



**BOARD MEETING DATE: May 3, 2002**  
**AGENDA NO. 16**

[Back](#)

**REPORT:**

Hearing Board Report

**SYNOPSIS:**

This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 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 **March 2002 Hearing Board Cases**.

The total number of appeals filed during the period March 1 to March 31, 2002 is 1, and the total number of appeals filed during the period January 1 to March 31, 2002 is 5.

[Attachment](#)

///

## Report of MARCH 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. City of Anaheim Case #5146-1 (E. Sernel)	203(b) 2004(f)(1)	Petitioner awaiting action by the District for a change in permit conditions because it cannot comply with CO limit during shutdown of turbine.	Not Opposed/Granted	RV granted commencing 3/28/02 and continuing through 3/25/03, the FCD	CO to be determined
2. County of Orange, Integrated Waste Management Dept. Case #3818-15 (J. Panasiti)	1150.1(d)(4) 1150.1(d)(5) 1150.1(d)(6) 1150.1(e)(1) 1150.1(e)(2) 1150.1(e)(3)	County must temporarily disconnect landfill gas collection and disposal system during construction required by closure plan.	Not Opposed/Granted	RV granted commencing on the date of commencement of closure construction and continuing through 4/30/05, the FCD.	Cannot be determined
3. Dietzgen LLC Case #4614-1B (No Appearance; Consent Calendar)	203(b) 1128(c)(1) 1128(c)(2)	Petitioner sought extension of variance while continuing to explore suitable test method for VOC content of high water content coatings.	Not Opposed/Granted	MFCD/EXT: The variance and final compliance date which extended through 3/8/02 were extended through 3/8/04.	None
4. El Segundo Power, LLC Case #5097-4 (No Appearance; Consent Calendar)	2009(c) 2009(f)(1)	Petitioner sought time to prepare amended compliance plan and obtain District approval.	Not Opposed/Granted	RV granted commencing 3/7/02 and continuing through 9/19/02, the FCD.	None
5. ExxonMobil Oil Corporation Case #1183-353 (No Appearance; Consent Calendar)	203(b) 2004(f)(1)	District reclassified the CO boiler as a control device in revised facility permit. This boiler is used to generate steam for the refinery and had not been used as a CO control device. When classified as a control device, it must be operated at all times while the FCCU is in operation. Petitioner requires operational flexibility to shut down CO boiler to avoid bypassing of the SCR control system.	Not Opposed/Granted	MFCD/EXT: The variance and final compliance date which extended through 3/13/02 were extended through 11/5/02.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Fender Musical Instruments Corporation Case #3523-5 (E. Sernel)	203(a)	Petitioner has determined that the existing UVOX air pollution control system cannot meet VOC destruction efficiency requirement. Petitioner needs time to procure and install new and different control system.	Not Opposed/Granted	RV granted commencing 3/28/02 and continuing through 12/31/02 or until the issuance of a P/O for the regenerative thermal oxidizer and the associated equipment, including the spray booths, whichever comes first.	VOC with UVOX 57 lbs/day 230 lbs/day for 4 days per week without UVOX 115 lbs/day for 1 day per week without UVOX
7. Gulfstream Aerospace Corporation Case #5327-1 (E. Sernel)	203(a)	Petitioner sought time to verify whether modifications to the existing UVOX air pollution control system will maintain compliance consistently and if not submit application for a new and different control system.	Not Opposed/Granted	RV granted commencing 3/29/02 and continuing through 12/31/02, the FCD.	VOC to be determined
8. Kal Kan Foods, Inc. Case #4707-6 (N. Feldman)	203(b) 2004(f)(1)	Petitioner's new catalytic control system resulted in safety problems. Petitioner sought variance to allow periodic operation of grill marking device until District issues permit to construct for replacement system that is to be received within two weeks.	Not Opposed/Granted	IV granted commencing on the date that petitioner commences operation of the griller and continuing for 90 days or until the RV hearing currently scheduled for 4/25/02, whichever comes first.	VOC 0.52 lb/day
9. Kushwood Manufacturing Inc. Case #4989-3 (N. Feldman)	203(b)	Petitioner sought variance to allow use of noncompliant coating while its vendor researched and developed more user-friendly compliant coating.	Denied/Opposed	RV denied.	
10. Nationwide Boiler, Inc. Case #5263-2 (E. Sernel)	203(b)	Petitioner has been using a rental boiler while new boiler is in startup mode. Petitioner sought variance from District 365 day limitation on use of a rental boiler to allow its continued use until new boiler becomes operational.	Not Opposed/Granted	SV granted commencing 3/29/02 and continuing through 4/30/02, the FCD.	NO <sub>x</sub> 10 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
11. Rexam PLC, Rexam Beverage Can Company Case #5290 (No Appearance; Consent Calendar)	203(b) 2004(f)(1)	Petitioner failed source test, and sought additional time to retest with different test method and make repairs, if needed.	Not Opposed/Granted	RV granted commencing 3/14/02 and continuing through the date on which the District approves final and official source test results demonstrating compliance with the referenced permit conditions and District rules, or August 1, 2002, whichever comes first.	VOC to be determined
12. SCAQMD vs. David Hsui Ming, individually & dba Exclusive Wash & Die Case #5298 (B. Theis)	203(a) 1146.1(e)(1)(B)	District requested order for abatement against a textile washing and dyeing operation for operating without a permit.	Not Opposed/Issued	O/A issued commencing 3/28/02. The Board shall retain jurisdiction over this matter until 6/1/02.	
13. SCAQMD vs. George Gonzales, individually, and dba Gonzalez Auto Body & Trucks Case #5296 (J. Panasiti)	203(a)	District sought order to close auto painting facility for repeated failure to pay permit fees and keep records as required.	Not Opposed/Issued	O/A issued commencing 3/6/02. The Board shall retain jurisdiction over this matter until Respondent has obtained a permit to operate all equipment subject to Rule 203 from the District.	
14. SCAQMD vs. The Quikrete-Southern California, Inc. Case #5287 (C. Engelhardt)	203(b) 403(d)(1) 403(d)(2)	District sought order for abatement to stop reoccurring fugitive dust violations.	Not Opposed/Issued	O/A issued commencing 3/26/02. The Board shall retain jurisdiction over this matter until 8/1/02.	

**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