

SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT
POLICIES AND PROCEDURES

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Topic:	<u>Resolving Conflicts Between Rules and Permit Conditions</u>		
Distribution:	<u>APCD Staff</u>		

This document is intended to provide Departmental Policy in regard to resolving conflicts between rules and permit conditions. If there is a conflict between a District Rule and a permit condition, the provision most protective of air quality (e.g., most stringent) prevails.

Under some circumstances, permit conditions may be more stringent than a Prohibitory rule. For example, a requirement for Best Available Control Technology (placed on the source when it is permitted) may be more stringent than an emission control requirement contained within district rules. Alternatively, a district rule may be more stringent than a permit condition. An example of this circumstance is when an emission control rule (passed after the permit is issued) requires a lower emission rate than allowed under the original permit. In both the above cases the more stringent requirement prevails.

If you believe there is a conflict between a district rule and a permit condition due to an error, you should refer the matter to your supervisor. If he/she confirms that an error has been made, a resolution (such as a permit modification or rule modification) should be worked out jointly between the General Source and Major Source division managers.

Policies and Procedures Memoranda are intended to provide agency staff, applicants and the public guidance relative to standardized District procedures. These policies and procedures shall not be interpreted in conflict with District Rules and Regulations or administrative policies, and may be modified or updated periodically without advance notice.

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