

BOARD MEETING DATE: December 15, 2000

AGENDA NO. 13

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of September 1 through September 30, 2000, the Hearing Board took action on 16 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 September 2000 Hearing Board Cases.**

The total number of appeals filed during the period September 1 to 30, 2000 is 0, and the total number of appeals filed during the period January 1 to September 30, 2000 is 29.

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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
# of HB Actions*														
Involving Rules														
202														0
202(a)		1		1	1		1			3				7
202(b)		1												1
202(c)														0
208														0
218														0
221(b)														0
401		1		1										2
401(a)							1							1
401(b)		1	2	1	2									6
401(b)(1)					1					1				2
401(b)(1)(A)							1	1	1	1				4
401(b)(1)(B)							1			1				2
403(d)(1)								2	2					4
404		1		1										2
404(a)			1	1						1				3
404(b)														0
405		1		1										2
405(a)			1	1			1			1				4
405(b)														0
407(a)							1		1					2
407(a)(2)														0
431.1(c)(1)														0
431.1(d)(1)														0
444.0														0
444(a)				1	1		1							3
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							2
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	2	2	1	1				16
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	2	2	1	1				16
462(e)(2)(A)(i)		1												1
462(h)(1)		1	1	1	2		1	2		1				9
463(c)(1)(A)									1					1
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)(B)									1					1
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		1					3
1118(d)(2)				1			1		1					3
1118(d)(3)				1			1		1					3
1118(d)(4)(B)				1			1		1					3
1118(d)(5)(A)				1			1		1					3
1118(d)(5)(B)				1			1		1					3
1118(e)				1			1		1					3
1118(f)				1			1		1					3
1121					1									1
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														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(c)								1		1				2
1134(d)								1		1				2
1134(d)(1)														0
1134(f)														0
1134(g)(2)								1						1
1135(c)(3)									2					2
1135(c)(3)(C)									1					1
1135(e)								1						1
1145(c)(2)					1		2	1						4
1145(h)(1)(E)							1							1
1146(c)(1)								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
1146(c)(7)(B)														0
1146.1(c)														0
1150.1(d)(1)(c)(4)								1						1
1150.1(d)(5)							1		1					2
1150.1(d)(6)							2		2					4
1150.1(e)							1							1
1150.1(e)(1)(c)								1						1
1150.1(e)(2)							1		1					2
1150.1(e)(3)							1		1					2
1150.1(e)(1)(C)							2							2
1150.1(e)(2)(C)							1							1
1150.1(e)(3)(C)							1		1					2
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
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				2
1171(c)(1)						1								1
1173(c)														0
1173(f)(1)			1	1										2
1176														0
1176(e)(1)		1					1							2
1176(e)(2)		1					1							2
1176(e)(2)(B)														0
1176(e)(3)(A)														0
1176(e)(6)		1												1
1176(f)		1												1
1189(c)(1)							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)							1			1				2
1407(d)(4)														0
1407(f)(1)														0
1418(d)(2)(A)														0
1421						1								1
1421(d)										1				1
1421(d)(1)(C)		1												1
1421(d)(3)(A)		1												1
1421(e)(2)(c)					1									1
2004(k)							2			1				3
2011 Appendix A				1	1	1								3
2011 Attachment C						1								1
2011(c)(2)		1				1								2
2011(c)(2)(A)		1					1		1	1				4
2011(c)(3)(A)				1	1									2
2011(e)(1)		1				1	1			1				4
2011(f)(3)		1												1
2011(g)		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
2011(k)	1				1								2
2012		1											1
2012 Appendix A	4		3	3	1	2	1	2	2				18
2012 Attachment C			2	1	1				1				5
2012(c)(2)	1				1								2
2012(c)(2)(A)	4		1	2		3	1	4	3				18
2012(c)(3)(A)	3		3	3		2	1	2	3				17
2012(c)(3)(B)	3		1	2		2	1	2	2				13
2012(d)(2)(A)	1												1
2012(d)(2)(D)	1												1
2012(g)(1)	3		1	2	1	2			3				12
2012(h)(3)	1							2					3
2012(h)(4)	2			2		2		2	1				9
2012(h)(5)	1						1		1				3
2012(i)	1												1
2012(j)(2)	1						1						2
2012(m)	1		1		1								3
2012(l)	1								1				2
H&S 41701	1	1	2	2		2	1	1	2				12

Report of SEPTEMBER 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. ARCO Polypropylene LLC Case #1011-244 (A. Mednick)	202(a) 2004(f)(1)	Petitioner seeks time to investigate why control devices are not meeting efficiency requirements specified in permits, and to make any needed repairs.	Not Opposed/Granted	Interim variance granted commencing 9/13/00 and continuing for 90 days or until the regular variance hearing currently scheduled for 11/1/00, whichever comes first.	PM10 4.2 lbs/day
2. ARCO Polypropylene LLC Case #1011-245 (C. Engelhardt)	202(a) 2004(f)(1)	Petitoner has started up new plant and needs time to identify and correct cause of vilation of particulate matter permit condidtion.	Not Opposed/Granted	Interim variance granted commencing 9/28/00 and continuing through 12/21/00 or the regular variance hearing currently scheduled for 11/29/00, whichever comes first.	PM10 12 lbs/day
3. Central Plants Case #3447-60 (C. Engelhardt)	2012(c)(3)(A) 2012(g)(1) 2012 Attachment C, Paragraph B.2.(a)	Boiler powering chiller can't complete RATA until chiller breakdown is repaired.	Not Opposed/Granted	Emergency variance granted commencing 9/28/00 and continuing through 10/15/00.	None
4. Central Plants, Inc. Case #3447-49 (No Appearance; Consent Calendar)	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 Chapter 2 Paragraph A.1	Additional time needed to complete testing of new CEMS/DAS software.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 9/15/00 were extended through 10/31/00.	None
5. City of Glendale Case #3478-17 (J. Panasiti)	1134(c) 1134(d)	Petitioner seeks additional time to obtain District permit to construct control equipment, and then to install the control device.	Not Opposed/Granted	Regular variance granted commencing 9/6/00 and continuing through 2/1/01, the final compliance date.	NO _x 685 lbs/day based on an average 12-hour day
6. Coast Cleaners, Grigor Muradyan Case #5178 (E. Sernel)	203(a) 1421(d)	Needs time to purchase secondary control equipment for dry cleaning system	Not Opposed/Granted	Regular variance granted commencing 9/14/00 and continuing through 11/16/00, the final compliance date.	PERC 20.25 lbs/mo

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Fansteel/California Drop Forge Case #4284-3 (No Appearance; Consent Calendar)	202(a) 2004(f)(1)	Petitioner requests additional time for adjustments to Canon NOx control equipment prior to deciding whether to keep this equipment or purchase different 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 9/26/00 were extended through 9/26/01.	NOx 11.5 lbs/day CO 22.9 lbs/day
8. Industrial Brush Corporation Case #5185 (J. Panasiti)	1168(c)(1)	Petitioner has been using noncompliant adhesive since adoption of the rule in 1993 and needs time to find and test compliant adhesive.	Opposed/Dismissed	Interim variance dismissed.	
9. L.A. County Civic Center Go-Gen Plant Case #3665-3 (A. Mednick)	203(b) 2004(f)(1) 2004(k) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012(h)(5) 2012(l) 2012 Appendix A, Chapters 2 & 7	Need additional time to conduct RATA on CEMS.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 9/14/00 were extended through 11/2/00.	None
10. Liberty Cleaners Case #5169 (A. Mednick)	203(a)	Petitioner's permit expired, requiring him to reapply. BACT would be required for the new permit. Since expiration may be District administrative error, time was granted to allow the District to investigate this situation, and to decide whether to reinstate the old permit, prior to requiring Petitioner to go ahead with new permit and BACT purchase/installation.	Not Opposed/Granted	Regular variance granted commencing 9/27/00 and continuing through 11/26/00, the final compliance date.	PERC 5 gal/mo
11. Mobil Oil Corporation Case #1183-336 (J. Panasiti)	203(b) 2004(f)(1)	Petitioner needs time to design and install enclosure for flange leaking VOCs.	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
12. Mobil Oil Corporation Case #1183-337 (E. Sernel)	203(b) 401(b)(1) 404(a) 405(a) 2004(f)(1) 2011(c)(2)(A) 2011(e)(1) 2012(c)(2)(A) 2012(g)(1) H&S 41701	Variance needed for a two-to three-year turnaround cycle for the FCCU and pollution equipment due at this time.	Not Opposed/Granted	Short variance granted from Rules 203(b), 401(b)(1), 404(a), 405(a), 2004(f)(1), 2011(c)(2)(A), & (e)(1), 2012(c)(2)(A) & (g)(1) and H&S 41701 for 96 hours in a window of time commencing 11/1/00 and continuing through 11/20/00. Short variance granted from Rules 203(b), 2004(f)(1) 2011(c)(2)(A) & (e)(1) and 2012(c)(2)(A) & (g)(1) for 72 hours in a window of time commencing at the time specified in the notice given pursuant to variance Condition No. 6 and ending no later than 1/8/01, the final compliance date.	Opacity up to 60% PM 10.8 tons total for the variance period
13. Southern California Gas Company Case #137-45A (No Appearance; Consent Calendar	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	District lost petitioner's report and paperwork resulting in petitioner not being able to meet final compliance date of previously granted variance.	Not Opposed/Granted	Regular variance granted commencing 9/21/00 and continuing through 12/21/00, the final compliance date.	None
14. Torch Operating Company Case #5089-6 (J. Panasiti)	203(b) 2004(f)(1)	New gas turbine requires further adjustment prior to NOx source testing.	Not Opposed/Dismissed	Interim variance dismissed.	
15. Universal Studios, Inc. Case #4935-3 (No Appearance; Consent Calendar	401(b)(1)(A) 401(b)(1)(B) H&S 41701	Petitioner seeks to operate fog machines to create special effects for its annual Halloween event.	Not Opposed/Granted	Short variance commencing 10/4/00 and continuing through 11/1/00, the final compliance date.	Opacity 40%
16. Vista Metals Corp. Case #4891-1B (J. Panasiti)	1407(d)(2)	Petitioner sought time to develop alternative plan to comply with Rule 1407.	Not Opposed/Denied	Regular variance denied.	

(e:hb/VARSEP00)