

HEARING BOARD  
Ventura County Air Pollution Control District  
PETITION FOR EMERGENCY VARIANCE HEARING

No. \_\_\_\_\_

Name & address of applicant or agent:	Receipt Stamp

INSTRUCTIONS

1. Assistance in filling out this form and/or developing a compliance schedule can be obtained by contacting Compliance Division staff at 805-303-3701.
2. Please type or print legibly.
3. Refer to the Air Pollution Control District Rulebook, Regulation VII and Rules 112, 113 and 123, when completing this form.
4. The filing fee for an Emergency Variance is \$100. Payment may be made online at <https://www.govpaynow.com/gps/user/plc/a004ab>. Submit completed Petition electronically to Keith Macias, Compliance Division Manager, at [keith@vcapcd.org](mailto:keith@vcapcd.org) or submit completed Petition and filing fee via mail to Ventura County Air Pollution Control District, Attn. Keith Macias, 4567 Telephone Rd, 2nd Floor, Ventura, CA 93003. Make checks payable to Ventura County APCD.
5. Petition must be signed by the petitioner or authorized agent. When the person signing is not the petitioner, the petitioner shall set forth his authority to sign.
6. Incomplete and/or unsigned petitions cannot be accepted.
7. The APCD will submit the Petition to the Clerk of the Hearing Board, Ventura County Government Center, 800 South Victoria, Ventura, California 93009.
8. A copy of this form will be returned to you, stating the date, place, and time of the hearing.

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**For APCD Use Only**

Petition Received by:

\_\_\_\_\_

Air Pollution Control District Representative

\_\_\_\_\_

Date

Filing Fee: \$ _____	Receipt No.: _____
Notice Required: _____ Days	Permit No.: _____

Contents of Petitions  
Reference: Rule 112

The following information is required by District Rules and is necessary to allow the Hearing Board to make all findings required by state law. Please respond in detail. Use additional pages, as necessary.

- A. Name, address and telephone number of petitioner or other person authorized to receive service of notices

Contact Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Cell Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

- B. Name, address and telephone number of person or company who owns the equipment or source of emissions involved in this petition, if different than above.

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Cell Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

- C. The person who owns the emission source involved in the petition is (select one):

Individual                      Co-Partnership                      Corporation  
 Public Agency                      Essential Public Agency                      Small Business (see note)

Other (specify): \_\_\_\_\_

**Note:** Small Business has the same meaning as defined by the Small Business Administration, and emits 10 tons or less per year of air contaminants. Contact District staff for further information.

Names and addresses of partners or officers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Type of business: \_\_\_\_\_

Street address where emission source is located: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E. Purpose of petition:

To request that an emergency variance be granted (30-days maximum)

F. In detail, describe the activity or emission source which is the subject of this petition; what is the product used for, and why it is necessary for the operation of a business?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

G. What happened that requires you to apply for a variance?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

F. Signature of petitioner or authorized representative

\_\_\_\_\_  
(Petitioner or Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title or Authority of Representative)

Petition for Emergency Variance

Reference: Rule 113

A. From what District rule(s) and section(s) is the Emergency Variance being sought?

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B. What is the length of time that is being requested for this variance? (Maximum 30 days)

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C. Why would compliance with the rule(s) be unreasonable?

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D. Describe the damage or harm that would result if immediate compliance with the rule was required. Include business closure, economic losses in dollar amounts, hardship on customers, employee layoffs, and similar matters.

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E. What consideration has been given to curtailing the operations of the source in lieu of obtaining an emergency variance?

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F. What efforts will be undertaken during the period of the variance to ensure excess emissions are reduced to the maximum extent feasible?

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G. Describe the methods of monitoring or alternative methods that will be used, if requested by the District, to quantify and report the emission levels from the source during the period the emergency variance is in effect.

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H. The Hearing Board is required to give public notice of variance hearings as the public has a right to attend and testify at such hearings. In order for the Hearing Board to hold an emergency variance hearing without the required public notice, a petitioner must present facts that will support a determination by the Board that “**good cause**” exists to hear the variance without notifying the public about the variance. What is the basis for a claim of "good cause" or why does the condition constitute a breakdown, as defined in Rule 32?

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I. Describe the corrective measures undertaken and/or to be undertaken to correct the occurrence and to prevent it from reoccurring in the future.

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J. Is the emission source involved in this petition covered by a Permit to Operate?

Yes                      No                      Permit Number: \_\_\_\_\_

K. Permitted Emissions:    Pollutant                      pounds/hour                      tons/year

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

L. Estimate the maximum excess emissions in pounds per hour and prorated tons per year which would be emitted during the variance period.

Pollutant                      pounds/hour                      tons/year

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

M. Signature of petitioner or authorized representative

\_\_\_\_\_  
(Petitioner or Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title or Authority of Representative)