Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

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Arnold Schwarzenegger
Governor

TO: Air Pollution Control Officers
District Variance Hearing Board Members

FROM: James R. Ryden, Chief
Enforcement Division

DATE: July 5, 2007

SUBJECT: Reporting of Excess Emissions Resulting from Variances

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In an ongoing effort to effectively meet Health and Safety Code (HSC) requirements, the ARB is requesting your District to include in all variances a description of all excess emissions associated with operation under the variance.

California's air pollution variance program is established by statute. See: HSC sections 40800 - 40865, (pertaining to hearing boards), and sections 42350 - 42372 (pertaining to variances themselves). Recently, greater scrutiny has been paid to variances granted to stationary sources in general and especially to variances involving the release of excess emissions. With oversight authority over district variance programs, the ARB has the responsibility of gathering and providing specific variance information to any party or person who requests it, including information on excess emissions.

Therefore, we are requesting that excess emission information be included in every written board order. If the quantity of excess emissions is to be determined after the variance is complete, please state this in the order and provide it at the close of the variance in the activity report we provide to you on a monthly basis. If there are no excess emissions associated with operation under the variance, please state so in the variance order.

The ARB appreciates your cooperation in this matter and looks forward to continuing our work together. If you would like more information regarding this request, please contact Vickie McGrath at 916-324-7343.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: http://www.arb.ca.gov.

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