PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE
MONTEREY BAY AIR RESOURCES DISTRICT
24580 Silver Cloud Court
Monterey, CA
(831)647-9411

PETITIONER:_____   DOCKET NO.:_____

_____   FACILITY ID:_____

FACILITY ADDRESS:_____
[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]

City, State, Zip:_____

1.   <u>TYPE OF VARIANCE REQUESTED</u> (more than one box may be checked; see Instructions, Item 1, before selecting)

☐ INTERIM   ☐ SHORT   ☐ REGULAR   ☐ EMERGENCY

2.   <u>CONTACT</u>:   Name, title, company (if different than Petitioner), address, and phone number of persons authorized to receive notices regarding this Petition (no more than two authorized persons).

_____   _____

_____   _____

_____   _____

_____ *Zip* _____   _____ *Zip* _____

☎ (_____) _____ *Ext.* _____   ☎ (_____) _____ *Ext.* _____

*E-mail*_____   *E-mail*_____

Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 831-647-9411 or by e-mail at <u>sirie@mbard.org</u>.

If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

[ALL DOCUMENTS FILED WITH CLERK'S OFFICE BECOME PUBLIC RECORD]

3. **GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice.(**Required only for Emergency and Interim Variances**)

4. Briefly describe the type of business and processes at your facility.

5. List the equipment and/or activity(s) that are the subject of this petition. **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment.**

Equipment/Activity	Permit No.	Permit Condition No.

6. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

7. Is there a regular maintenance and/or inspection schedule for this equipment?   Yes ☐   No ☐

If yes, how often: _____ Date of last maintenance and/or inspection _____

Describe the maintenance and/or inspection that was performed.

8. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief. Briefly explain how you are or will be in violation of each rule or condition.

Rule	Explanation

9. Are the equipment or activities subject to this request currently under variance coverage?   Yes ☐   No ☐

Docket No.	Date of Action	Final Compliance Date	Explanation

10. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage?   Yes ☐   No ☐

Docket No.	Date of Action	Final Compliance Date	Explanation

11. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year?   Yes ☐   No ☐

If yes, you must attach a copy of each notice.

12. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months?   Yes ☐   No ☐

If yes, you should be prepared to present details at the hearing.

13. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

14. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

15.   List date(s) and action(s) you have taken since that time to achieve compliance.

16.   What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: $_____

Number of employees laid off (if any):_____

Provide detailed information regarding economic losses, if any, (anticipated business closure, breach of contracts, hardship on customers, layoffs, and/or similar impacts).

17. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

18. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

Pollutant	(A) Total Estimated Excess Emissions (lbs/day)	(B) Permitted Limits (lbs/day)	(C)* Net Emissions (lbs/day)

* Column A minus Column B = Column C

Excess Opacity:_____%

19. Show calculations used to estimate quantities in No. 18, **or** explain why there will be no excess emissions.

20.   Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

21.   How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District?

22. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

23. State the date you are requesting the variance to begin: _____; and the date by which you expect to achieve final compliance: _____.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance.

List Increments of Progress here:

24. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

_____Ext._____

_____Ext._____

If the petition was completed by someone other than the petitioner, please provide their name and title below.

Name	Company	Title

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on_____, at _____, California

Signature	Print Name

Title: _____