

BOARD MEETING DATE: January 21, 2000

AGENDA NO. 17

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of October 1 through October 31, 1999, the Hearing Board took action on 18 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 1999 and October 1999 Hearing Board Cases.**

The total number of appeals filed during the period October 1 to 31, 1999 is 1, and the total number of appeals filed during the period January 1 to October 31, 1999 is 26.

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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		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
463(c)(1)(B)											1			1
463(c)(1)(C)											1			1
463(c)(1)(E)											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
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				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
1118(f)										1				1
1118(g)										1				1
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					4
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					3
1173(c)														0
1173(f)														0
1176(e)(1)						1	1							2
1176(e)(2)(A)							1							1
1176(e)(2)(B)							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)(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
1418(d)(2)(B)														0
1421(d)(1)(C)							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) Appdx A														0
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 October 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. Arco Products Co. Case #1011-225 (A. Mednick)	203(b) 463(c)(1) 463(c)(2) 463(e)(4) 2004(f)(1)	Unexpected damage to above ground tanks due to Hector mine earthquake requiring repairs to hatches pontoons and roofs.	Not Opposed/Granted	Emergency variance granted commencing 10/21/99 and continuing through 11/19/99. A short variance hearing is scheduled for 11/10/99.	ROG: 174 lbs/day total over a 30-day period.
2. Central Plants Case #3447-48 & 49 (N. Feldman)	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]	Errors discovered in CEMS data reporting. Time needed to identify and correct problem.	Not Opposed/Granted	Regular variance granted commencing 10/27/99 and continuing through 2/29/2000, the final compliance date.	None.
3. Chevron Products Co. Case #831-296 (A. Mednick)	203(b) 405(a) 2004(f)(1) 2011(c)(2)(A) 2012(c)(2)(A)	Need to take FCCU CO boiler off line to repair; will temporarily require alternate method of calculating/recording emissions	Not Opposed/Granted	Short variance granted for 18 days in a 45-day window-of-time commencing 11/1/99 and continuing through 12/15/99, the final compliance date.	CO: To be determined.
4. Consolidated International Automotive, Inc. Case #4961-1 (N. Feldman)	1401	Petitioner awaiting results of source test to show compliance.	Not Opposed/Granted	Short variance granted commencing 10/21/99, and continuing through 12/7/99, the final compliance date.	None.
5. The Dow Chemical Co. Case #3234-9 (A. Mednick)	203(b)	Petitioner seeks to load ethylene glycol into marine vessels at Long Beach facility, due to expected strike in Canada that will prevent petitioner from loading marine vessels in Vancouver.	Not Opposed/Granted	Short variance granted to commence upon petitioner's notification to the District that loading will begin, but no later than 1/1/2000, and continue for 90 days or until completion of loading of the last ship, whichever comes first.	VOC: 11.12 lbs/total for entire variance period.

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Fansteel California Drop Forge - Case #4284-3 (A. Mednick)	202(a) 2004(f)(1)	Vendor of pollution control system continues to be unable to make system work dependably and consistently; petitioner wishes to stop work on this system and investigate alternatives.	Opposed/Granted	Regular variance granted commencing 10/19/99 and continuing through 1/15/2000, the final compliance date.	NO _x : 11.5 lbs/day CO: 22.9 lbs/day
7. Filtrol Corporation Case #5111 (C. Engelhardt)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A)	Unanticipated failure of NO _x analyzer requiring off site repairs.	Not Opposed/Granted	Interim variance granted commencing 10/19/99 and continuing for 90 days or until 11/23/99, when the short variance hearing is scheduled to be held, whichever occurs first.	None.
8. GATX Tank Storage Terminals Corp. Case #4005-12 (C. Engelhardt)	203(b) 463(c)(1)(A) 463(c)(1)(B) 463(c)(1)(C) 463(c)(1)(E)	Time required to make repairs to seals on floating roof tanks caused by October 16, 1999 earthquake.	Not Opposed/Granted	Interim variance granted commencing 10/28/99 and continuing for 90 days or until 12/7/99, when the short variance hearing is scheduled to be held, whichever occurs first.	VOC: 151 lbs/day at Carson 19.5 lbs/day at L.A. Harbor
9. Jefferson Smurfit Corp. Case #5004-3 (J. Panasiti)	203(b) 2004(f)(1)	Explosion in gas turbine engine damaged air pollution control device. Time needed for repairs.	Not Opposed/Granted	Interim variance granted commencing 10/7/99 and continuing for 90 days or until the regular variance scheduled for 11/30/99.	CO: 104 lbs/day
10. M.B.B.P. Inc., dba Sunrise Jet Center Case #5103 (A. Mednick)	203(a) 461(c)(2)(A)	Phase II VRS not yet certified by CARB.	Not Opposed/Granted	Regular variance granted commencing 10/6/99 and continuing through 6/30/2000, the final compliance date.	VOC: 50 lbs/month
11. Mobil Oil Corporation Case #1183-292 (A. Mednick)	2004(c)(1)(C)	Awaiting District approval of calculation methodology in order to reprogram CEMS and recalculate emission data.	Not Opposed/Granted	Modification of the Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 10/8/99, were extended through 1/27/2000, the final compliance date.	None.

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 #1183-315 (E. Sernel)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2011(k) (Appendix A, Chp. 2 [except for Section E] & Attach. C) 2012(c)(2) 2012(g)(1) 2012(m) (including Appendix A, Chp. 2 [except for Section E] and Attach. C)	Time needed to repair waste heat steam generator stack and associated CEMS at FCCU.	Not Opposed/Granted	Emergency variance granted commencing 10/21/99 and continuing through 11/12/99, the final compliance date.	None.
13. Owens-Brockway Glass Container, Inc. Case #4472-10 (C. Engelhardt)	203(b) 2004(f)(1) 404 405	Time needed to repair two electrostatic precipitators, which failed suddenly despite having recently been repaired.	Not Opposed/Granted	Emergency variance granted commencing 10/19/99 and continuing through 11/12/99, the final compliance date.	PM: 367.2 lbs/day
14. SFPP, L.P. Case No. 4215-5 (N. Feldman)	203(b) 463(c)(2)(B)	Petitioner seeks time to repair wiper seal damaged by Hector Mine earthquake.	Not Opposed/Granted	Emergency variance granted commencing 10/27/99, and continuing through 11/1/99, the final compliance date.	VOC: 0.004 lb/day
15. Stocker Resources, Inc. Case #5042-1 (C. Engelhardt)	203(b) 2004(f)(1)	Petitioner awaiting action on application for change in permit conditions.	Not Opposed/Granted	Regular variance granted commencing 10/21/99 and continuing through 1/15/2000, the final compliance date.	NO _x ROG CO SO _x PM: To be determined.
16. Sunshine Plastics Corporation Case #4832-1 (N. Feldman)	203(a) 1130(c)	Petitioner seeks time to install incinerator to control VOC emissions. Petitioner had previously installed biofilter system, and spent over two years adjusting and testing the system. District recently denied permit to operate biofilter system for not meeting required efficiency, and petitioner must now install a different control technology.	Not Opposed/Granted	Regular granted commencing 10/5/99 and continuing through 5/1/2000, 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
17. TRW, Inc. Case #3534-13 (C. Engelhardt)	2004(f)(1) 1164(c)(2)	Failure of thermal oxidizer of a photoresist system requiring new media with new ceramic bars, this is one of a kind system.	Not Opposed/Granted	Emergency variance granted commencing 10/6/99 and continuing through 10/15/99, the final compliance date.	VOC: 20.2 lbs/day
18. Torch Operating Company Case #5089 (A. Mednick)	203(b) 2004(f)(1)	Replacement of prior emergency flare with two new turbines as well as a new permit and conditions.	Not Opposed/Granted	Regular variance granted commencing 10/7/99 and continuing through 12/30/99, the final compliance date.	ROG: 171.56 lbs/day NO _x : 167.37 lbs/day SO _x : 5.90 lbs/day CO: 922.38 lbs/day PM: 23.54 lbs/day

(e:hb/VarOct99)