BOARD MEETING DATE: May 11, 2001 AGENDA NO. 21

REPORT: Hearing Board Variances and Appeals

SYNOPSIS: During the period of April 1 through April 30, 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 **April 2001 Hearing Board Cases**.

The total number of appeals filed during the period April 1 to April 30, 2001 is 0, and the
total number of appeals filed during the period January 1 to April 30, 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									3
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
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									4
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)(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
462(d)(1)(A)	1												1

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)(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
1130(c)(4)													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
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
1407(d)(4)													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
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
2012 Appen A				1									1
2012(c)(2)													0
2012(c)(2)(A)	1	1	1	1									4
2012(c)(3)(A)		1		1									2
2012(c)(3)(B)		1		1									2
2012(c)(10)				1									1
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(g)(1)				1									1
2012(g)(3)				1									1
2012(h)(3)													0
2012(h)(4)													0
2012(h)(5)		1											1
2012(h)(6)	1			1									2
2012(i)													0
2012(j)(2)													0
2012(m)													0
2012(l)		1											1
H&S 41701	1												1

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

Report of April 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 failed portion of vapor recovery system test. Time needed to take corrective measures and schedule another test.	Not Opposed/Granted	IV granted commencing 4/3/01 and continuing for 90 days or until the SV hearing currently scheduled for 5/1/01, whichever occurs first.	HC: TBD
2. A & Z Grinding Case #5217 (A. Mednick)	202(a)	Petitioner seeks time to obtain permit modification to increase number of allowable amp-hours. T-BACT has been operating since 1998.	Not Opposed/Granted	RV granted commencing 4/25/01 and continuing through 8/25/01, the FCD.	None
3. California Dairies, Inc. Case #5052-1 (N. Feldman)	202(a) 202(c) 203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(c)(3)(B) 2012(c)(10) 2012(g)(1) 2012(g)(3) 2012(h)(6) 2012, Appendix A	Petitioner seeks additional time to install CEMS on new boiler, due to unforeseen delays.	Not Opposed/Granted	SV granted commencing 4/21/01 and continuing through 7/20/01, the FCD.	None
4. Deleo Clay Tile Company Case #5220 (J. Panasiti)	203(b) 2004(f)(1)	Company seeks to run secondary kiln in excess of time allowed in its permit, while it upgrades primary kiln to add low NO_x burners and other improvements.	Not Opposed/Granted	SV granted commencing at the time specified by petitioner in the notice given pursuant to Condition No. 1 and shall continue for 90 days thereafter.	NO_x: 9.16 lbs/day
5. Equilon Enterprises LLC Case #4982-19 (N. Feldman)	203(b) 2004(f)(1)	Petitioner seeks to continue operations while it repairs SCR to fix ammonia slip problem.	Not Opposed/Granted	IV granted commencing 4/5/01 and continuing for 90 days or until the RV currently scheduled for 5/10/01, whichever occurs first.	Ammonia: 92 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Mobil Oil Corporation Case #1183-312 (Consent Calendar Item)	1118(d)(1) 1118(d)(1)((2) 1118(d)(1)(3) 1118(d)(4)(B) 1118(d)(5)(A) 1118(d)(5)(B) 1118(e) 1118(f)	Petitioner has submitted to the District a revised Flare Monitoring and Recording Plan; petitioner needs time for the District to review the plan and determine whether it will be approved.	Not Opposed/Granted	MFCD/EXT granted commencing 4/30/01 and continuing through 7/31/01, the FCD.	None
7. Torch Operating Company Case #5089-6 (C. Engelhardt)	203(b) 2004(f)(1)	District processing of Permit to Construct is being delayed by higher priority for District of processing permits associated with the energy crisis. Need additional time to receive permit.	Not Opposed/Granted	MFCD/EXT commencing 4/22/01 and continuing through 8/10/01, the FCD	NO_x: 2.2 lbs/day

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