

# LANE REGIONAL AIR PROTECTION AGENCY

## TITLE 23

### VARIANCES

#### Section 23-005 Conditions for Granting

The Board of Directors may grant specific variances from the particular requirements of any rule, regulation or order to such specific person or class of persons or such specific air contamination source, upon such conditions as it may deem necessary to protect the public health and welfare, if it finds that strict compliance with such rule, regulation or order is inappropriate because of conditions beyond the control of the persons granted such variance or because of special circumstances which would render strict compliance unreasonable, burdensome, or impractical due to special physical conditions or cause, or because strict compliance would result in substantial curtailment or closing down of a business, plant, or operation, or because no other alternative facility or method of handling is yet available. Such variances may be limited in time.

#### Section 23-010 Procedures for Requesting

Any person requesting a variance shall make his request in writing and shall state in a concise manner the facts to show cause why such variance should be granted. All persons requesting a variance shall, at the time of application, pay the following fees:

1. A non-refundable filing fee of \$75,
2. One of two application processing fees:
  - A. \$150 for sources or activities not subject to Air Contaminant Discharge Permit, or
  - B. \$500 for sources or processes subject to Air Contaminant Discharge Permits.

#### Section 23-015 Period of Variance

Variances shall be for a period of time not to exceed twelve (12) months, but may be renewed for a similar period of time by the Board of Directors upon reapplication.

#### Section 23-020 Revocation or modification

A variance granted may be revoked or modified by the Board of Directors after a public hearing held upon not less than ten (10) days notice. Such notice shall be served upon the holder of the variance and all persons who have filed with the Board of Directors a written request for such notification.

#### Section 23-025 Filing and Review

A copy of each variance granted shall be filed with the Department of Environmental Quality within fifteen (15) days after being granted.