

BOARD MEETING DATE: November 5, 1999

AGENDA NO. 18

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of August 1 through August 31, 1999, the Hearing Board took action on 8 Variances and 0 Appeals.

COMMITTEE: Not Applicable.

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

EC:JD:sm

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Two summaries are attached: **Rules From Which Variances Were Requested in 1999 and August 1999 Hearing Board Cases.**

The total number of appeals filed during the period August 1 to 31, 1999 is 3, and the total number of appeals filed during the period January 1 to August 31, 1999 is 24.

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**Rules from which Variances were Requested in 1999**

1999	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
<b># of HB Actions*</b>													
<b>Involving Rules</b>													
202						1							1
202(a)			2	2	1	2		1					8
202(b)			1										1
202(c)													0
208.0				1		1							2
218.0			1										1
221(b)						1		1					2
401.0				1		1							2
401(a)													0
401(b)			1	1		4							6
401(b)(1)	1	2	1										4
401(b)(1)(A)													0
401(b)(1)(B)													0
404(a)			1			2							3
404(b)						1							1
405(a)						2							2
405(b)						1							1
407(a)(1)			1	1									2
407(a)(2)													0
405(a)			1										1
431.1(c)(1)													0
431.1(d)(1)													0
444.0													0
444(a)			1	1		1							3
444(d)													0
461.0													0
461(c)													0
461(c)(1)(A)													0
461(c)(1)(B)													0
461(c)(1)(C)													0
461(c)(1)(E)													0
461(c)(1)(F)(i)													0
461(c)(1)(F)(iv)													0
461(c)(1)(F)(v)													0
461(c)(1)(H)													0
461(c)(2)					1								1
461(c)(2)(A)	2	2	1		5	10	2						22
461(c)(2)(B)													0
461(c)(2)(C)													0
461(c)(4)(A)													0
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(e)(3)													0
462.0		1											1
462(c)(3)(B)													0
462(c)(3)(C)													0
462(c)(4)(B)(i)				1									1
462(c)(7)(A)(ii)				1									1
462(d)(1)(A)		5	4		1								10
462(d)(4)(A)													0
462(e)(1)(E)		5	4		1								10
462(h)(1)		5	4		1								10
463(c)(3)													0

Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

1999	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Action
463(c)(3)(B)					1								1	
463(c)(3)(C)													0	
463(e)(4)													0	
1106.1(c)(1)													0	
1106.1(c)(1)(A)													0	
1107(c)(2)		1											1	
1110.2(d)(1)(B)	1												1	
1113(c)(2)				1				1					2	
1118(d)								1					1	
1118(d)(1)						1							1	
1118(d)(2)						1							1	
1118(d)(3)						1							1	
1118(d)(4)						1							1	
1118(d)(5)						1							1	
1122.0													0	
1122(c)(1)(J)													0	
1122(c)(2)(A)													0	
1122(c)(2)(E)													0	
1122(c)(3)(A)													0	
1122(d)(3)	1	1					1	1					4	
1122(e)(2)(A)													0	
1122(e)(2)(B)													0	
1122(e)(2)(C)													0	
1122(e)(2)(D)													0	
1122(e)(4)(A)													0	
1122(e)(4)(B)													0	
1124(c)(1)(E)	1	2	1			2							6	
1128(c)(1)													0	
1128(c)(2)													0	
1130(c)(4)					1								1	
1135(e)													0	
1145(c)(2)						1							1	
1146(c)(1)							1						1	
1146(c)(7)(B)							1						1	
1146.1(c)						1							1	
1146.1(e)(1)													0	
1151(c)(1)(B)													0	
1151(d)(1)													0	
1166(c)(2)													0	
1168(c)(1)			1										1	
1171(c)(1)	1	1						1					3	
1173(c)													0	
1173(f)													0	
1176(e)(1)					1	1							2	
1176(e)(2)(A)						1							1	
1176(e)(2)(B)						1							1	
1176(e)(3)(A)					1								1	
1176(e)(5)(A)					1								1	
1176(f)(3)					1								1	
1401(d)													0	
1405.0													0	
1405(d)(3)			1										1	
1405(d)(3)(C)													0	
1407(d)		1	1					1					3	
1407(d)(1)													0	
1407(d)(2)		1					1						2	
1407(d)(4)													0	
1407(f)(1)		1											1	
1418(d)(2)(A)													0	

Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

1999	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1418(d)(2)(B)													0
1421(d)(1)(C)						1							1
2004(c)(1)(C)						1							1
2001(j)													0
2011(c)(2)			1					1					2
2011(c)(2)(A)		1											1
2011(c)(3)			1										1
2011(c)(3)(A)		1											1
2011(e)(1)								1					1
2011(g)													0
2011(k) Appdx. A								1					1
2012(c)(2)							1	1					2
2012(c)(2)(A)		1		1									2
2012(c)(3)													0
2012(c)(3) Appdx A													0
2012(c)(3)(A)		1											1
2012(g)(1)				1				1					2
2012(h)(6)													0
2012(i)													0
2012(m) Appdx. A				1				1					2
2015(c)(3)(D)			1										1
H&S 41701	1	1	2	2		3							9

Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

## Report of AUGUST 1999 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
1. Arco Products Company Case #1011-224 (N. Feldman)	203(b) 221(b) 1118(d) 2004(f)(1)	Flare needs to be taken out of service to install sampling ports.	Not Opposed/Granted	Regular variance granted commencing 8/5/99 and continuing through 4/30/00, the final compliance date.	None
2. Easton Sports, Inc. Case #5030 (J. Panasiti)	1122(d)(3) 1171(c)(1)	Time needed to install equipment for aqueous tube washing.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 8/31/99 were extended through 11/30/99.	VOC 100 lbs/day
3. Easton Sports, Inc. Case #5030-1 (J. Panasiti)	203(a)	Time needed to install equipment for aqueous tube washing.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 8/31/99 were extended through 11/30/99.	VOC 100 lbs/day
4. Fansteel/California Drop Forge Case #4284-3 (J. Panasiti)	202(a) 2004(f)(1)	Need to operate new, lower emission boiler (replacing 50-year-old high emitting boiler) until emission control system can be debugged by manufacturer.	Not Opposed/Granted	Interim variance granted commencing 8/26/99 and continuing for 90 days or until the regular variance hearing currently scheduled for 10/14/99, whichever comes first.	NOX 11.5 lbs/day CO 22.9 lbs/day
5. Griffith Micro Science, Inc. Case #4095-7 (Consent Calendar; No Appearance)	203(b) 1405(d)(3)(C)	Additional time needed to modify pollution control system in order to correct safety problems.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 8/17/99 were extended through 2/1/00.	EtO 1.6 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Mobil Oil Corporation Case #1183-310 (N. Feldman)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2011(k) Appendix A, Chp. 2, Attach. C 2012(c)(2) 2012(g)(1) 2012(m), Appendix A, Chp. 2, Attach. C	Time needed to repair flow meter probes at boiler 30F-1.	Not Opposed/Granted	Interim variance granted commencing 8/11/99 and continuing for 90 days or until the short variance hearing currently scheduled for 9/1/99, whichever comes first.	None
7. The Simpson Coatings Group, Inc. Case #PV012 (T. Tafoya)	1113(c)(2)	Petitioner wishes to enter market with non-compliant coating.	Opposed/Denied	Regular product variance denied.	
8. Torch Operating Company Case #5089 (A. Mednick)	203(b) 2004(f)(1)	Petitioner took over gas plant and flare in 1996. Applied for new permit for a propane extraction system. Former owners' old permit originally listed this as an emergency flare that was again reinstated. Needs change of permit to regular use of the flare.	Not Opposed/Granted	Interim variance granted commencing 8/5/99 and continuing for 90 days or until the regular variance hearing currently scheduled for 9/8/99, whichever comes first.	ROG 171.56 lbs/day NO <sub>x</sub> 167.37 lbs/day SO <sub>x</sub> 5.90 lbs/day CO 922.38 lbs/day PM 23.54 lbs/day

(varAug99)