

LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 5:3 DEFINITIONS

Adopted 10/01/1971, Amended 03/13/2012

1. **Abatement Order Petition:** An order to any person found to be constructing or operating any article, machine, equipment, or other contrivance without a required permit or in violation of Section 41700 or 41701 of the California Health & Safety Code (HSC), or of any Rule, Regulation or permit adopted or administered by the DISTRICT prohibiting or limiting the discharge of air contaminants into the air. (HSC Section 42451)
2. **Clerk of the Hearing Board:** The Air Pollution Control Officer or his or her designee.
3. **Emergency Variance:** Variance granted for a period of 30 days or less with no extension allowed. One Hearing Board member may determine eligibility for emergency and issue the variance. (HSC Section 42359.5)
4. **Interim Authorization to Modify a Variance with Increments of Progress:** An authorization granted to a person previously granted a variance which includes a schedule of increments of progress to continue operating when that schedule cannot be met and prior to a duly noticed public hearing to modify the schedule of increments. (HSC Section 42351.5)
5. **Interim Variance:** Variance granted a source that has submitted a petition for a variance and wishes to continue operating pending the decision of the Hearing Board at a duly noticed public hearing. (HSC Section 42351)
6. **Modification of a Schedule of Increments of Progress or Final Compliance Date:** Petition before the Hearing Board to modify a schedule of increments of progress or a final compliance date in such a schedule. (HSC Section 42357)
7. **Permit Revocation:** Petition from the Air Pollution Control Officer (APCO) for the Hearing Board to decide whether a permit should be revoked when the APCO finds that the permit holder is violating an applicable Order, Rule or Regulation of the DISTRICT, or an applicable provision of the California Health & Safety Code. (HSC Section 42307)
8. **Petition by an Aggrieved Party:** Petition from a party who, in person or through a representative, appeared, submitted written testimony, or otherwise participated in a permitting action before the DISTRICT, requesting that the Hearing Board hold a hearing to determine whether that permit was properly issued, and shall be referred to as “intervenor”. (HSC Section 42302.1)
9. **Product Variance:** Variance granted and attached to a particular product which does not comply with DISTRICT Rules or Regulations and the variance is

necessary for the sale, supply, distribution or use of the product. (HSC Sections 42365 & 42366)

10. **Quorum:** Three members of the Hearing Board shall constitute a quorum.
11. **Regular Variance:** Variance granted for a period of one (1) year or less unless a schedule of increments of progress is included.
12. **Review of Permit Denial or Emission Reduction Credit Denial:** A hearing before the Hearing Board requested by a source within thirty (30) days of receiving the notice of permit or ERC denial and requesting the Hearing Board to decide whether the permit was properly denied. (HSC Section 42302)
13. **Schedule of Increments of Progress:** A statement of dates when various steps are to be taken to bring a source of air contaminants into compliance with emission standards. (HSC Section 39051)
14. **Variance:** Temporary dispensation granted to sources from DISTRICT Rules and Regulations or State law.
15. **Variance Modification or Revocation:** A written Order issued by the Hearing Board which modifies or revokes an order permitting a variance. A petition may be filed by the APCO for the Hearing Board to determine whether a variance should be modified or revoked. (HSC Section 42356).