

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 120 - NOTICE OF HEARING

(Adopted 8/12/69, Revised 2/20/73, 3/9/76, Revised and Renumbered 8/17/76, Revised 11/21/78, 3/9/93, 12/14/10)

- A. The Clerk of the Hearing Board shall serve a notice of the time, place, and nature of a hearing upon the Air Pollution Control Officer, the applicant or the permittee affected, to any person who requests such notice, and obtain publication of such notice in at least one daily newspaper of general circulation within the District not less than 10 days prior to any hearing except in the following cases: (Reference Health and Safety Code Section 40823).
1. In the case of a hearing to consider an application for an interim variance, the Clerk shall serve reasonable notice of the time and place of the hearing upon the Air Pollution Control Officer and upon the applicant. (Reference Health and Safety Code Section 40824 (a)).
 2. In case of a hearing to consider an application for a variance, other than an interim variance or a 90-day variance, or an application for a modification of a final compliance date in a variance previously granted, the notice requirements for the hearing shall be as follows:
 - a. The Clerk of the Hearing Board shall serve a notice of the time and place of a hearing to grant a variance upon the Air Pollution Control Officer, all other districts within the air basin, the state board, the Environmental Protection Agency, and upon the applicant or permittee, not less than 30 days prior to the hearing.
 - b. The Clerk of the Hearing Board shall also publish a notice of the hearing in at least one daily newspaper of general circulation in the District, and shall send the notice to every person who requests the notice, not less than 30 days prior to the hearing.
 - c. The notice shall state the time and place of the hearing; the time when, commencing not less than 30 days prior to the hearing, and place where the application, including any proposed conditions or schedule of increments of progress, is available for public inspection; and any other information that may be necessary to reasonably apprise the people within the District of the nature and purpose of the meeting.

(Reference Health and Safety Code Section 40826).

3. In the case of a hearing for an emergency variance, the Air Pollution Control District shall contact the chairperson of the Hearing Board, or other designated member(s) of the Hearing Board, to establish a time and place for consideration of the request. The Air Pollution Control District shall inform the owner or operator of the source of such time and place. (Reference Health and Safety Code Section 42359.5).

4. In case of a hearing to consider an application for a variance, or a series of variances, to be in effect for a period of not more than 90 days, or an application for modification of a schedule of increments of progress:

The Clerk of the Hearing Board shall serve a notice of the time and place of a hearing to grant such a variance or modification upon the Air Pollution Control Officer, all other districts within the air basin, the state board, the Environmental Protection Agency, and upon the applicant or permittee, not less than 10 days prior to the hearing. (Reference Health and Safety Code Section 40825).