**INSTRUCTIONS FOR APPEAL PETITION**

An appeal may be filed related to the issuance of permits to construct, permits to operated, permit conditions, emission reduction credits or other BAAMQD grants or denials. The Appellant may request the Hearing Board to hold a public hearing to determine whether the permit was properly issued or other actions properly determined.

Appeal petitions may be filed by any aggrieved person who, in person or through a representative, appeared, submitted written testimony, or otherwise participated in the action before the BAAQMD. The Petition for Appeal must specify how the Appellant meets this requirement.

The Petition for Appeal must be signed by the Appellant, aggrieved third party, or authorized agent. Incomplete or unsigned petitions will not be accepted for filing. Petitions without the required fee will not be accepted for filing.

The Petition for Appeal must be filed within 30 days of the action specified in Health & Safety Code Sections 42302.1, 42501, 42302, or 40713. You are responsible for reviewing these code sections to determine the details governing the deadline for filing your petition.

If you choose to use the form Petition for Appeal provided on the BAAQMD website, please type or print legibly.

If you choose to craft your own Petition for Appeal, please make sure it includes all the information requested in the form Petition.

Refer to the BAAQMD Regulations to determine all applicable rules and regulations that apply to your appeal petition.

The Petition for Appeal must be accompanied by the required filing fee. The filing fee for an appeal can be found on [Schedule A: Hearing Board Fees](https://www.baaqmd.gov/~/media/dotgov/files/rules/reg-3-fees/2024-amendment/documents/20240605_finalrule_rg0300-pdf.pdf?rev=0eb9a4028daf474a8a8389e528747cac&sc_lang=en). Once the Clerk has assigned the Appellant a docket number, online credit card payments may be made at [https://allpaid.com/plc/a005wq](https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fallpaid.com%2Fplc%2Fa005wq&data=05%7C01%7Cmhiratzka%40baaqmd.gov%7C303ee578e04f41d079a208dbb8733101%7C855defaabdae4e6281e53bb7aa04fc3a%7C0%7C0%7C638306577837749777%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=qjbBuwCRIJtjcKgZbsoRpK1lzior3m%2FHtr8AGs7DYzg%3D&reserved=0); or checks made out to “Bay Area Air Quality Management District” may be mailed to:

Clerk of the Boards

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA, 94105

A public hearing will be scheduled within 30 days of filing the Petition for Appeal unless the Waiver of Time is signed by the Appellant at the time of filing. The Waiver may be signed after filing, if necessary, to delay the public hearing beyond the 30-day period.

**PETITION FOR APPEAL**

**BEFORE THE HEARING BOARD OF THE**

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

CASE NO. \_\_\_\_\_\_\_\_\_\_

Location of equipment/operation that is the subject of appeal:

FACILITY NAME:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADDRESS:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CITY & ZIP CODE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PHONE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is this a Title V Facility? Yes\_\_\_\_\_\_ No\_\_\_\_\_\_

Is this Petition related to a matter (variance, appeal or Order for Abatement) currently pending before the Hearing Board or decided within the past year?

Yes \_\_\_\_\_\_ Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_ No\_\_\_\_\_\_\_\_\_\_\_\_

APPELLANT, **if different from above (third party appellant):**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADDRESS:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CITY & ZIP CODE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PHONE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If Appellant is not the Facility owner, operator or permittee, what is Appellant’s relationship to the Facility or to the action being appealed?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If Appellant is not the Facility owner, operator or permittee, what prior actions were taken to appear, submit written testimony, or otherwise participate in the action pertaining to the issuance of the permit that is the subject of this Petition.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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NATURE OF APPEAL

Appellant submits this Petition appealing:

Issuance of:

Permit(s)/Authority to Construct \_\_\_\_

Permit(s) to Operate \_\_\_\_\_

Permit Conditions \_\_\_\_\_\_\_

Emission Reduction Credits \_\_\_\_\_

OTHER \_\_\_\_\_\_

FACTUAL BACKGROUND

Describe equipment and/or operation(s) that are the subject of this Petition:

Date Permit was approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Disapproved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date ERCs were issued:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Denied:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date that final action was taken on any other basis for appeal:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Include a copy of the permit; approval/denial letter; or any other relevant documentation. For Title V facilities, provide only the relevant portions of the Facility permit showing the equipment or process and conditions that are the subject of this appeal.**

ARGUMENT

Provide a detailed statement explaining how and why the action was not proper:

Provide a detailed statement of the specific relief sought:

CONTACTS

Name, title, company, address, and phone number of persons to contact and authorized to receive notices regarding this Petition (no more than two authorized persons.)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned, under penalty of perjury, states that the above Petition, including attachments, and the items therein set forth, are true and correct.

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Print Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Waiver of Time (OPTIONAL)**

I hereby waive and give up my right to a hearing within 30 days of the request for hearing in the above-entitled case pursuant to California Health and Safety Code Section 42408.

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Print Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_