

WHEREAS, The United States Environmental Protection Agency has established guidelines for the expeditious handling of variance requests in order to insure that energy needs can be met over the duration of the emergency situation; and

WHEREAS, In view of the acute shortage in usable energy resources in the State, the adoption of the procedures recommended by the Secretary of Health and Mental Hygiene is reasonable and necessary to protect the health, safety, and welfare of the public;

NOW, THEREFORE, I, MARVIN MANDEL, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY ARTICLE 41, SECTION 15B OF THE ANNOTATED CODE OF MARYLAND (1971 REPLACEMENT VOLUME AND 1973 CUMULATIVE SUPPLEMENT, AS AMENDED BY CHAPTER 1 OF THE ACTS OF 1973, SECOND SPECIAL SESSION), AND BECAUSE I AM ADVISED AND INFORMED THAT THE FOLLOWING IS REASONABLE AND NECESSARY IN VIEW OF THE SITUATION OF EMERGENCY, DO HEREBY PROCLAIM AND ISSUE THE FOLLOWING ORDER, EFFECTIVE 12:01 A.M., DECEMBER 17, 1973:

1. The State Department of Health and Mental Hygiene (hereinafter "Department") is hereby authorized to utilize the procedures contained in this Order for the purpose of granting, on a case-by-case basis, temporary variances from the State's air quality control laws, rules and regulations, where it finds such temporary variances to be necessary by reason of an inability to obtain the type of fuel required to comply with such laws, rules or regulations.

2. Except as may be otherwise provided by the Department, an original and two conformed copies of each petition for a temporary variance shall be filed with the Department and shall include or be accompanied by the following information, to be verified by affidavit of the petitioner:

(a) The name, address and telephone number of the petitioner and any other person authorized to receive notices on the petitioner's behalf.

(b) The type and location of the operations giving rise to the emissions for which a variance is sought, including a description of the process giving rise to the emissions and the quantity and nature of existing emissions.