

BOARD MEETING DATE: February 16, 2001

AGENDA NO. 20

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of November 1 through November 30, 2000, the Hearing Board took action on 13 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 November 2000 Hearing Board Cases.**

The total number of appeals filed during the period November 1 to 30, 2000 is 2, and the total number of appeals filed during the period January 1 to November 30, 2000 is 31.

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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)										3			3
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					1		3
461(c)(2)(B)											1		1
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
461(e)(5)										1			1
462(c)(1)(A)(ii)											1		1
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		2		18

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(d)(2)(A)(i)		1												1
462(e)(1)(E)(ii)		4	1	2	2	1	2	2	1	1	1	3		20
462(e)(2)(A)(i)		1												1
462(h)(1)		1	1	1	2		1	2		1		3		12
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	1		3
463(c)(3)(C)						1								1
464(b)(1)		1												1
1104(c)(1)		1												1
1106(c)(1)												1		1
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			2
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

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	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		2	
1151(c)(8)					1									1	
1151(2)												1		1	
1151(5)												1		1	
1151(d)(1)												1		1	
1151(e)(1)												1		1	
1151(e)(2)												1		1	
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	
1175(c)(2)												1		1	
1176														0	
1176(e)(1)		1					1				1			3	
1176(e)(2)		1					1				1			3	
1176(e)(2)(B)														0	
1176(e)(3)(A)														0	
1176(e)(6)		1									1			2	
1176(f)		1									1			2	
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	1			4	
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	

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2000	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2011(c)(3)(A)			1	1									2
2011(e)(1)	1				1	1			1				4
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	1	2	2	1	2		21
2012 Attachment C			2	1	1				1	2	1		7
2012(c)(2)	1				1								2
2012(c)(2)(A)	4		1	2		3	1	4	3	3	1		22
2012(c)(3)(A)	3		3	3		2	1	2	3	1	1		19
2012(c)(3)(B)	3		1	2		2	1	2	2	1	1		14
2012(d)(2)(A)	1												1
2012(d)(2)(D)	1												1
2012(g)(1)	3		1	2	1	2			3	2			14
2012(h)(3)	1							2					3
2012(h)(4)	2			2		2		2	1	1			10
2012(h)(5)	1						1		1		1		4
2012(i)	1												1
2012(j)(2)	1						1						2
2012(m)	1		1		1								3
2012(l)	1								1		1		3
H&S 41701	1	1	2	2		2	1	1	2				12

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Report of November 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. Ashland Inc. Case No. 4796-3 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Petitioner is waiting for the District to complete its review of the source tests for the loading rack.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 11/15/00 were extended through 5/15/01.	None
2. BAE Systems Case No. 5020-A (E. Sernel)	203(a) 1106(c)(1)	Petitioner located, tested, and qualified a compliant adhesive, and submitted a Notice of Final Compliance to the District, after which it was informed by the manufacturer that the product would not be available. Needs time to work with the manufacturer or to locate, test, and qualify an alternate product.	Not Opposed/Granted	Emergency variance granted commencing 11/29/00 and continuing through 12/28/00, the final compliance date.	VOC 11.2 lbs/day
3. Chemoil Terminal Corporation Case No. 4970-2 (C. Engelhardt)	462(c)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Time needed to obtain District certification for Rule 462 and CARB certification for Rule 461 for VRS serving truck-loading rack.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 11/9/00 were extended through 3/31/01.	None
4. Coronet Concrete Products, Inc. Case No. 5191 (J. Panasiti)	203(b)	Time needed to have District change permit to operate conditions.	Not Opposed/Granted	Regular variance granted commencing 11/21/00 and continuing through 3/31/01, the final compliance date.	PM 9 lbs/day
5. Dart Container Corporation of California Case No. 3720-2 (E. Sernel)	203(b) 2004(f)(1) 1175(c)(2)	Petitioner cannot use foam product ageing rooms required by permit conditions due to order by fire dept. after two fires.	Not Opposed/Granted	Interim variance granted commencing 11/15/00 and continuing for 90 days or until the regular variance currently scheduled for 1/3/01.	VOC 991 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. The Dot Printer, Inc. Case No. 4954-1 (J. Panasiti)	203	Petitioner seeks to continue operation while making repairs to control equipment.	Opposed/Dismissed	Interim variance dismissed.	
7. Equilon Enterprises LLC Case No. 4982-8 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Petitioner is waiting for the District to complete its review of the source tests for the loading rack.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 11/15/00 were extended through 5/15/01.	None
8. Los Angeles County Civic Center Co-Gen Plant Case No. 3665-3 (C. Engelhardt)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012 Appendix A, Chapter 2 2012 Appendix A, Chapter 7 2012(h)(5) 2012(l)	Additional time needed to pass RATA test after making repairs to CEMS.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance date which extended through 11/2/00 were extended through 1/31/01.	None
9. Los Angeles Department of Water and Power Case No. 1263-45 (E. Sernel)	203(b) 2004(f)(1) 2012 Appendix A, Attachment C, Section B, Part 2	RATA test delayed on Boiler Haynes 6, which is shut down at this time. Will do test when boiler comes on line next summer.	Not Opposed/Granted	Regular variance granted commencing 1/1/01 and continuing through 7/31/01, the final compliance date.	None
10. Meaders Cleaners of San Francisco Case No. 5193 (E. Sernel)	203(b)	Petitioner seeks to exceed limit in permit condition.	Not Opposed/No Action	Motion to grant regular variance failed, for lack of three (3) concurring votes.	
11. Mobil Oil Corporation Case No. 1183-343 (E. Sernel)	203(b) 2004(f)(1) 463(c)(3)(B)	Petitioner needed to disconnect a tank from the vapor recovery system in order to make repairs.	Not Opposed/Granted	Short variance granted commencing 11/22/00 and continuing through 12/22/00, the final compliance date.	VOC less than 1 pound in total
12. Nygren/Carr Properties, Inc., dba ARCO AM/PM Case No. 5200 (E. Sernel)	461(c)(2)(A) 461(c)(2)(B)	Petitioner needs to obtain CARB certification for its gasoline storage and dispensing equipment.	Opposed/Dismissed	Interim variance dismissed.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
13. Transtar Autobody Technologies, Inc. Case No. 4902-1 (J. Panasiti)	1151(c)(1)(B) 1151(d)(1) 1151(2) 1151(5) 1151(e)(1) 1151(e)(2)	Manufacturer of key ingredient for producing petitioner's compliant coatings has discontinued production.	Opposed/Granted	Regular Product variance granted commencing 12/1/00 and continuing through 1/23/01, the final compliance date.	VOC to be determined