

HOW TO FILE A REQUEST FOR VARIANCE

If you need to request a variance, call APCD Compliance staff at the number listed in this brochure. APCD will help you fill out a variance petition form.

Two copies of the variance petition should be filed with the clerk of the APCD Hearing Board,

You will be charged the variance filing fee which helps to offset the costs of the hearing board process.

After you submit the completed variance petition form and fee, the APCD will notify you of the time, date, and place of your hearing.

HOW TO GET AN APPLICATION BEFORE YOU MEET WITH APCD

Using the WEB, you can create an application. Here's how:

1. **Downloadable forms are available** - see the APCD WEB site at:
<http://www.slocleanair.org/business/hearing-board.asp>
2. **Print pages onto sturdy, letter size paper.**
3. **Call the APCD** for an appointment with Compliance staff - 805-781-5912.

San Luis Obispo County
Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401
Phone (805) 781-5912
Fax (805) 781-1002
www.slocleanair.org

Small Business Solutions

VARIANCES AND THE AIR POLLUTION CONTROL DISTRICT HEARING BOARD



GETTING HELP ON COMPLYING WITH AIR REGULATIONS

**APCD staff can
provide assistance
to your small
businesses!**



There may be good reasons why a business cannot immediately comply with air pollution control laws. Operating outside the law not only results in an air pollution problem, but can result in a fine. The only legal way to operate while working toward a solution without being subject to penalties is to obtain a variance.

A variance allows a company to continue operating temporarily while it takes appropriate steps to meet air pollution control requirements. Variances can be granted only by the APCD Hearing Board.

For assistance to small businesses in preparing for variance petition filings with the Hearing Board and further information, please contact Compliance staff at (805)781-5912 or email info@slcleanair.org.

HOW DOES A VARIANCE WORK?

A variance is an administrative order granting a temporary exemption from the requirements of an APCD regulation or permit condition without penalty.

If you receive a notice of violation or otherwise become aware that your equipment or process is out of compliance, a variance may allow you to continue operating while you take steps to come into compliance.

This brochure explains the steps you must take to request a variance. A variance will not be granted for any condition that threatens public health, property, or causes a public nuisance.



WHICH KIND OF VARIANCE IS BEST FOR ME?

Emergency

If your violation occurs without warning, you can request an emergency variance. An emergency variance allows you up to 30 days to correct the violation and does not require a hearing before the full Hearing Board.

Short Term

If you can comply with the regulation or permit condition within 90 days, request a short term variance. This type of variance requires a hearing and a 10 day public notice period.

Regular

If you need more than 90 days to comply, you should request a regular variance. The variance period may extend beyond one year only if you commit to a specific schedule for final compliance. A regular variance requires a hearing and a 15 day public notice period.

FILING FEES

The filing fee is \$450.00. Two or more persons submitting one common petition shall pay a filing fee of \$300.00 plus \$150.00 per petitioner.