

Glenn County Air Pollution Control District

What You Need to Know About the Hearing Board

The Hearing Board is a quasi-judicial panel authorized to hear certain types of cases. State law requires Hearing Board members to be appointed by, but act independently of, the Glenn County Air Pollution Control District (District) Governing Board.

All petitions submitted to the Clerk of the Hearing Board for filing must be on the appropriate Hearing Board-approved form. Petitions not filed on the appropriate form will not be accepted for filing by the Clerk of the Hearing Board. Air Pollution Control District staff serves as the Clerk of the Hearing Board.

What is the Hearing Board authorized to do?

The Hearing Board is authorized to hear:

- Petitions by companies for variances, (Companies in current or imminent violation due to conditions beyond his or her reasonable control and must request a variance to continue operating while making repairs or modifications necessary to come into compliance with the applicable air pollution control district rule or regulation)
- Petitions for abatement orders, (An abatement order requires a company operating out of compliance to take specific actions or to shut down its operation. This is a severe remedy normally reserved for serious violators.)
- Appeals by companies relating to the granting of permits, permit conditions, permit denials and suspensions, denials of emission reduction credits and denials of pollution control plans, and
- Appeals by third parties.

After hearing all sides of a case in which individuals or companies come into conflict with District rules and regulations, the Hearing Board weighs the evidence and reaches a decision.

What is the Hearing Board NOT authorized to do?

It is important to note that the Hearing Board is not authorized to:

- Modify rules,
- Exempt a business from complying with a rule,
- Grant a variance from a violation of the public nuisance law, such as one that creates an odor problem or threatens public health or property, or
- Review a violation notice in any way.