

BOARD MEETING DATE: August 18, 2000

AGENDA NO. 16

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of May 1 through May 31, 2000, the Hearing Board took action on 10 Variances and 0 Appeals.

COMMITTEE: Not Applicable.

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

EC:JD:sm

---

Two summaries are attached: **Rules From Which Variances Were Requested in 2000 and May 2000 Hearing Board Cases.**

The total number of appeals filed during the period May 1 to 31, 2000 is 1, and the total number of appeals filed during the period January 1 to May 31, 2000 is 20.

///

**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	1									3
202(b)		1												1
202(c)														0
208														0
218														0
221(b)														0
401		1		1										2
401(a)														0
401(b)		1	2	1	2									6
401(b)(1)					1									1
401(b)(1)(A)														0
401(b)(1)(B)														0
404		1		1										2
404(a)			1	1										2
404(b)														0
405		1		1										2
405(a)			1	1										2
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)				1	1									2
444(c)				1										1
444(d)					1									1
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	1	2	2	1								10
462(d)(2)(A)(i)		1												1

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)(1)(E)(ii)		4	1	2	2	1								10
462(e)(2)(A)(i)		1												1
462(h)(1)		1	1	1	2									5
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
463(c)(3)(C)						1								1
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
1110.2(d)(1)(B)			1	1										2
1110.2(e)(1)(A)				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)(B)				1										1
1118(d)(5)(A)				1										1
1118(d)(5)(B)				1										1
1118(e)				1										1
1118(f)				1										1
1121					1									1
1122(c)(2)(A)														0
1122(c)(2)(E)														0
1122(c)(3)(A)														0
1122(d)(3)						1								1
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)				1										1
1128(c)(1)				1										1
1128(c)(2)				1										1
1130(c)					1									1
1130(c)(4)														0
1134(d)(1)														0
1134(f)														0
1135(e)														0
1145(c)(2)					1									1
1146(c)(1)														0
1146(c)(7)(B)														0
1146.1(c)														0
1146.1(e)(1)														0
1150.1(e)(6)(A)(i)					1									1
1150.1(e)(6)(A)(ii)					1									1
1150.1(f)(1)(A)(iii)(I)					1									1

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
1150.1(f)(1)(H)(i)					1									1
1151(c)(1)(B)					1									1
1151(c)(8)					1									1
1151(d)(1)														0
1153(c)(1)(B)						2								2
1158(d)(8)			1											1
1166(c)(2)														0
1168(c)(1)			1											1
1171(c)(1)						1								1
1173(c)														0
1173(f)(1)			1	1										2
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(d)(1)			1											1
1401(d)(1)(A)				1										1
1401(d)(1)(B)				1										1
1405(d)(3)(C)														0
1407(d)				1										1
1407(d)(1)														0
1407(d)(2)														0
1407(d)(4)														0
1407(f)(1)														0
1418(d)(2)(A)														0
1421						1								1
1421(d)(1)(C)		1												1
1421(d)(3)(A)		1												1
1421(e)(2)(c)					1									1
2011 Appendix A				1	1	1								3
2011 Attachment C						1								1
2011(c)(2)		1				1								2
2011(c)(2)(A)		1												1
2011(c)(3)(A)				1	1									2
2011(e)(1)		1				1								2
2011(f)(3)		1												1
2011(g)		1												1
2011(k)		1				1								2
2012			1											1
2012 Appendix A		4		3	3	1								11
2012 Attachment C				2	1	1								4
2012(c)(2)		1				1								2
2012(c)(2)(A)		4		1	2									7
2012(c)(3)(A)		3		3	3									9
2012(c)(3)(B)		3		1	2									6
2012(d)(2)(A)		1												1
2012(d)(2)(D)		1												1
2012(g)(1)		3		1	2	1								7
2012(h)(3)		1												1
2012(h)(4)		2			2									4
2012(h)(5)		1												1
2012(i)		1												1
2012(j)(2)		1												1
2012(m)		1		1		1								3
2012(l)		1												1

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

	2000	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total Action</i>
H&S 41701		1	1	2	2									6

## Report of May 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. Atlantic Richfield Co. Case #1011-226 Consent Calendar Item (N. Feldman)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii)	Petitioner seeks to continue operating truck loading rack while awaiting District approval of source test report and awaiting permit modification.	Not Opposed/Granted	EV granted commencing 5/10/00 and continuing through 6/6/00. An RV is currently scheduled for 6/6/00.	None.
2. Easton Sports, Inc. Case #5030-A (J. Panasiti)	1122(d)(3) 1171(c)(1)	Additional time is required to fine-tune new aqueous degreasing system for aluminum tubing.	Not Opposed/Granted	RV granted commencing 5/2/00 and continuing through 6/30/00, the FCD.	VOC: 8 lbs/day
3. Easton Sports, Inc. Case #5030-1A (J. Panasiti)	203(a)	Additional time is required to fine-tune new aqueous degreasing system for aluminum tubing.	Not Opposed/Granted	RV granted commencing 5/2/00 and continuing through 6/30/00, the FCD.	VOC: 8 lbs/day
4. Interstate Brands Corporation Case #4218-3 (J. Panasiti)	203(b) 1153(c)(1)(B)	Support structure for air pollution control system damaged in accidental fire. Time needed to design and build new safer structure.	Not Opposed/Granted	IV granted commencing 5/9/00 and continuing for 90 days or until the SV currently scheduled for 5/24/00, whichever occurs first.	VOC: 476 lbs/day
5. Interstate Brands Corporation Case #4218-3 (J. Panasiti, C. Engelhardt)	203(b) 1153(c)(1)(B)	Support structure for air pollution control system damaged in accidental fire. Time needed to design and build new safer structure.	Not Opposed/Granted	SV granted for 4 weeks in a window-of-time commencing 5/24/00 and continuing through 8/8/00, the FCD.	
6. Mobil Oil Corporation Case #1183-292 (A. Mednick)	2004(c)(1)(C)	More time needed to calculate daily maximums for 1995 to 1997 based on old and new DAHS calculations and failure of transmissions.	Not Opposed/Granted	MFCD/EXT granted commencing 8/2/00 and continuing through 8/31/00, the FCD.	None.
7. Mobil Oil Corporation Case #1183-328 (A. Mednick)	203(b) 2004(f)(1)	Variance needed for preventative maintenance for maximum efficiency to clear lines of two tanks to petitioner's VRS.	Not Opposed/Granted	SV granted for sixteen hours in a window-of-time commencing 5/3/00 and continuing through 8/1/00, the FCD.	ROG: 5 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
8. Mobil Oil Corporation Case #1183-330 (N. Feldman)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2011(k) [including App. A, Ch. 2 (except Section E) & Attach. C 2012(c)(2) 2012(g)(1) 2012(m) [including App. A, Ch. 2 (except Section E) & Attach. C]	Installation of new SCR resulted in severe operational problems. While problems are corrected, stack gases must be vented through auxiliary stack that does not have a CEMS.	Not Opposed/Granted	SV granted commencing 5/23/00 and continuing through 6/23/00, the FCD.	None.
9. One Hour Martinizing Case #5162 (C. Engelhardt)	202 203 1421	Variance requested for time to purchase and install compliant dry cleaning system which petitioner failed to install pursuant to permit application and permit condition issued April 1999.	Opposed/Dismissed	IV dismissed for lack of good cause. RV still scheduled for 7/12/00.	
10. Thums Long Beach Company Case #2515-4 (N. Feldman)	203(b) 2004(f)(1) 463(c)(3)(C)	Petitioner seeks to disconnect tanks from vapor recovery in order to perform upgrades and preventive maintenance.	Not Opposed/Granted	SV granted for four hours in a window-of-time commencing 5/16/00 (the variance shall commence at the time petitioner specifies in the notice they provide to the District pursuant to Condition No. 1) and continuing through 6/6/00, the FCD.	ROG: 2.88 lbs/total for the variance period.

(e:hb/VarMay00)

Key to Acronyms

EV: Emergency Variance

IV : Interim Variance

SV: Short Variance

RV: Regular Variance

H&S: Health & Safety Code

TBD: To be determined

FCD: Final Compliance Date

MFCD/EXT: Modification of Final Compliance Date and Extension of a Variance

<b>Case Name and Case No.</b>	<b>Rules</b>	<b>Reason for Petition</b>	<b>District Position/ Hearing Board Action</b>	<b>Type and Length of Variance</b>	<b>Excess Emissions</b>
-------------------------------	--------------	----------------------------	--	------------------------------------	-------------------------