



BOARD MEETING DATE: April 5, 2002
AGENDA NO. 18

[Back](#)

REPORT:

Hearing Board Report

SYNOPSIS:

This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2002.

COMMITTEE:

Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2002** and **February 2002 Hearing Board Cases**.

The total number of appeals filed during the period February 1 to February 28, 2002 is 2, and the total number of appeals filed during the period January 1 to February 28, 2002 is 4.

[Attachment](#)

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Report of February 2002 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. ARCO Polypropylene LLC Case No. 1011-244 (Consent Calendar)	202(a) 2004(f)(1)	Petitioner sought extension of variance while District completes processing of application for permit modification.	Not Opposed/Granted	MFCD/EXT granted commencing 02/15/02 and continuing through 06/15/02, the FCD.	None
2. ARCO Polypropylene LLC Case No. 1011-245 (Consent Calendar)	202(a) 2004(f)91)	Petitioner sought extension of variance while District completes processing of application for permit modification.	Not Opposed/Granted	MFCD/EXT granted commencing 02/15/02 and continuing through 06/15/02, the FCD.	PM ₁₀ 12 lbs/day
3. Custom Fiberglass Manufacturing Co. Case No. 4974-1A (B. Theis)	203(a)	Existing control system cannot bring petitioner into compliance. Time needed to replace control system.	Not Opposed/Granted	RV granted retroactive to 2/23/02 and continuing through 3/18/02, the FCD.	VOC 118 lbs/day
4. ExxonMobil Oil Corporation Case No. 1183-312 (J. Panasiti)	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 sought extension of variance to take samples during flaring events per approved flare monitoring plan.	Opposed/Denied	MFCD/EXT Denied	None
5. OLS Energy-Chino Case No. 3149-7 (A. Mednick)	203(b) 2004(f)(1)	Petitioner must shut down and disconnect cogen unit from network while SCE conducts maintenance on interconnect station. In order to provide steam to the state prison, petitioner must operate standby boilers longer than permitted.	Not Opposed/Granted	SV granted commencing upon at least 24 hour advance telephone notice to the District (attn: Jim Molde) of shutdown of the equipment and shall continue for 22 consecutive hours thereafter.	NO _x 597 lbs total/variance period CO 134 lbs total/variance period Particulate 42 lbs total/variance period VOC 45 lbs total/variance period SO ₂ 36 lbs total/variance period.

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6. Reliant Energy Etiwanda, LLC Case No. 5250-3 (N Feldman)	203(b) 2004(f)(1) 2012(m) 2012, Appendix A, Attachment C, Paragraph (B)(2)	Boiler tube failure followed by lack of order from Cal ISO prevented petitioner from conducting RATA test within prescribed time frame. In the event Cal ISO gives petitioner order to operate with 24 hour notice prior to March 31, 2002, petitioner will not have time to schedule and conduct RATA test within time limit.	Not Opposed/ Granted	SV granted commencing 2/14/02 and continuing through 3/31/02, the FCD.	None
7. SCAQMD vs. ATLANTIC RICHFIELD CO. Case No. 1011-249A (Consent Calendar)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(c)(1)(C) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(2) 461(e)(3) 461(e)(4) 461(e)(5)	District sought modification of Stipulated Order for Abatement to extend final compliance date while respondent awaits testing, CARB's review of data and final certification of remote fill gasoline storage and dispensing facilities at two locations.	Stipulated/Modified	Mod. O/A issued commencing 2/5/02. The Board shall retain jurisdiction over this matter until 1/31/03.	
8. SCAQMD vs. Hillman Holdings, LLC Dba O. H. Kruse Case No. 5182 (C. Engelhardt)	203(b) 402 403(d)(1) 403(d)(2)	District sought modification of Stipulated Order for Abatement requiring respondent to take specific measures to abate dust nuisance.	Stipulated/Modified	Mod. O/A issued commencing 2/15/02; the Boards retains jurisdiction over this matter until 10/15/03.	
9. SCAQMD vs. USA BioMass Corporation Case No. 5289 (A. Mednick)	402 H&S § 41700	District sought order to abatement abate odor and particulate nuisance from green waste processing and recycling facility.	Stipulated/Issued	Stipulated O/A issued commencing 2/28/02; the Board retains jurisdiction over this matter until 7/11/02.	
10. West American Rubber Company, LLC Case No. 5297 (E. Sernel)	1171(c)(1)(A)(i)	Petitioner needed time to find an acceptable wax coating stripping solvent. Petitioner previously believed it was exempt from Rule 1171 until notified otherwise by District.	Not Opposed/Granted	IV granted for 90 days or until the noticed hearing currently scheduled for 4/16/02, whichever occurs first.	Methyl ethyl ketone .0904 lbs/day Toluene 44.7 lbs/day first.

Key to Acronyms

EV: Emergency Variance

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
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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 Final Compliance Date and Extension of a Variance

O/A: Order for Abatement

Mod.: modification

N/A : Not Applicable