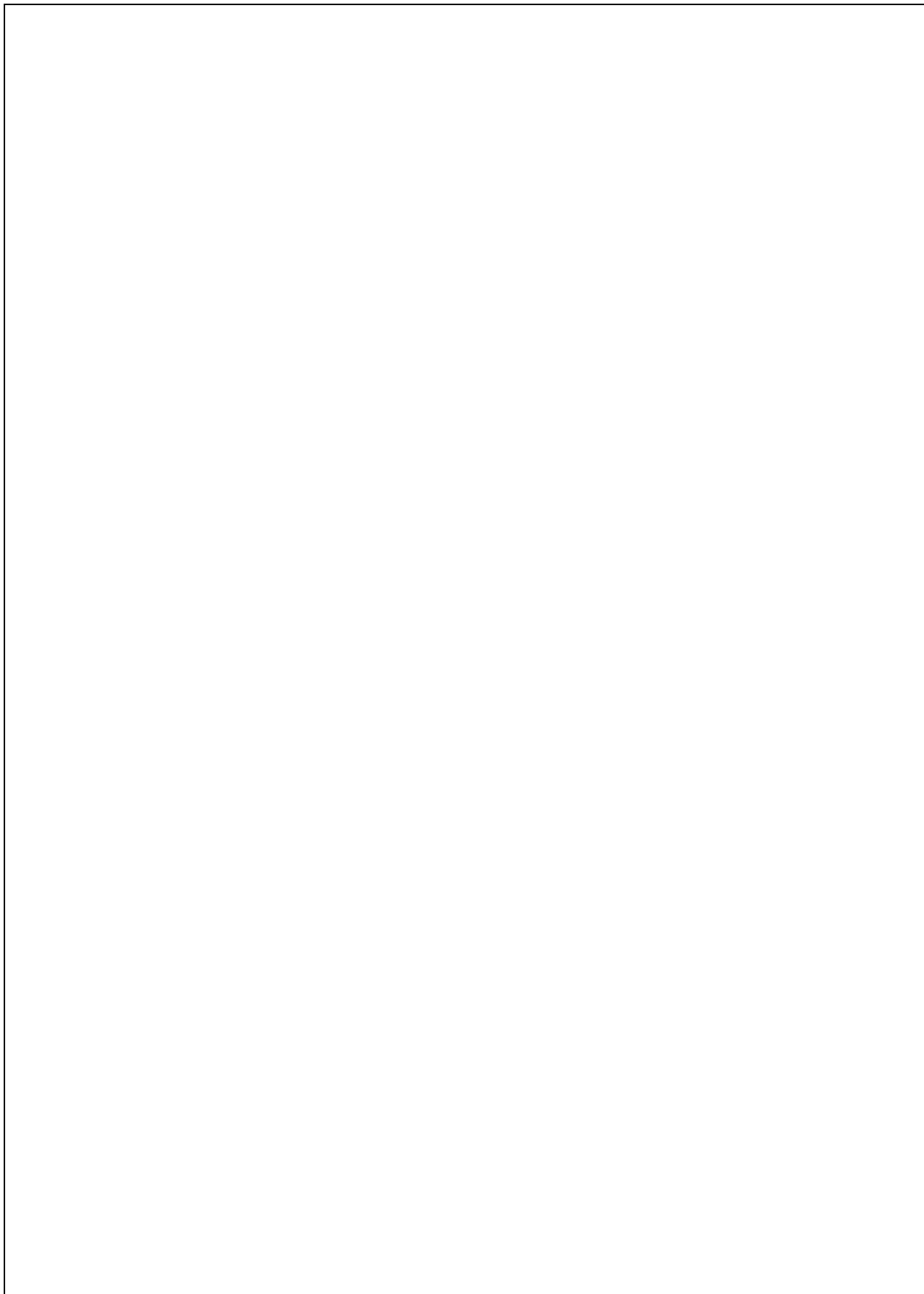
8. Date Permit/Plan/ERC was issued/approved: _____ OR
denied/disapproved: _____

As applicable, attach a copy of the permit, approval/denial letter, or any other relevant documentation.

9. Provide a detailed statement discussing how and why the action of MBARD was not proper.

A large, empty rectangular box with a thin black border, intended for the user to provide a detailed statement as requested in the question above. The box occupies most of the page's vertical space.

10. State in detail the specific relief you seek.

A large, empty rectangular box with a thin black border, intended for the user to write their answer to question 10. The box occupies most of the page's vertical space.

11. If you are the facility owner, operator, and/or permittee, skip to No. 12. If you are not,

(a) Explain what your relationship is to the facility or to the action being appealed:

(b) Explain what actions you or your representative has taken to appear, submit written testimony, or otherwise participate in the action pertaining to the issuance of the permit that is the subject of this petition. (See California Health & Safety Code Section 42302.1):

12. 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: _____

Print Name: _____

Title: _____