

BOARD MEETING DATE: June 15, 2001

AGENDA NO. 21

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of May 1 through May 31, 2001, the Hearing Board took action on 7 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 2001 and May 2001 Hearing Board Cases.**

The total number of appeals filed during the period May 1 to May 31, 2001 is 0, and the total number of appeals filed during the period January 1 to May 31, 2001 is 3.

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Rules from which Variances were Requested in 2001

	2001	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions*														
Involving Rules														
202														0
202(a)				1	2	2								5
202(b)														0
202(c)					1									1
208														1
218														0
221(b)														0
401														0
401(a)														0
401(b)		1												1
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
403(d)(1)														0
404														0
404(a)		1												1
404(b)														0
405														0
405(a)		1												1
405(b)														0
407(a)														0
407(a)(2)														0
431.1(c)(1)														0
431.1(d)(1)														0
444.0														0
444(a)														0
444(c)														0
444(d)														0
461														0
461(c)														0
461(c)(1)(A)														0
461(c)(1)(B)					1	1								2
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)		3												3
461(c)(2)(B)		3			1	1								5
461(c)(2)(C)														0
461(c)(4)(A)														0
461(c)(4)(B)														0
461(c)(4)(B)(ii)														0
461(e)(1)				1										1
461(e)(2)(C)						2								2
461(e)(3)														0
461(e)(5)														0
462(c)(1)(A)(ii)														0
462(c)(3)(B)														0
462(c)(4)(B)(i)														0
462(c)(7)(A)(ii)														0

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

	2001	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
462(d)(1)(A)		1												1
462(d)(1)(A)(ii)		1		1										2
462(d)(2)(A)(i)														0
462(e)(1)(E)		1												1
462(e)(1)(E)(ii)		1		1										2
462(e)(2)(A)(i)														0
462(h)(1)		1		1										2
463(c)(1)			1											1
463(c)(1)(A)														0
463(c)(1)(A)(I)-(iv)			1											1
463(c)(1)(B)														0
463(c)(1)(C)														0
463(c)(1)(D)			1											1
463(c)(1)(E)														0
463(c)(2)														0
463(c)(2)(B)														0
463(c)(3)(B)														0
463(c)(3)(C)														0
463(d)(2)			1											1
463(e)(3)(C)			1											1
463(e)(4)			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)		1												1
1107(c)(7)		1												1
1110.2														0
1110.2(d)(1)(B)														0
1110.2(e)(1)(A)														0
1113(c)(2)														0
1118(d)(1)		1			1									2
1118(d)(1)(2)					1									1
1118(d)(1)(3)					1									1
1118(d)(2)		1												1
1118(d)(3)		1												1
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														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

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

	2001	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1130(c)(4)														0
1134(c)		2												2
1134(d)		2												2
1134(d)(1)														0
1134(f)														0
1134(g)(2)		2												2
1135(c)(3)		1												1
1135(c)(3)(C)														0
1135(c)(4)(D)		1												1
1135(e)														0
1145(c)(2)														0
1145(h)(1)(E)														0
1146(c)(1)														0
1146(c)(7)(B)														0
1146.1(c)														0
1150.1(d)(4)		1												1
1150.1(d)(5)		1												1
1150.1(d)(6)		1												1
1150.1(e)														0
1150.1(e)(1)(c)														0
1150.1(e)(2)														0
1150.1(e)(3)														0
1150.1(e)(1)(C)		1												1
1150.1(e)(2)(C)		1												1
1150.1(e)(3)(C)		1												1
1150.1(e)(6)(A)(I)														0
1150.1(e)(6)(A)(ii)														0
1150.1(f)(1)(A)(iii)(I)														0
1150.1(f)(1)(H)(i)														0
1151(c)(1)(B)														0
1151(c)(8)														0
1151(2)														0
1151(5)														0
1151(d)(1)														0
1151(e)(1)														0
1151(e)(2)														0
1153(c)(1)(B)														0
1158(d)(8)														0
1166(c)(2)														0
1168(c)(1)														0
1171(c)(1)														0
1173(c)														0
1173(f)(1)														0
1175(c)(2)														0
1176														0
1176(e)(1)														0
1176(e)(2)														0
1176(e)(2)(B)														0
1176(e)(3)(A)														0
1176(e)(6)														0
1176(f)														0
1189(c)(1)														0
1401(d)(1)														0
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

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	2001	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Action
1407(d)(4)														0	
1407(f)(1)														0	
1415(d)(3)		1												1	
1418(d)(2)(A)														0	
1421														0	
1421(d)														0	
1421(d)(1)(C)														0	
1421(d)(3)(A)														0	
1421(e)(2)(c)														0	
2004(k)														0	
2011 Appendix A														0	
2011 Attachment C														0	
2011(c)(2)														0	
2011(c)(2)(A)														0	
2011(c)(3)(A)														0	
2011(e)(1)														0	
2011(f)(3)														0	
2011(g)														0	
2011(k)														0	
2012														0	
2012 Appen. A, Attach. C, Sec. 2				1		1								2	
2012 Appen. A, Attach. C, Sec. 7						1								1	
2012 Appen A					1									1	
2012(c)(2)														0	
2012(c)(2)(A)		1	1	1	1	1								5	
2012(c)(3)(A)			1		1	1								3	
2012(c)(3)(B)			1		1	1								3	
2012(c)(10)					1									1	
2012(d)(2)(A)														0	
2012(d)(2)(D)														0	
2012(g)(1)					1	1								2	
2012(g)(3)					1									1	
2012(h)(3)														0	
2012(h)(4)														0	
2012(h)(5)			1			1								2	
2012(h)(6)		1			1									2	
2012(i)						1								1	
2012(j)(2)														0	
2012(m)						1								1	
2012(l)			1											1	
H&S 41701		1												1	

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

Report of May 2001 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. AAA Auto Performance Case #5223 (C. Engelhardt)	203(b) 461(c)(1)(B) 461(c)(2)(B)	Petitioner is awaiting delivery and installation of repair parts so that required reverification test can be done.	Not Opposed/Granted	SV granted commencing 5/1/01 and continuing through 5/31/01, the FCD.	HC TBD
2. ARCO Polypropylene LLC Case #1011-244 (No Appearance; Consent Calendar)	202(a) 2004(f)(1)	Additional time is needed while petitioner seeks to obtain permit modification for baghouses.	Not Opposed/Granted	MFCD/EXT: The variance and FCD which extended through 5/1/01 were extended through 8/1/01.	None
3. ARCO Polypropylene LLC Case #1011-245 (No Appearance; Consent Calendar)	202(a) 2004(f)(1)	Petitioner is awaiting District action on application for a change in the permit conditions. Particulate matter from co-catalyst was not taken into account in setting the permit condition.	Not Opposed/Granted	MFCD/EXT: The variance and FCD which extended through 5/1/01 were extended through 8/1/01.	PM ¹⁰ 8.5 lbs/day
4. City of Los Angeles, Department of Recreation & Parks Case #5230 (N. Feldman)	461(e)(2)(C)	Petitioner cannot meet reverification test deadline in Rule 461.	Opposed/Dismissed	IV dismissed.	
5. Equilon Enterprises LLC Case No. 4982-19 (No Appearance; Consent Calendar)	203(b) 2004(f)(1)	Petitioner seeks time to replace SCR catalyst, which failed prematurely.	Not Opposed/Granted	RV granted commencing 5/10/01 and continuing through 7/3/01, the FCD.	Ammonia 73 lbs/day
6. L.A. County Civic Center Co-Gen Plant Case #3665-3A (No Appearance; Consent Calendar)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012(g)(1) 2012(h)(5) 2012(i) 2012(m), Appendix A, Attachment C, Chapters 2 & 7	Extension of FCD requested to allow the District additional time to review and approve RATA and 7-day drift test.	Not Opposed/Granted	MFCD/EXT: The variance and FCD which extended through 5/31/01 were extended through 8/31/01.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Rancho San Joaquin Golf Course Case #5236 (J. Panasiti)	461(e)(2)(C)	Petitioner needs additional time to complete testing required by the Rule 461 deadline of 5/1/01.	Opposed/Denied	SV denied.	

Key to Acronyms

- EV: Emergency Variance
- IV: Interim Variance
- SV: Short Variance
- RV: Regular Variance
- H&S: Health & Safety Code
- TBD: To be determined
- FCD: Final Compliance Date
- MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance