

PETITION, A PUBLIC HEARING SHALL BE SCHEDULED AND HELD BY THE DEPARTMENT AS SOON AS POSSIBLE, BUT NO EARLIER THAN THE TENTH DAY FOLLOWING THE NOTICE OF HEARING REQUIRED BY THIS SECTION. THE PETITIONER PROMINENTLY SHALL ADVERTISE NOTICE OF THE HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR CITY OF BALTIMORE IN WHICH IS LOCATED THE FACILITY OR SOURCE FOR WHICH THE TEMPORARY VARIANCE IS SOUGHT. EXCEPT AS MAY BE OTHERWISE PROVIDED BY THE DEPARTMENT, THIS NOTICE SHALL CONTAIN THE FOLLOWING INFORMATION:

(1) THE NAME AND ADDRESS OF THE PETITIONER AND THE LOCATION AND NAME OF THE FACILITY OR SOURCE FOR WHICH THE VARIANCE IS SOUGHT.

(2) THE SPECIFIC REGULATIONS FROM WHICH THE VARIANCE IS SOUGHT AND A BRIEF STATEMENT OF THE REASONS WHY A VARIANCE IS SOUGHT.

(3) A STATEMENT THAT ANY PERSON MAY OPPOSE THE PETITION FOR THE VARIANCE AT THE PUBLIC HEARING TO BE HELD, STATING THE DATE, TIME AND LOCATION OF THAT HEARING.

(4) WHATEVER ADDITIONAL INFORMATION THE DEPARTMENT REQUESTS.

(D) IN THE EVENT THAT THE PETITIONER DEMONSTRATES TO THE DEPARTMENT AN IMMEDIATE NEED FOR A VARIANCE AND UPON RECOMMENDATION OF THE BUREAU OF AIR QUALITY CONTROL, THE DEPARTMENT MAY GRANT TO THE PETITIONER A VARIANCE PRIOR TO THE PUBLIC HEARING. HOWEVER, A PUBLIC HEARING SHALL BE SCHEDULED AND HELD BY THE DEPARTMENT, AS PROVIDED ABOVE, WITHIN AT LEAST 30 DAYS OF THE FILING OF THE PETITION. THE REQUIRED NOTICE OF HEARING SHALL REFLECT THAT A VARIANCE HAS BEEN GRANTED AND WILL BE REVIEWED AT THE HEARING.

(E) AFTER THE HEARING, AND UPON RECOMMENDATION OF THE BUREAU OF AIR QUALITY CONTROL, THE DEPARTMENT MAY GRANT AN APPROPRIATE TEMPORARY VARIANCE FOR A PERIOD OF UP TO, BUT NOT EXCEEDING, 120 DAYS, AND, IF CIRCUMSTANCES WARRANT, MAY TERMINATE ANY VARIANCE GRANTED PURSUANT TO SUBSECTION (D) ABOVE. THE PERIOD OF ANY TEMPORARY VARIANCE GRANTED MAY BE EXTENDED SUBSEQUENTLY BY THE DEPARTMENT FOR ONE ADDITIONAL PERIOD NOT TO EXCEED 60 DAYS, PROVIDED THAT THE PETITIONER SUBMITS TO THE DEPARTMENT ADDITIONAL INFORMATION JUSTIFYING THE EXTENSION.

(F) AFTER REVIEWING THE PETITION, THE RECORD OF THE HEARING, AND ANY COMMENTS, THE DEPARTMENT SHALL ACT EXPEDITIOUSLY ON ANY PETITION FILED PURSUANT TO THE PROVISIONS OF THIS SECTION. [[THE DEPARTMENT MAY IMPOSE