

BOARD MEETING DATE: February 18, 2000

AGENDA NO. 13

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of November 1 through November 30, 1999, the Hearing Board took action on 6 Variances and 1 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 November 1999 Hearing Board Cases.**

The total number of appeals filed during the period November 1 to 30, 1999 is 1, and the total number of appeals filed during the period January 1 to November 30, 1999 is 27.

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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		1			9
202(b)				1						1				2
202(c)														0
208					1		1							2
218				1										1
221(b)							1		1					2
401					1		1							2
401(a)										2				2
401(b)				1	1		4			1				7
401(b)(1)		1	2	1										4
401(b)(1)(A)														0
401(b)(1)(B)														0
404											1			1
404(a)				1			2			1				4
404(b)							1			1				2
405											1			1
405(a)							2			1	1			4
405(b)							1			1				2
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
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				2
461(c)(2)(A)		2	2	1		5	10	2		13	1			36
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			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

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
462(h)(1)			5	4		1								10
463(c)(1)											1			1
463(c)(1)(A)											1	1		1
463(c)(1)(B)											1			1
463(c)(1)(C)											1			1
463(c)(1)(E)											1	1		1
463(c)(2)											1			1
463(c)(2)(B)											1			1
463(c)(3)														0
463(c)(3)(B)						1								1
463(c)(3)(C)														0
463(e)(4)											1	1		2
1106.1(c)(1)														0
1106.1(c)(1)(A)														0
1107(c)(2)			1							1				2
1110.2(d)(1)(B)		1												1
1113(c)(2)					1				1					2
1118(d)									1	1		1		2
1118(d)(1)							1							1
1118(d)(2)							1							1
1118(d)(4)							1							1
1118(d)(5)							1							1
1118(e)										1		1		2
1118(f)										1		1		2
1118(g)										1		1		2
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			1		5
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)											1			1
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
1164(c)(2)											1			1
1166(c)(2)														0
1168(c)(1)				1										1
1171(c)(1)		1	1						1			1		4
1173(c)														0
1173(f)														0
1176												1		1
1176(e)(1)						1	1							2
1176(e)(2)(A)							1							1

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
1176(e)(2)(B)						1							1
1176(e)(3)(A)					1								1
1176(e)(5)(A)					1								1
1176(f)(3)					1								1
1401								2		1			3
1405													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
1421(d)(1)(C)						1					1		1
1421(d)(3)(A)											1		1
2004(c)(1)(C)						1				1			2
2001(j)													0
2011(c)(2)			1					1	1	1			4
2011(c)(2)(A)		1								1			2
2011(c)(3)			1										1
2011(c)(3)(A)		1											1
2011(e)(1)								1	1	1			3
2011(g)													0
2011(k) Appdx. A								1	1	1			3
2012 Appendix A										1			1
2012(c)(2)							1	1	1	1			4
2012(c)(2)(A)		1		1					3	3			8
2012(c)(3)									2				2
2012(c)(3)(A)		1							2	2			5
2012(c)(3)(B)									1	1			2
2012(d)(2)(A)									1				1
2012(g)(1)				1				1		2			4
2012(h)(4)									1	1			2
2012(i)													0
2012(m) Appdx. A				1				1	3	1			6
2012 Appendix A									3				3
2015(c)(3)(D)			1										1
H&S 41701	1	1	2	2		3			1				10

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

## Report of November 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. Arlon Adhesives & Films Division Case #5083	N/A	Petitioner's application for ERCs for ROG emissions was denied by the District.	Opposed/Denied	Appeal: Hearing Board upheld Executive Officer's denial of petitioner's application for ERCs.	N/A
2. Easton Sports, Inc. Case #5030 and Case #5031 (J. Panasiti)	1122(d)(3) (#5030) 1171(c)(1) (#5030) 203(b) (#5030-1)	Additional time required for installing and debugging aqueous degreasing system for aluminum tubing.	Not Opposed/Granted	Modification of the final compliance date and extension of a variance granted commencing 12/1/99 and continuing through 3/31/00, the final compliance date.	VOC: 100 lbs/day
3. Mobil Oil Corporation Case #1183-312 (J. Panasiti)	203(b) 1118(d) 1118(e) 1118(f) 1118(g)	Petitioner seeks additional time to calibrate its analyzer and obtain District approval of its revised Flare Monitoring and Recording Plan.	Not Opposed/Granted	Regular variance granted commencing 11/23/99 and continuing through 3/10/00, the final compliance date.	None
4. Plaza Cleaners Case #5121 (J. Panasiti)	203(a) 1421(d)(1)(C) 1421(d)(3)(A)	Time needed to submit applications and receive permit to construct for dry cleaning equipment.	Not Opposed/Granted	Interim variance granted commencing 11/30/99 and continuing for 90 days or until the regular variance hearing currently scheduled for 1/5/00, whichever comes sooner.	VOC: to be determined
5. SABA Textiles, Inc. Case #5114 (A. Mednick)	203(b)	Petitioner sought variance from permit condition limiting monthly fuel use. Petitioner had not learned of the violation earlier because petitioner had failed to install a fuel meter, in violation of another permit condition.	Opposed/Dismissed	Interim variance dismissed.	
6. Tosco Refining Company Case #4900-34 (C. Engelhardt)	203(b) 2004(f)(1) 463(c)(1)(A) 463(c)(1)(E) 463(e)(4)	Petitioner sought time to repair or replace tank seals that were damaged during the Hector Mine earthquake.	Not Opposed/Granted	Short variance granted commencing 11/23/99 and continuing through 12/31/99, the final compliance date.	VOC: to be determined

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Tosco Refining Company Case #4900-36 (E. Sernel)	203(b) 1176 2004(f)(1)	Petitioner sought a variance to continue operating its Oil Recovery Unit while it repaired damage caused by a fire.	Not Opposed/Granted	Interim variance granted commencing 11/18/99 and continuing for 90 day or until the regular variance hearing, currently scheduled for 1/19/00, whichever comes sooner.	VOC: 120 lbs/day

(e:hb/VarNov99)