

SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 112 - PUBLIC AVAILABILITY OF INFORMATION

(Revised 12/6/76 and 3/26/03)

A. INCORPORATION OF THE CALIFORNIA PUBLIC RECORDS ACT

The provisions of California Government Code Sections 6250 et seq., known as the California Public Records Act, are incorporated herein as part of the Rules and Regulations of the San Luis Obispo County Air Pollution Control District.

B. DISTRICT'S REQUEST FOR INFORMATION

1. When requesting information for determining the amount of air contaminants from non-vehicular sources pursuant to Section 41511 or other sections of the Health and Safety Code or these Rules and Regulations, the District shall identify the information requested with sufficient specificity to enable the source operator or owner to identify the precise information sought. The District shall give notice in writing that the information provided may be released (1) to the public upon request, except trade secrets which are not emission data; (2) to the California Air Resources Board; and (3) to the Federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act, as amended in 1970 and in Code 40 of Federal Regulations, Chapter 1, Part 2. The source operator shall provide the requested information to the District within fourteen (14) calendar days.
2. Any person from whom the District obtains any records, whether requested by the District or furnished by a person for some other reason, may label as "trade secret" any part of those records which are entitled to confidentiality under Section 6254.7 of the Government Code and Subsection A of this Rule. Written justification for the "trade secret" designation shall be furnished with the records so designated and the designation shall be a public record. The justification shall be as detailed as possible without disclosing the trade secret; the person may submit additional information to support the justification, which information, upon request, will be kept confidential in the same manner as the record sought to be protected.
3. After preliminary review, the District may reject a justification as having inadequate merit, in which case the person making the justification shall be promptly notified in writing; the records in question shall, upon expiration of twenty-one (21) days from the date of the notice, be subject to public inspection unless a justification is received and accepted.

C. INSPECTION OF PUBLIC RECORDS - DISCLOSURE POLICY. It is the policy of the San Luis Obispo County Air Pollution Control District that all District records, not exempted from disclosure by State law, shall be open for public inspection with the least possible delay and expense to the requesting party.

D. INSPECTION OF PUBLIC RECORDS - DISCLOSURE PROCEDURE

1. A request to inspect public records in the custody of the District need not be in any particular form, but it must describe the records with sufficient specificity to enable the District to identify the information sought. The District shall require that a request to inspect be in writing, and such a request shall include, but shall not be limited to the following:
 - a. Name of applicant;
 - b. Address and legal residence of applicant, if required for mailing purposes;
 - c. Emission source of interest;
 - d. Date or period of emissions of interest.