

BOARD MEETING DATE: September 15, 2000

AGENDA NO. 15

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of June 1 through June 30, 2000, the Hearing Board took action on 26 Variances and 0 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 2000 and June 2000 Hearing Board Cases.**

The total number of appeals filed during the period June 1 to 30, 2000 is 3, and the total number of appeals filed during the period January 1 to June 30, 2000 is 23.

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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
<b># of HB Actions*</b>														
<b>Involving Rules</b>														
202														0
202(a)		1		1	1		1							4
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
401(b)(1)(A)							1							1
401(b)(1)(B)							1							1
403(d)(1)(1)														2
404		1		1										2
404(a)			1	1										2
404(b)														0
405		1		1										2
405(a)			1	1			1							3
405(b)														0
407(a)							1							1
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							12
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							12
462(e)(2)(A)(i)		1												1
462(h)(1)		1	1	1	2		1							6
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							2
1118(d)(2)				1			1							2
1118(d)(3)				1			1							2
1118(d)(4)(B)				1			1							2
1118(d)(5)(A)				1			1							2
1118(d)(5)(B)				1			1							2
1118(e)				1			1							2
1118(f)				1			1							2
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
1134(d)														1
1134(d)(1)														0
1134(f)														0
1134(g)(2)														1
1135(e)														0
1145(c)(2)					1		2							3
1145(h)(1)(E)							1							1
1146(c)(1)														0
1146(c)(7)(B)														0
1146.1(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
1150.1(d)(1)(c)(4)														1
1150.1(d)(5)							1							1
1150.1(d)(6)							2							2
1150.1(e)							1							1
1150.1(e)(1)(c)														1
1150.1(e)(2)							1							1
1150.1(e)(3)							1							1
1150.1(e)(1)(C)							2							2
1150.1(e)(2)(C)							1							1
1150.1(e)(3)(C)							1							1
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
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
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
2004(k)							2							2
2011 Appendix A				1	1	1								3
2011 Attachment C						1								1
2011(c)(2)		1				1								2
2011(c)(2)(A)		1					1							2
2011(c)(3)(A)				1	1									2
2011(e)(1)		1				1	1							3
2011(f)(3)		1												1
2011(g)		1												1
2011(k)		1				1								2
2012			1											1
2012 Appendix A	4			3	3	1	2							13

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
2012 Attachment C			2	1	1								4
2012(c)(2)	1				1								2
2012(c)(2)(A)	4		1	2		3							10
2012(c)(3)(A)	3		3	3		2							11
2012(c)(3)(B)	3		1	2		2							9
2012(d)(2)(A)	1												1
2012(d)(2)(D)	1												1
2012(g)(1)	3		1	2	1	2							9
2012(h)(3)	1												1
2012(h)(4)	2			2		2							6
2012(h)(5)	1												1
2012(i)	1												1
2012(j)(2)	1												1
2012(m)	1		1		1								3
2012(l)	1												1
H&S 41701	1	1	2	2		2							8

## Report of JUNE 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. 3D Systems, Inc. Case #5117 (No Appearance; Consent Calendar)	1122(d)(3)	Additional time required to complete evaluation of compliant water based cleaning solvent.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/00 were extended through 6/30/01.	VOC 4.5 lbs/day
2. Aircraft Service International Group Case #4998 (A. Mednick)	461(c)(2)(A)	Petitioner needs additional time to retrofit new vehicle, which will replace final noncompliant existing vehicle.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/30/00 were extended through 8/22/00.	VOC under 5 lbs/day
3. Atlantic Richfield Company Case #1011-226 (No Appearance; Consent Calendar)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii)	Petitioner seeks additional time to obtain change in permit condition; source test has been completed and submitted to the District.	Not Opposed/Granted	Regular variance granted commencing 6/6/00 and continuing through 12/6/00, the final compliance date.	None
4. BFI Waste Systems of North America Case #3811-6 (J. Panasiti)	1150.1(e)(2) 1150.1(e)(3)	Petitioner sought variance from monitoring due to be completed by June 30, 2000.	Not Opposed/Granted	Short variance denied.	
5. Big Ship Productions, Inc. Case #5163 (No Appearance; Consent Calendar)	401(b)(1)(A) 401(b)(1)(B) H&S 41701	Will exceed opacity limits for three days during filming of major motion picture.	Not Opposed/Granted	Short variance granted commencing 6/6/00 and continuing through 6/8/00, the final compliance date.	Opacity up to 80%

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. California Portland Cement Co. Case #3221-16 (E. Sernel)	203(b) 2004(f)(1) 2011(e)(1)	Time needed to have CEMS analyzer at kiln # 3 recertified by District.	Not Opposed/Granted	Emergency variance granted commencing 6/14/00 and continuing until such time as the report is submitted to the District but no later than 7/13/00, the final compliance date.	None
7. Central Plants, Inc. Case #3447-48 (No Appearance; Consent Calendar)	203(b) 2004(f)(1) 2004(k) 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 required to complete final testing of software to correct DAS-introduced errors in CEMS data processing.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variances and final compliance dates which extended through 6/30/00 were extended through 8/15/00.	None
8. Central Plants, Inc. Case #3447-49 (No Appearance; Consent Calendar)	203(b) 2004(f)(1) 2004(k) 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 required to complete final testing of software to correct DAS-introduced errors in CEMS data processing.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variances and final compliance dates which extended through 6/30/00 were extended through 8/15/00.	None
9. Chemoil Terminals Corporation Case #4970-2 (No Appearance; Consent Calendar)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Need additional time for District to complete source test review.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/1/00 were extended through 8/9/00.	None
10. Chevron Products Company Case #831-300 (C. Engelhardt)	203(b) 407(a) 2004(f)(1) 2011(c)(2)(A) 2012(c)(2)(A)	Unexpected breakdown of CO boiler requiring repairs as soon as possible.	Not Opposed/Granted	Emergency variance granted commencing 6/15/00 and continuing through 7/12/00, the final compliance date.	CO to be determined

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
11. City of Vernon, Light & Power Department Case #4957-2 (N. Feldman)	203(b) 2004(f)(1)	Petitioner will exceed operating permit limit of six hours per day in order to supply power to the California electric power grid.	Not Opposed/Dismissed	Interim variance dismissed.	
12. County Sanitation Districts, Los Angeles County Case #3715-13 (No Appearance; Consent Calendar)	1150.1(d)(6) 1150.1(e)(1)(C)	Time required to install additional gas collection wells to correct exceedances in areas not previously required to be monitored.	Not Opposed/Granted	Short variance granted commencing 6/15/00 and continuing through 7/31/00, the final compliance date.	Methane to be determined
13. County Sanitation Districts, Los Angeles County Case #3715-14 (No Appearance; Consent Calendar)	1150.1(d)(6) 1150.1(e)(1)(C)	Time required to install additional gas collection wells to correct exceedances in areas not previously required to be monitored.	Not Opposed/Granted	Short variance granted commencing 6/15/00 and continuing through 9/3/00, the final compliance date.	Methane to be determined
14. Damapong Textile, Inc. Case #5158 (N. Feldman)	202(a)	Petitioner requested time to install emission control equipment.	No Position/Denied	Regular variance denied.	
15. Eastern Municipal Water District Case #4937-9 (N. Feldman)	203(b)	Scrubber must be taken off-line for maintenance.	Not Opposed/Granted	Interim variance granted for 72 hours in a window of time commencing 6/27/00 and continuing through 7/31/00. A regular variance hearing is currently scheduled for 8/10/00, whichever comes first.	H <sub>2</sub> S to be determined
16. Equilon Enterprises LLC Case #4982-11 (C. Engelhardt)	1189(c)(1)	Source test required of Hydrogen plant boiler by 7/1/00. Boiler broke down and has been out of service since 4/1/00. Will rebuild and test same by 9/00.	Not Opposed/Granted	Short variance granted commencing 7/1/00 and continuing through 9/29/00, 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
17. Garden Grove Sanitary District Case # 5167 (C. Engelhardt)	1150.1(e)	Petitioner's Alternative Compliance Plan was disapproved. Time required to design and install additional extraction wells.	Not Opposed/Dismissed	Interim variance dismissed.	
18. Joseph Dorman Case #5164 (C. Engelhardt)	444(a)	Variance requested to allow open burning of dead trees.	Opposed/Not granted	Short variance not granted.	
19. K2M Mobile Treatment Services, Inc. Case #4808-1 (E. Sernel)	203(b)	Petitioner accepted contract that called for duties that would not be in compliance with their existing permits.	Opposed/Dismissed	Emergency variance dismissed.	
20. Mattel, Inc. Case #3216-2 (J. Panasiti)	203(b) 1145(c)(2) 1145(h)(1)(E)	Petitioner requires time to research, develop and test water based coatings. Previously believed was within limits.	Not Opposed/Dismissed	Interim variance dismissed.	
21. Matthews International Corporation Case #4863 (C. Engelhardt)	1407(d)(2)	Additional time needed to fabricate and install new Gortex bags in baghouse, and to conduct testing.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 7/7/00 were extended through 5/16/01.	None
22. Mobil Oil Corporation Case #1183-331 (J. Panasiti)	203(b) 1176(e)(1) 1176(e)(2) 2004(f)(1)	Petitioner seeks to disconnect waste water system from incinerators and associated vapor recovery system in order to repair blocked valve.	Not Opposed/Granted	Short variance granted for 8 hours in a window of time commencing 6/8/00 and continuing through 7/8/00, the final compliance date.	None
23. Mobil Oil Corporation Case #1183-312 (No Appearance; Consent Calendar)	1118(d)(1) 1118(d)(2) 1118(d)(3) 1118(d)(4)(B) 1118(d)(5)(A) 1118(d)(5)(B) 1118(e) 1118(f)	Petitioner seeks additional time to determine cause of analyzer failure, repair analyzer, and obtain District approval for its revised Flare Monitoring and Recording Plan.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/19/00 were extended through 9/14/00.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
24. Sbicca of California Case #4757 (E. Sernel)	1145(c)(2)	Additional time needed to test compliant coatings on shoe products.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 6/24/00 were extended through 6/30/01.	VOC 15 lbs/day
25. Union Pacific Railroad Case #4979-1 (J. Panasiti)	401(a) 405(a) H&S 41701	Short variance to permit a steam locomotive in the basin during the Democratic National Convention. Engine will be "under fire" with minimal excess emissions.	Not Opposed/Granted	Short variance granted commencing 8/6/00 and continuing through 8/20/00, the final compliance date.	Particulate 3 lbs/hr not to exceed 140 hours and 1 lb/hr for standing, not to exceed 8 hours Opacity up to 80%
26. Waste Management Disposal Services of California, Inc. Case #3824-5 (C. Engelhardt)	203(b) 1150.1(d)(5) 1150.1(d)(6) 1150.1(e)(2)(C) 1150.1(e)(3)(C)	Time required to install additional gas collection wells to correct exceedances in areas not previously required to be monitored.	Not Opposed/Granted	Regular variance granted commencing 6/7/00 and continuing through 1/31/01, the final compliance date.	VOC to be determined

(varJUN00)