

REQUEST FOR VARIANCE
SANDERS COUNTY BOARD OF HEALTH

Property owner _____

Physical Address of Requested Property: _____

Section _____ Township _____ Range _____ COS or EQ# _____

Describe PERMIT denial (if applicable) _____

Sanders County Wastewater Treatment Regulations:

Section 4.13 Permit Denial Variance to Board of Health:

A permit denial may be appealed to the Sanders County Board of Health as provided in ARM 17.36.922 LOCAL VARIANCES. The appeal must be made in writing and submitted to the Sanders County Board of Health within thirty (30) days of the denial. The Board of Health shall act on the appeal within sixty (60) days. The applicant shall be notified, in writing, of the Board of Health's approval or denial of a variance. The Sanders County Board of Health's letter of decision will be sent by registered mail. If a request for variance is denied by the Sanders County Board of Health, the appellant may seek variance from the State, according to the provisions in ARM 17.36.924 VARIANCE APPEALS TO THE DEPARTMENT.

17.36.922 LOCAL VARIANCES:

1. As provided in the rule, a local board of health, as defined in 50-2-101, MCA, may grant variances from the requirements in the subchapter and in department Circular DEQ-4, 2013 edition.
2. The local board of health may grant a variance from a requirement only if it finds that all conditions in these rules regarding the variance are met, and that granting the variance will not:
 - A. contaminate any actual or potential drinking water supply;
 - B. cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans;
 - C. cause a public health hazard by being accessible to persons or animals;
 - D. violate any law or regulation governing water pollution of wastewater treatment and disposal, including the rules contained in this subchapter except for the rule that the variance is requested from;
 - E. pollute or contaminate state waters, in violation of 75-5-605, MCA;
 - F. degrade state waters unless authorized pursuant to 75-5-303, MCA; or
 - G. cause a nuisance due to odor, unsightly appearance or other aesthetic consideration.
3. The local board of health may adopt variance criteria in addition to those set out in (2)
4. The local board of health's decision regarding a variance of a requirement in the subchapter or in department Circular DEQ-4, 2004 edition, may be appealed to the department pursuant to ARM 17.36.924.

Describe the requested variance and provide evidence supporting the variance request. _____

Applicant's Signature _____ Date _____

Applicant's Printed Name _____

FEES: Board of Health Variance Request \$100.00 Included ___ Yes ___ No

Amount Paid _____ How Paid _____ Received By (Initials) _____

BOARD OF HEALTH USE ONLY

Board of Health

Approved _____ Denied _____

Comments: _____

Signature _____ Date _____