

BOARD MEETING DATE: April 21, 2000

AGENDA NO. 13

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of January 1 through January 31, 2000, the Hearing Board took action on 21 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 2000 and January 2000 Hearing Board Cases.**

The total number of appeals filed during the period January 1 to 31, 2000 is 12.

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**Rules from which Variances were Requested in 2000**

	2000	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
<b># of HB Actions*</b>														
<b>Involving Rules</b>														
202														0
202(a)		1												1
202(b)		1												1
202(c)														0
208														0
218														0
221(b)														0
401		1												1
401(a)														0
401(b)		1												1
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
404		1												1
404(a)														0
404(b)														0
405		1												1
405(a)														0
405(b)														0
407(a)(1)														0
407(a)(2)														0
405(a)														0
431.1(c)(1)														0
431.1(d)(1)														0
444.0														0
444(a)														0
444(d)														0
461														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)														0
461(c)(2)(A)		1												1
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
462(c)(3)(B)														0
462(c)(4)(B)(i)														0
462(c)(7)(A)(ii)														0
462(d)(1)(A)														0
462(d)(1)(A)(ii)		4												4
462(d)(2)(A)(i)		1												1
462(e)(1)(E)(ii)		4												4

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

	2000	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
462(e)(2)(A)(i)		1												1
462(h)(1)		1												1
463(c)(1)(A)														0
463(c)(1)(B)														0
463(c)(1)(C)														0
463(c)(1)(E)														0
463(c)(2)														0
463(c)(2)(B)														0
463(c)(3)														0
464(b)(1)		1												1
1104(c)(1)		1												1
1106(c)(1)														0
1106.1(c)(1)														0
1106.1(c)(1)(A)														0
1107(c)(2)														0
1110.2		1												1
1113(c)(2)														0
1118(d)														0
1118(d)(1)														0
1118(d)(2)														0
1118(d)(4)														0
1118(d)(5)														0
1118(e)														0
1118(f)														0
1118(g)														0
1122														0
1122(c)(2)(A)														0
1122(c)(2)(E)														0
1122(c)(3)(A)														0
1122(d)(3)														0
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														0
1124(c)(1)(A)														0
1124(c)(1)(E)														0
1128(c)(1)														0
1128(c)(2)														0
1130(c)														0
1130(c)(4)														0
1134(d)(1)														0
1134(f)														0
1135(e)														0
1145(c)(2)														0
1146(c)(1)														0
1146(c)(7)(B)														0
1146.1(c)														0
1146.1(e)(1)														0
1151(c)(1)(B)														0
1151(d)(1)														0
1164(c)(2)														0
1166(c)(2)														0
1168(c)(1)														0
1171(c)(1)														0
1173(c)														0

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

	2000	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1173(f)														0
1176														0
1176(e)(1)		1												1
1176(e)(2)		1												1
1176(e)(2)(B)														0
1176(e)(3)(A)														0
1176(e)(6)		1												1
1176(f)		1												1
1401														0
1405														0
1405(d)(3)														0
1405(d)(3)(C)														0
1407(d)														0
1407(d)(1)														0
1407(d)(2)														0
1407(d)(4)														0
1407(f)(1)														0
1418(d)(2)(A)														0
1421(d)(1)(C)		1												1
1421(d)(3)(A)		1												1
2004(c)(1)(C)														0
2001(j)														0
2011(c)(2)		1												1
2011(c)(2)(A)		1												1
2011(c)(3)														0
2011(c)(3)(A)														0
2011(e)(1)		1												1
2011(f)(3)		1												1
2011(g)		1												1
2011(k)		1												1
2012 Appendix A		4												4
2012(c)(2)		1												1
2012(c)(2)(A)		4												4
2012(c)(3)(A)		3												3
2012(c)(3)(B)		3												0
2012(d)(2)(A)		1												0
2012(d)(2)(D)		1												1
2012(g)(1)		3												3
2012(h)(3)		1												1
2012(h)(4)		2												2
2012(h)(5)		1												1
2012(i)		1												1
2012(j)(2)		1												1
2012(m)		1												1
2012(l)		1												1
H&S 41701		1												1

## Report of January 2000 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. Ablestik Laboratories Case #3210-2 (A. Mednick)	203(b) 2004(f)(1)	Required source test of thermal oxidizer required by 12/31/99. Showed increased NOx concentration. Retest was normal. Confirmatory test again showed high levels. Adjustment and repair will take 90 days.	Not Opposed/Granted	Short variance granted commencing 1/6/00 and continuing through 4/5/00, the final compliance date.	NOx: 40 lbs/day
2. Aera Energy LLC Case #4636-8 (N. Feldman)	203(b) 2004(f)(1) 2012(j)(2)	Two turbines on offshore platform need source testing by 12-31-99. Passed 4 of 6 tests by 12-31-99. Need additional time to complete total testing.	Not Opposed/Granted	Short variance granted commencing 1/11/00 and continuing through 1/31/00, the final compliance date.	None
3. Aera Energy LLC Case #4636-9 (N. Feldman)	203(b) 1110.2 2004(f)(1)	Petitioner's i.c. engines failed their source tests, which must be repeated.	Opposed/Denied	Interim variance dismissed.	
4. Arco Products Company Case #1011-226 (N. Feldman)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii)	Rule 462 requires new source testing by 12-31-99. Source test companies approved late in December and unable to schedule testing by 12-31-99.	Not Opposed/Granted	Short variance granted commencing 1/5/00 and continuing through 3/31/00, the final compliance date.	None
5. Ashland Inc. Case #4796-2 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii)	Petitioner needs additional time to have source test conducted to certify vapor recovery system for truck loading rack.	Not Opposed/Granted	Regular variance granted commencing 1/25/00 and continuing through 5/11/00, the final compliance date.	VOC: To be determined
6. California Pre-Stain, Inc. Case #5120 (J. Panasiti)	1104(c)(1)	Only wholesale painter of raw lumber on West Coast, using noncompliant architectural paints applied by machine. Awaiting research by paint companies.	Not Opposed/Granted	Regular variance granted commencing 1/5/00 and continuing through 1/31/01, the final compliance date	VOC: 25 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Central Plants, Inc. Case #3447-50 (A. Mednick)	2012(c)(2)(A) 2012(g)(1), Appendix A, Chapter 2, Paragraph A.1 2012, Attachment C, B.2.	Petitioner seeks additional time to perform RATA test that was due December 31, 1999. Petitioner worked double shifts but was unable to complete repairs in time to meet December 31 deadline.	Not Opposed/Granted	Interim variance granted commencing 1/6/00 and continuing for 90 days or until the short variance hearing currently scheduled for 2/8/00, whichever comes first	None
8. Central Plants, Inc. Case #3447-48 (A. Mednick)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012(g)(1) 2012(h)(4) 2012, Appendix A, Chp. 2, Paragraph A.1	Additional software problems have surfaced despite assurances and patches from vendors.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 2/29/00 was extended through 4/15/00.	None
9. Central Plants, Inc. Case #3447-49 (A. Mednick)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012(g)(1) 2012(h)(4) 2012, Appendix A, Chp. 2, Paragraph A.1	Additional software problems have surfaced despite assurances and patches from vendors.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 2/29/00 was extended through 4/15/00.	None
10. Equilon Enterprises LLC Case #4982-8 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii)	Petitioner needs additional time to have source test conducted to certify vapor recovery system for truck loading rack.	Not Opposed/Granted	Regular variance granted commencing 1/25/00 and continuing through 5/11/00, the final compliance date.	VOC: To be determined
11. Fansteel/California Drop Forge Case #4284-3 (A. Mednick)	202(a) 2004(f)(1)	Petitioner needs additional time to research and obtain appropriate control equipment for boiler with unusual operating conditions.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 1/15/00 was extended through 5/4/00.	NO <sub>x</sub> : 11.5 lbs/day CO: 22.9 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
12. Home Oil Company of Anaheim Case #5124 (A. Mednick)	461(c)(2)(A) 462(e)(2)(A)(i) 462(d)(2)(A)(i)	Time needed to have vapor recovery system and truck loading rack CARB certified.	Not Opposed/Granted	Regular variance granted commencing 1/13/00 from Rule 461 and continuing through 3/31/00; and from Rule 462 continuing through 6/30/00, the final compliance date.	VOC: 3.3 lbs/day
13. Houston's Restaurants, Inc. dba Bandera Restaurants, Inc. Case #5153 (A. Mednick)	203(b) 401(b)	Time needed to install new control device on related cooking equipment.	Not Opposed/Granted	Interim variance granted commencing 1/6/00 and continuing for 90 days or until the short variance hearing currently scheduled for 2/3/00, whichever comes first	Opacity: to be determined
14. L A. County Civic Center Co-Gen Plant Case #3665-3 (A. Mednick)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B), Appendix A, Chp. 2 & 7 2012(h)(5) 2012(l), Appendix A	Time needed to replace and install CEMS on cogeneration unit.	Not Opposed/Granted	Short variance granted commencing 1/6/00 and continuing through 4/5/00, the final compliance date.	None
15. Mobil Oil Corporation Case #1183-321 (A. Mednick)	203(b) 2004(f)(1) 2011(c)(2) 2012(c)(2)	Alternative monitoring system to be used during the installation of a new SCR for the FCCU.	Not Opposed/Granted	Short variance granted commencing upon District approval of petitioner's alternative monitoring plan and continuing for 90 days.	None
16. Mobil Oil Corporation Case #1183-292 (A. Mednick)	2004(c)(1)(C)	Petitioner needs time to perform multiple additional calculations of emissions, resulting from approval of methodology.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 1/27/00 was extended through 8/2/00.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
17. Paramount Petroleum Corporation Case #2914-63 (Consent Calendar; No Appearance)	202(b) 203(b) 2004(f)(1) 2011(c)(2)(A) 2011(e)(1) 2011(f)(3) 2011(g) 2011(k) Appendix A 2012(c)(2)(A) 2012(d)(2)(A) 2012(d)(2)(D) 2012(g)(1) 2012(h)(3) 2012(i) 2012(m) Appendix A	Prior to start up of equipment requiring CEMS, CEMS must be recertified. Petitioner will require time to recertify CEMS.	Not Opposed/Granted	Short variance granted for 120 hours in a window of time commencing 1/10/00 and continuing through 1/24/00, the final compliance date.	None
18. Plaza Cleaners Case #5121 (J. Panasiti)	203(a) 1421(d)(1)(C) 1421(d)(3)(A)	Time needed to obtain monies for new compliant dry cleaning machine.	Not Opposed/Granted	Regular variance granted commencing 1/5/00 and continuing through 7/5/00, the final compliance date.	VOC: 33.8 lbs/day
19. Tosco Refining Company Case #4900-36 (E. Sernel)	203(b) 464(b)(1) 1176(e)(1) 1176(e)(2) 1176(e)(6) 1176(f) 2004(f)(1)	Petitioner seeks time to repair equipment that was damaged in a fire.	Not Opposed/Granted	Regular variance granted commencing 1/19/00 and continuing through 10/31/00, the final compliance date.	VOC: 120 lbs/day
20. Tosco Refining Company Case #4900-38	203(b) 401 404 405 2004(f)(1) H&S 41701	Petitioner seeks to shutdown ESP for 120 hours in order to conduct repairs.	Not Opposed/Granted	Short variance granted for 120 hours in a window of time commencing 1/19/00 and continuing through 2/18/00, the final compliance date.	PM: 1.1 ton (total) Opacity: Up to 80%
21. Westway Terminal Company Inc. Case #5050-1 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Time needed to have vapor recovery system and truck loading rack certified.	Not Opposed/Granted	Regular variance granted commencing 1/25/00 and continuing through 6/15/00, if District certificatin is sought, or through 8/30/00, if CARB certification is sought.	VOC: To be determined

(e:hb/VarJAN00)