

BOARD MEETING DATE: May 19, 2000

AGENDA NO. 24

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of February 1 through February 29, 2000, 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 2000 and February 2000 Hearing Board Cases.**

The total number of appeals filed during the period February 1 to 29, 2000 is 7, and the total number of appeals filed during the period January 1 to February 29, 2000 is 19.

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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
202(b)		1												1
202(c)														0
208														0
218														0
221(b)														0
401		1												1
401(a)														0
401(b)		1	2											3
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
404		1												1
404(a)			1											1
404(b)														0
405		1												1
405(a)			1											1
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(c)														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	1											5
462(d)(2)(A)(i)		1												1
462(e)(1)(E)(ii)		4	1											5

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											2
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
1110.2(d)(1)(B)			1											1
1110.2(e)(1)(A)														0
1118(d)(1)														0
1118(d)(2)														0
1118(d)(3)														0
1118(d)(4)(B)														0
1118(d)(5)(A)														0
1118(d)(5)(B)														0
1118(e)														0
1118(f)														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
1158(d)(8)			1											1
1166(c)(2)														0
1168(c)(1)			1											1
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)(1)			1											1
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)														0
1401(d)(1)(B)														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
2011 Appendix A														0
2011(c)(2)		1												1
2011(c)(2)(A)		1												1
2011(c)(3)(A)														0
2011(e)(1)		1												1
2011(f)(3)		1												1
2011(g)		1												1
2011(k)		1												1
2012			1											1
2012 Appendix A		4												4
2012 Attachment C														0
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											2

Report of February 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. AES Placerita, Inc. Case #3694-7 (N. Feldman)	2012	Petitioner cannot conduct required test required by 12/31/99 because facility has been inoperative since 11/2/99.	Opposed/Dismissed	Interim variance dismissed.	
2. Arco Products Company Case #1011-234 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None
3. Arco Products Company Case #1011-235 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None
4. Arco Products Company Case #1011-236 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None
5. Arco Products Company Case #1011-237 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Arco Products Company Case #1011-238 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None
7. Arco Products Company Case #1011-239 (C. Engelhardt)	203(b)	Petitioner seeks variance to operate while appeal is pending on new permit operating conditions.	Not Opposed/Granted	Interim variance granted commencing 2/24/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/30/00, whichever comes first.	None
8. Chemoil Terminals Corporation Case #4970-2 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(2) 462(h)(1)	Petitioner needs additional time to source test vapor recovery and disposal system serving four truck loading racks.	Not Opposed/Granted	Regular variance granted commencing 2/8/00 and continuing through 6/1/00, the final compliance date.	To be determined
9. Chevron Products Company Case #831-297 (C. Engelhardt)	203(b) 1158(d)(8) 2004(f)(1)	Time needed to clean up sulfur spill and repair hole in sulfur storage tank.	Opposed/Granted	Emergency variance granted commencing 2/24/00 and continuing through 3/18/00.	None
10. Crimson Resources Management Case #5093-1 (N. Feldman)	203(a) 462(d)(2)(A)	Pipeline to deliver product to customer failed. Petitioner desires to use uncontrolled, unpermitted, noncompliant system to load tanker trucks.	Opposed/Denied	Regular variance denied.	
11. Decore Plating, Inc. Case #5129 (J. Panasiti)	203(b) 1401(d)(1)	New permit severely limits amp hours per year. Petitioner needs time to secure and install control equipment.	Not Opposed/Granted	Regular variance granted commencing 2/9/00 and continuing through 6/15/00, the final compliance date.	Hexavalent Chromium: less than 1 lb. total for variance period
12. Good West Rubber Linings Case #5130 (A. Mednick)	1168(c)(1)	Petitioner unable to find compliant specialty adhesive.	Not Opposed/Granted	Regular variance granted commencing 2/9/00 and continuing through 10/3/00, 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
13. Houston's Restaurants, Inc., dba Bandera Restaurants, Inc. Case #5133 (A. Mednick)	203(b) 401(b)	Time needed to install control equipment on food processing equipment.	Not Opposed/Granted	Short variance granted commencing 2/3/00 and continuing through 4/5/00.	Opacity: To be determined
14. Mobil Oil Corporation Case #1183-317 (A. Mednick)	203(b) 401(b) 404(a) 405(a) 2004(f)(1) H&S 41701	A total of 5 fields of the ESP are inoperative and appear stable since earthquake. Minimal excess emissions of 1 lb/day is anticipated. Repair of the ESP is expected with the FCCU turnaround in November 2000.	Not Opposed/Granted	Regular variance granted commencing 2/8/00 and continuing through 12/7/00, the final compliance date.	To be determined
15. Mobil Oil Corporation Case #1183-323 (J. Panasiti)	203(b) 2004(f)(1)	Continued NOx emission reductions over last several years has resulted in need for more precise metering of ammonia to SCR in order to continue to meet ammonia slip limit in permit condition. Time needed to secure and install new metering valve.	Not Opposed/Granted	Short variance granted commencing 2/1/00 and continuing through 4/30/00.	To be determined
16. Mobil Oil Corporation Case #1183-324 (N. Feldman)	203(b) 1173(f)(1) 2004(f)(1)	Petitioner desires to use leaking compressor to fill refrigerated butane storage tank in order to prevent excess emissions.	Not Opposed/Granted	Short variance granted commencing 2/15/00 and continuing through 5/15/00.	VOC: 0.111 lb/day
17. Torch Operating Company Case #5089-2 (J. Panasiti)	1110.2(d)(1)(B)	Miscommunication with District staff led petitioner to believe source test showed violation.	Not Opposed/ Dismissed	Interim variance dismissed.	
18. Torch Operating Company Case #5089-3 (J. Panasiti)	203(b) 2004(f)(1)	Source test showed violation, petitioner needs time to conduct additional testing which it believes will show compliance.	Not Opposed/Granted	Interim variance granted commencing 2/1/00 and continuing for 90 days or until regular variance hearing currently scheduled for 3/15/00, whichever comes first.	ROG: 0.012 lb/day

(e:hb/VarFeb00)