

SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 804 - PETITIONS FOR VARIANCE*(Adopted 8/2/76; Revised 5/13/98)*

- A. In addition to the matters required in Rule 803, petitions for variance shall state briefly:
1. The subsection, rule or order complained of.
 2. The facts showing why compliance with the subsection, rule or order is unreasonable.
 3. For what period of time the variance is sought and why.
 4. The damage or harm resulting or which would result to petitioner from a compliance with such subsection, rule or order.
 5. The consideration given to curtailing the operation of the source in lieu of obtaining a variance.
 6. The efforts that will be undertaken during the period the variance is in effect to ensure excess emissions are reduced to the maximum extent feasible.
 7. The methods of monitoring or alternative methods that will be used to quantify and report the emission levels from the source during the period the variance is in effect.
 8. The benefits to the residents of the District resulting from requiring immediate compliance.
 9. The benefits to the residents of the District resulting from granting a variance.
 10. Whether or not any case involving the same identical equipment or process is pending in any court, civil or criminal.
 11. The requirements which petitioner can meet and the date when petitioner can comply with such requirements, including, to the extent feasible, submittal dates of control plans and construction and installation of equipment or process change.
 12. Whether or not the subject equipment or process is covered by a Permit to Operate issued by the APCO.
 13. An estimate of the maximum emissions (pounds per hour and tons per year) which could be emitted during the period the variance is in effect.
 14. Whether or not operations under such variance, if granted, would constitute a nuisance.