

LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 5:8 PETITIONS REGARDING PERMITS

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

1. PETITIONS REGARDING PERMITS: Notwithstanding the above, the following specific items apply.

1.1 Specific Contents of Petition: In addition to the requirements set forth in Rule 5:4 General Administrative Requirements, petitions for permit actions shall state briefly:

1.1.1 The Section, Rule or Order which is the basis for conditional approval, suspension, denial, or revocation; or which is alleged to have been violated or is the basis of the grievance.

1.1.2 Statement as to why the petition is being sought.

1.1.3 The facts illustrating the potential impact on the source, public, and aggrieved party if the permit action is sustained by the Hearing Board.

1.1.4 The Hearing Board action requested.

1.2 Notice of Hearings: Notice requirements set forth in Rule 5:4 General Administrative Requirements shall apply.

1.3 Findings and Decision

1.3.1 A permit may be revoked pursuant to HSC Section 42309 if the Hearing Board finds any of the following:

1.3.1.1 The permittee has failed to correct any conditions required by the APCO.

1.3.1.2 A refusal of a permit would be justified.

1.3.1.3 Fraud or deceit was employed in obtaining the permit.

1.3.1.4 Any violation of Part 4 of Division 26 of the Health and Safety Code or any Rule, Regulation, or Order of the DISTRICT.

1.3.2 **Permit Denial Findings:** In order to deny a permit the Hearing Board must find that the permit was improperly issued. (HSC Section 42302.1)