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BOARD MEETING DATE: September 10, 1999 AGENDA NO. 19

REPORT:

Hearing Board Variances and Appeals

SYNOPSIS:

During the period of June 1 through June 30, 1999, the Hearing Board took action on 26 Variances and 0 Appeals.

COMMITTEE:

Not Applicable.

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

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

The total number of appeals filed during the period June 1 to 30, 1999 is 0, and the total number of appeals filed during the period January 1 to June 30, 1999 is 16.

[Attachments](#)

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Edward Camarena
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EC:JD:sm

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The total number of appeals filed during the period June 1 to 30, 1999 is 0, and the total number of appeals filed during the period January 1 to June 30, 1999 is 16.

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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
# of HB Actions*													
Involving Rules													
202						1							1
202(a)			2	2	1	2							7
202(b)			1										1
202(c)													0
208.0				1		1							2
218.0			1										1
221(b)						1							1
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							20
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	
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											2	
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)														0	
1146(c)(7)(B)														0	
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											2	
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										2	
1407(d)(1)														0	
1407(d)(2)			1											1	
1407(d)(4)														0	
1407(f)(1)			1											1	
1418(d)(2)(A)														0	
1418(d)(2)(B)														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
1421(d)(1)(C)						1							1
2004(c)(1)(C)						1							1
2001(j)													0
2011(c)(2)			1										1
2011(c)(2)(A)		1											1
2011(c)(3)			1										1
2011(c)(3)(A)		1											1
2011(e)(1)													0
2011(g)													0
2011(k) Appdx. A													0
2012(c)(2)													0
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
2012(h)(6)													0
2012(i)													0
2012(m) Appdx. A				1									1
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 JUNE 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. Aircraft Service International Group Case #4998 (A. Mednick)	461(c)(2)(A)	Petitioner has contract to have Phase II Vapor recovery system, but CARB certification for system has not yet been issued.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 17.1 lbs/day
2. AirFlite, Inc. Case #4955 (A. Mednick)	461(c)(2)(A)	Time needed for Franzen-Hill Phase II system to be certified.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	To be determined
3. American Airlines, Inc. Case #5057 (A. Mednick)	203(a) 461(c)(2)(A)	Petitioner is operating its mobile refueler with a phase II vapor recovery system that is not CARB certified. Petitioner seeks time to come into compliance by either electrifying its vehicles, obtaining certification of its existing phase 2 vapor recovery system, or installing a certified system when one becomes available. At present, there is no CARB certified system.	Not Opposed/Granted	Regular variance granted commencing 6/16/99 and continuing through 11/19/99, the final compliance date.	VOC to be determined
4. Angelus Block Co., Inc. Case #5073 (N. Feldman)	203(a) 1146.1(c)	CO and NOx emissions exceed Rule 1146.1 limit.	Not Opposed/Denied	Interim variance denied.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
5. ARCO Products Company Case #1011-223 (N. Feldman)	221(b) 1118(d)(1) 1118(d)(2) 1118(d)(3) 1118(d)(4) 1118(d)(5)	Delayed delivery of requisite monitoring equipment prevents compliance with Rule 1118.	Not Opposed/Granted	Short variance granted commencing 6/2/99 and continuing through 8/17/99, the final compliance date.	None
6. Bristol Industries Case #5017 (J. Panasiti)	1124(c)(1)(E)	Need additional time for installation and testing of control equipment.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/99 were extended through 9/30/99.	VOC 3.5 lbs/day
7. Bristol Industries Case #5017-1 (J. Panasiti)	203(b) 1124(c)(1)(E)	Need additional time for installation and testing of control equipment.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/99 were extended through 9/30/99.	VOC 3.5 lbs/day
8. Conexant Systems, Inc. (formerly, Rockwell International) Case #3165-12 (E. Sernel)	401(b) H&S 41701	Petitioner seeks additional time to evaluate control options, obtain permit modification, and implement modification to controls.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/4/99 were extended through 9/30/99.	Opacity of emissions cannot be quantified.
9. Fleet Fuels LLC Case #4985 (A. Mednick)	461(c)(2)(A)	Petitioner cannot comply because there is no CARB-certified Phase II vapor recovery system for mobile refuelers; will install certified system when it becomes available, or cease operations.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 3.58 lbs/day
10. Hoag Memorial Hospital Presbyterian Case #4444-2 (B. Theis)	202 203(b) 2004(f)(1)	Permit condition limiting hours of operation for emergency power generators has been exceeded.	Opposed/Dismissed	Emergency variance dismissed.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
11. Joseph L. Chiriaco, Inc. Case #5059 (J. Panasiti)	203(a)	Awaiting environmental approval for hook-up with Imperial Irrigation District electric system. Expected completion by November 30, 1999.	Not Opposed/Granted	Regular variance granted commencing 6/16/99 and continuing through 12/7/99, the final compliance date.	NOX to be determined
12. Kenny Strickland, Inc. Case #5062 (E. Sernel)	203(b) 461(c)(2)(A)	Time needed to buy facility and install certified vapor recovery system.	No Position/Granted	Regular variance granted commencing 6/23/99 and continuing through 12/8/99, the final compliance date.	To be determined
13. L.A. City Harbor Dept. Case #4363-1 (A. Mednick)	203(a) 461(c)(2)(A)	Cannot comply as no CARB certified Phase II vapor recovery system for mobile refuelers. Will install system when available and approved.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 40 lbs/mo
14. Magnolia Project, Inc. Case #5070 (B. Theis)	208 401(b) 444(a) H&S 41701	Movie being shot at a previously burned area with foci of fire using flame bars Duraflame logs and fog dispensing machines. Fire to last about 5 minutes per hour during daylight for a total of 2 days.	Not Opposed/Granted	Short variance granted for 10 minutes of burn for a total of 15 burns per day for two days, in a window of time commencing 6/8/99 and continuing through 7/3/99, the final compliance date.	Opacity up to 80%
15. Mercury Air Center Case #5032-1 (A. Mednick)	203(a) 461(c)(2)(A)	Petitioner has received quotes, and is about to enter into contract to have Phase II Vapor recovery system installed, but CARB certification for system has not yet been issued.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 7.33 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
16. Mercury Air Group, Inc. Center Case 5032 (A. Mednick)	203(a) 461(c)(2)(A)	Petitioner has received quotes, and is about to enter into contract to have Phase II Vapor recovery system installed, but CARB certification for system has not yet been issued.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 16.66 lbs/day
17. Mobil Oil Corporation Case #1183-292 (Consent Calendar; No Appearance)	2004(c)(1)(C)	Extension needed to achieve compliance regarding VOC calculations for period 1/1/98 through 6/30/98.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/99 were extended through 10/8/99.	None
18. Mobil Oil Corporation Case #1183-307 (A. Mednick)	203(b) 1176(e)(1) 1176(e)(2)(A) 1176(e)(2)(B) 2004(f)(1)	Petitioner seeks time to repair or replace a hatch that was damaged in an explosion.	Not Opposed/Granted	Emergency variance granted commencing 6/24/99 and continuing through 7/22/99.	VOC to be determined
19. Mon-Arc Cleaners Case #5072 (B. Theis & A. Mednick)	1421(d)(1)(C)	Time needed to replace prohibited vented dry cleaning machine with a non-vented machine as required by Rule 1421.	Not Opposed/Granted	Short variance granted commencing 6/16/99 and continuing through 9/14/99, the final compliance date.	To be determined
20. Moog, Inc. Aircraft Group Case #4844-2 (B. Theis)	202(a) 203(b)	Petitioner has completed installation of controls and seeks to operate while awaiting District review of source test results and District decision on permit modification.	Not Opposed/Granted	Short variance granted commencing 6/29/99 and continuing through 9/1/99, the final compliance date.	None
21. Oasis Transportation, Inc. Case #4958 (A. Mednick)	461(c)(2)(A)	Cannot comply as there is no CARB certified Phase II vapor recovery system for mobile refuelers. Will install system when a system that is suitable for petitioner's operations is available and certified.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 10.7 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
22. Sbicca of California Case #4757 (E. Sernel)	1145(c)(2)	Petitioner has not been able to find a compliant adhesive. Will continue to seek compliant product and seek rule amendment.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/99 were extended through 6/24/00.	VOC 40 lbs/day
23. Tissurama Industries, Inc. Case #4986-1 (C. Engelhardt)	203(b) 401(b) 404(a) 405(a) 2004(f)(1)	Petitioner seeks time to repair or replace control equipment that was damaged in a fire.	Not Opposed/Granted	Emergency variance granted commencing 6/9/99 and continuing for 30 days or until the short variance hearing scheduled for 6/24/99, whichever comes first.	Opacity up to 10% PM to be determined
24. Tissurama Industries, Inc. Case #4986-1 (C. Engelhardt)	203(b) 401(b) 404(a) 404(b) 405(a) 405(b) 2004(f)(1)	Petitioner seeks time to replace control equipment that was damaged in a fire.	Not Opposed/Granted	Short variance granted commencing 6/24/99 and continuing through 9/7/99, the final compliance date.	Opacity up to 10% Particulate 404(a) 0.2418 grains per cubic foot 404(b) 0.1021 grains per cubic foot 405(a) 1.35 lbs/hour 405(b) 3 lbs/ton
25. Trans World Airlines, Inc. Case #5022 (A. Mednick)	203(a) 461(c)(2)(A)	Petitioner has received quotes, and is about to enter into contract to have Phase II Vapor recovery system installed, but CARB certification for system has not yet been issued.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/15/99 were extended through 10/20/99.	VOC 50 lbs/day
26. U.S. Dyeing and Finishing Case #4783-2 (B. Theis)	202(a) 203(b) 401 2004(f)(1) H&S 41701	Fire disabled air pollution control equipment.	Opposed/Dismissed	Emergency variance dismissed.	

(varJun99)