

**SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT
POLICIES AND PROCEDURES**

Policy No.	6100.019.1988 Div Pol Yr	Draft _____
Supersedes No.	_____ Div Pol Yr	Final <u> x </u>
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Topic:	Permit Cancellations	
Distribution:	APCD Staff	

When a permittee wishes to cancel a permit, certain procedures should be followed. This policy is for the following three scenarios in which a permit cancellation is initiated: 1) The permittee requests permit cancellation, 2) A District inspection reveals that the equipment is no longer operating or is exempt from permit requirements, 3) No construction has occurred after one year from issuance of an ATC. Other scenarios for permit cancellation (such as Change of Owner/Operator, Non-Payment of Permit Fees, Facility Relocation and Hearing Board Permit Revocation under Health and Safety Code 42309) do not fall into this category.

The following are procedures for permit cancellation.

DISTRICT NOTIFICATION:

1. If the permittee requests cancellation during a telephone or personal conversation with District staff, the staff personnel shall inform the permittee that a written request is required.
2. Upon receipt of a written cancellation request, the GSD/MSD administrative staff will forward the notice to the GSD/MSD Division, Permitting Section, Supervising Engineer. After the task has been assigned, the appropriate engineer shall then complete and submit an inspection request form (ENF 15) to the GSD/MSD Compliance Supervisor for a determination of the operational status of the equipment.
3. The GSD/MSG Compliance staff shall confirm that the equipment has been removed, has been rendered non-operational or is exempt from District rules. An inspection report of the findings shall be completed by the inspector and forwarded to the assigned engineer for review.
4. If the inspection report states that the equipment is not in operation but it is currently able to be operated, the engineer will request that the permittee remove or modify the equipment to confirm non-operational status prior to the cancellation of the permit. A follow up inspection may be required to confirm that the equipment cannot be operated.

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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5. If the inspection report states that the equipment is not in operation and has been removed or modified so as to preclude operation, the engineer shall notify the GSD/MSD Division administrative staff to implement the following:
 - a. Send a certified letter of cancellation to the permittee (See Attachment)
 - b. Cancel the permit within the files
 - c. Update the Permit Tracking System
 - d. Refund any unused Reimbursable Project deposits
6. The certified permit cancellation letter (attached) shall state that future operation of the equipment without a valid ATC/PTO shall be a violation of District Rules and Regulations, that modification to and future operation of the equipment will require an application for both ATC and PTO, and that future operations will be evaluated under District rules in effect at the time of such application is deemed complete.

INSPECTION DETERMINATION:

1. When a District inspector, during a facility inspection, determines that a permit should be canceled, the inspector shall notify the Compliance Supervisor of the determination. The Compliance Supervisor shall then notify the GSD/MSD Division, Permitting Section, Supervising Engineer, who will then notify the appropriate engineer.
2. The Engineer then reviews the inspection report and notifies the GSD/MSD Administrative Staff to implement the following:
 - a. Send a certified letter of cancellation to the permittee (See Attachment)
 - b. Cancel the permit within the files
 - c. Update the Permit Tracking System
 - d. Refund any unused Reimbursable Project deposits
3. The certified letter shall state that an inspection took place and a determination of permit cancellation was made. The permittee will be given 10 working days to notify the District to appeal the cancellation procedures.
4. The certified permit cancellation letter shall also state that future construction and/or operation of the equipment without a valid ATC/PTO shall be a violation of District Rules and Regulations, that modification to and future operation of the equipment will require an application for both ATC and PTO, and that future operations will be evaluated under District rules in effect at the time of such application is deemed complete.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DATE

ADDRESS

Attn: CONTACT NAME

Re: Notice of Intent to Cancel Permit to Operate Number:
EQUIPMENT TYPE AND LOCATION

Dear:

This is to inform you that the above reference shall be considered canceled unless the District is otherwise notified of the status. The basis of the cancellation is because on , District Inspector, reported that

If the permit is canceled, any future operation of the above described equipment will be in violation of District Rule 201 and severe penalties may result. Future operation of the equipment will require application for and receipt of an Authority to Construct (ATC) and a Permit to Operate (PTO) from the District.

If you wish to object to the cancellation you should provide a written response to that effect within ten (10) days from the date of your receipt of this notice. If there are any questions regarding this matter, please contact our office.

Sincerely,

Supervising Engineer

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cc: Company files SC/NC
Chron File
Inspection Supervisor

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