

BOARD MEETING DATE: January 19, 2001

AGENDA NO. 13

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of October 1 through October 31, 2000, the Hearing Board took action on 15 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 October 2000 Hearing Board Cases.**

The total number of appeals filed during the period October 1 to 31, 2000 is 0, and the total number of appeals filed during the period January 1 to October 31, 2000 is 29.

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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							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
461(e)(5)										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				16
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	2	1	1	1			17	
462(e)(2)(A)(i)		1												1	
462(h)(1)		1	1	1	2		1	2		1				9	
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			2	
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		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	
1146(c)(7)(B)														0	

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2000	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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)(l)				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				2
1171(c)(1)					1								1
1173(c)													0
1173(f)(1)		1	1										2
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
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

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 Appendix A	4		3	3	1	2	1	2	2	1			19
2012 Attachment C			2	1	1				1	2			7
2012(c)(2)	1				1								2
2012(c)(2)(A)	4		1	2		3	1	4	3	3			21
2012(c)(3)(A)	3		3	3		2	1	2	3	1			18
2012(c)(3)(B)	3		1	2		2	1	2	2	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				3
2012(i)	1												1
2012(j)(2)	1						1						2
2012(m)	1		1		1								3
2012(l)	1								1				2
H&S 41701	1	1	2	2		2	1	1	2				12

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

Report of October 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 Redondo Beach, LLC Case #5040-2 (N. Feldman)	2012(c)(2)(A) 2012 Appendix A, Chapter 2, Attachment C, B.2	Petitioner's boiler has been off-line for several months. Will perform RATA when boiler is back in operation.	Not Opposed/Granted	Short variance granted commencing 10/31/00 and continuing through 12/31/00, the final compliance date.	None
2. Alifud Hussain Euclid Arco Case #5195 (C. Engelhardt)	461(e)(5)	Due to unanticipated underground leak, petitioner needs additional time to complete leak decay testing.	Not Opposed/Granted	Interim variance granted commencing 10/25/00 and continuing for 90 days or until the short variance hearing currently scheduled for 11/14/00 or final compliance is achieved, whichever comes first.	VOC unable to quantify
3. Central Plants, Inc. Case #3447-49 (N. Feldman)	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 needed to complete the reprocessing of historical data and install and test the CPI-DAS	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 10/31/00 were extended through 1/17/01.	None
4. City of Pasadena Case #2244-14 (C. Englehardt)	203(b) 2004(f)(1)	Petitioner seeks additional time to pursue permit modification regarding the allowable hours of operation.	Not Opposed/Granted	Regular variance granted commencing 10/11/00 and continuing through 12/31/00, the final compliance date.	NO _x and PM to be determined
5. Coronet Concrete Products, Inc. Case #5191 (J. Panasiti)	203(b)	Unaware of limits of permit for bagging cement, the former dated in 1988. Applying for new permit.	Not Opposed/Granted	Interim variance granted commencing 10/12/00 and continuing for 90 days or until the regular variance hearing currently scheduled for 11/21/00, whichever occurs first.	PM 9 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Equilon Enterprises LLC Case #4982-13 (J. Panasiti)	462(e)(1)(E)(ii)	Time needed to obtain CARB certification of loading rack.	Not Opposed/Granted	Interim variance granted commencing 10/12/00 and continuing for 90 days or until the regular variance hearing currently scheduled for 11/7/00, whichever occurs first.	None
7. Equilon Enterprises, LLC Case #4982-12 (A. Mednick)	203(b) 461(c)(1)(B)	Remote fill tubes for underground gasoline storage tanks are not CARB certified.	Not Opposed/Denied	Short variance denied.	
8. Equilon Enterprises, LLC Case #4982-14 (A. Mednick)	203(b) 461(c)(1)(B)	Remote fill tubes for underground gasoline storage tanks are not CARB certified.	Not Opposed/Dismissed	Interim variance dismissed.	
9. Equilon Enterprises, LLC/Jay's Shell Case #4982-12 (A. Mednick)	203(b) 461(c)(1)(B)	Remote fill tubes for underground gasoline storage tanks are not CARB certified.	Not Opposed/Granted	Interim variance granted commencing 10/5/00 and continuing for 90 days or until the short variance hearing currently scheduled for 10/26/00, whichever occurs first.	VOC to be determined
10. Mobil Oil Corporation Case #1183-339 (J. Panasiti)	203(b) 463(c)(3)(B) 2004(f)(1)	Partial failure of VRS of fixed-roof tank requiring repair of system.	Not Opposed/Granted	Short variance granted commencing 10/12/00 and continuing through 11/2/00, the final compliance date.	VOC to be determined
11. Mobil Oil Corporation Case #1183-341 (J. Panasiti)	203(b) 2004(f)(1)	Unexpected shortage of caustic acid tank cars. Need variance to move material by trucks connected to control system during loading.	Not Opposed/Granted	Emergency granted commencing 10/25/00 and continuing through 11/17/00 or the short variance hearing currently scheduled for 11/15/00, whichever comes first.	None
12. Paper-Pak Products, Inc. Case #4781-5 (A. Mednick)	2012(c)(2)(A) 2012(g)(1) 2012 Appendix A, Attachment C, Paragraph B.2	Petitioner needs additional time to conduct repairs and perform RATA testing on its cogeneration equipment.	Not Opposed/Granted	Interim variance granted commencing 10/5/00 and continuing for 90 days or until the short variance hearing currently scheduled for 11/14/00, whichever occurs first.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
13. Sunshine Plastics Corporation Case #4832-1 (No Appearance; Consent Calendar)	203(a) 1130(c)	Petitioner seeks additional time to ensure that new incineration system is operating properly and to conduct source test.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 11/1/00 were extended through 1/31/01.	VOC to be determined
14. Torch Operating Company Case #5089-6 (J. Panasiti)	203(b) 2004(f)(1)	Petitioner needs additional time to debug and fix control equipment serving new gas turbine in order to meet NO _x guarantee.	Not Opposed/Granted	Regular variance granted commencing 10/26/00 and continuing through 4/21/01, the final compliance date.	NO _x 2.2 lbs/day Ammonia to be determined
15. Tosco Refining Company Case #4900-36 (A. Mednick)	203(b) 1176(e)(1) 1176(e)(2) 1176(e)(6) 1176(f) 2004(f)(1)	Petitioner seeks additional time to complete repairs to the oil recovery unit, which was damaged in a fire.	Not Opposed/Granted	Modification of a Final Compliance Date and Extension of a Variance: The variance and final compliance which extended through 10/31/00 were extended through 11/30/00.	VOC 19.2 lbs/day

(e:hb/VarOct00)