

BOARD MEETING DATE: July 8, 2005

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2005.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

EC:RJ

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2005** and **May 2005 Hearing Board Cases**. It should be noted that 4 of the 29 cases heard in May 2005 were Group Order for Abatement petitions involving 72 gasoline dispensing facilities not in compliance with enhanced vapor recovery (EVR) requirements which became effective April 1, 2005.

The total number of appeals filed during the period May 1 to May 31, 2005 is 1, and the total number of appeals filed during the period of January 1 to May 31, 2005 is 5.



	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
461(e)(1)						1								1		
461(e)(2)						1								1		
461(e)(2)(A)						4								4		
461(e)(2)(A)(i)														0		
461(e)(2)(B)(i)						4								4		
461(e)(2)(C)														0		
461(e)(3)						4								4		
461(e)(4)														0		
461(e)(5)														0		
461(e)(7)														0		
462(c)(1)(A)(ii)														0		
462(c)(1)(E)														0		
462(c)(3)(B)						1								1		
463(c)(3)(C)						3								3		
462(c)(4)(B)(i)														0		
462(c)(7)(A)(ii)														0		
462(d)														0		
462(d)(1)														0		
462(d)(1)(A)						2								2		
462(d)(1)(A)(ii)														0		
462(d)(1)(C)						2								2		
462(d)(1)(E)(ii)														0		
462(d)(1)(F)														0		
462(d)(2)(A)(i)														0		
462(e)(1)														0		
462(e)(1)(E)						2								2		
462(e)(1)(E)(ii)														0		
462(e)(2)(A)(i)														0		
462(e)(4)														0		
462(h)(1)						2								2		
463(c)														0		
463(c)(1)(A)														0		
463(c)(1)(A)(I)-(iv)														0		
463(c)(1)(B)														0		
463(c)(1)(C)														0		
463(c)(1)(D)														0		
463(c)(1)(E)														0		
463(c)(2)														0		
463(c)(3)														0		
463(c)(3)(A)														0		
463(c)(3)(B)														0		
463(c)(3)(C)														0		
463(d)(2)														0		
463(e)(3)(C)														0		
463(e)(4)			2											2		
464(b)(1)														0		
468														0		
468(a)						1								1		
468(b)														0		
475(b)														0		
1102(c)(2)					1									1		
1104(c)(1)														0		
1106(c)(1)														0		
1106.1(c)(1)														0		
1106.1(c)(1)(A)														0		
1107(c)(1)		1												1		
1107(c)(2)		1												1		
1107(d)														0		
1110.1														0		
1110.2			1											1		
1110.2(d)(1)														0		
1110.2(d)(1)(A)		2												2		
1110.2(d)(1)(B)		3												3		
1110.2(d)(1)(C)		2		1										3		
1110.2(e)(1)(A)														0		
1110.2(e)(1)(B)(i)(II)		2		1										3		
1110.2(e)(1)(B)(i)(III)		2												2		
1110.2(e)(1)(B)(ii)														0		
1110.2(f)(1)(A)		2		1										3		
1110.2(f)(1)(B)		2												2		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1110.2(f)(1)(E)														0		
1113(c)(2)														0		
1118(d)														0		
1118(d)(1)(2)														0		
1118(d)(1)(3)														0		
1118(d)(2)														0		
1118(d)(3)														0		
1118(d)(4)(B)														0		
1118(d)(5)(A)														0		
1118(d)(5)(B)														0		
1118(e)														0		
1118(f)														0		
1121														0		
1122(c)(2)(A)														0		
1122(c)(2)(E)														0		
1122(d)(1)(A)						1								1		
1122(d)(1)(B)														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		
1122(g)(3)														0		
1122(k)(1)(D)						1								1		
1124														0		
1124(c)(1)(A)														0		
1124(c)(1)(E)														0		
1124(c)(4)														0		
1125(c)(1)														0		
1128(c)(1)				1										1		
1128(c)(2)														0		
1130														0		
1130(c)(1)			1		1									2		
1131														0		
1130(c)(4)			1		1									2		
1132(d)(2)														0		
1132(d)(3)														0		
1134(c)														0		
1134(c)(1)														0		
1134(d)														0		
1134(d)(1)														0		
1134(d)(2)(B)(ii)														0		
1134(f)														0		
1134(g)(2)														0		
1135(c)(3)														0		
1135(c)(3)(C)														0		
1135(c)(4)														0		
1135(c)(4)(D)														0		
1135(e)														0		
1137														0		
1137(d)(2)				1										1		
1145(c)(2)														0		
1145(c)(6)														0		
1145(h)(1)(E)														0		
1145(h)(1)(E)														0		
1146														0		
1146(c)(3)(A)														0		
1146(c)(5)		1	1											2		
1146.1														0		
1146.1(a)(2)						1								1		
1146.1(a)(8)						1								1		
1146.1(b)						1								1		
1146.1(c)(1)						1								1		
1146.1(c)(2)(B)														0		
1146.1(c)(3)														0		
1146.1(e)						1								1		
1146.1(e)(1)(B)														0		
1146.2														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1146.2(c)(1)														0		
1146.2(c)(3)														0		
1150.1														0		
1150.1(d)(1)(C)(i)														0		
1150.1(d)(4)		1		1	1									3		
1150.1(d)(5)		1												1		
1150.1(d)(6)		1												1		
1150.1(d)(7)														0		
1150.1(e)														0		
1150.1(e)(1)														0		
1150.1(e)(2)														0		
1150.1(e)(3)														0		
1150.1(e)(1)(C)					1									1		
1150.1(e)(2)(C)														0		
1150.1(e)(3)(C)														0		
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		
1151(f)(1)														0		
1153(c)(1)						1								1		
1153(c)(1)(B)														0		
1158														0		
1158(d)(2)														0		
1158(d)(5)														0		
1158(d)(7)														0		
1158(d)(7)(A)(ii)														0		
1158(d)(8)														0		
1164(c)(1)(B)														0		
1164(c)(2)														0		
1166(c)(2)														0		
1166(c)(2)(F)														0		
1168														0		
1168(c)(1)														0		
1168(c)(2)														0		
1171					1									1		
1171(c)(1)		1	1	2		1								5		
1171(c)(1)(A)(i)														0		
1171(c)(1)(b)(i)														0		
1171(c)(4)		1		2		1								4		
1171(c)(5)														0		
1171(c)(5)(A)(i)														0		
1171(c)(6)														0		
1173(c)														0		
1173(d)(1)														0		
1173(d)(1)(D)														0		
1173(d)(1)(D)(iii)														0		
1173(f)(1)														0		
1173(g)(1)														0		
1175(c)(2)		1	1	2										4		
1175(c)(4)(B)			1											1		
1175(c)(4)(B)(i)				1										1		
1175(c)(4)(B)(ii)														0		
1175(c)(4)(B)(iii)(I)				1										1		
1175(c)(4)(B)(ii)(II)		1		1										2		
1176(e)(1)														0		
1176(e)(2)														0		
1176(e)(2)(B)														0		
1176(e)(3)(A)														0		
1176(e)(6)														0		
1178(d)(1)(B)														0		
1189(c)(1)														0		
1189(c)(3)														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1193(d)(1)(B)														0		
1303														0		
1303(a)(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		
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)(1)(G)														0		
1421(d)(3)(A)														0		
1421(e)(1)(A)(vii)														0		
1421(e)(3)(B)														0		
1421(h)(1)(A)														0		
1421(h)(1)(B)														0		
1421(h)(1)(C)														0		
1421(h)(1)(E)														0		
1421(h)(3)														0		
1421(i)(1)(C)														0		
1425(d)(1)(A)														0		
1469														0		
1469(c)														0		
1469(c)(2)														0		
1469(d)(1)														0		
1469(e)(1)														0		
1469(e)(2)														0		
1469(h)														0		
1469(l)														0		
1189(c)(3)														0		
2004														0		
2004(b)(1)		1												1		
2004(b)(4)		1												1		
2004(c)(1)		1												1		
2004(c)(1)(C)		1												1		
2004(f)(1)		8	10	11	2	8								39		
2004(k)														0		
2009(b)(2)		1												1		
2009(c)														0		
2009(f)(1)														0		
2009(f)(2)		1												1		
2009.1														0		
2009.1(c)														0		
2009.1(f)(1)														0		
2009.1(f)(2)														0		
2009.1(f)(3)														0		
2011 Appendix A														0		
2011 Attachment C														0		
2011(c)(2)						1								1		
2011(c)(2)(A)				1										1		
2011(c)(3)(A)														0		
2011(e)(1)						1								1		
2011(f)(3)														0		
2011(g)														0		
2011(k)														0		
2011(k) Appen. A, Chap. 2, except E & Attach C														0		
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4 and Appen. A, Chap. 2, Section C.2.a, c & d														0		
2011(k) Appen. A, Chap. 2, Sections A.3.,a.-c.,e.g. and B.1.-4														0		
2012 Appen. A, Attach. C														0		
2012 Appen. A, Attach. C, Chap. 2, Sec. B														0		
2012 Appen A														0		
2012 Appen A, Chap. 2														0		

2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
2012 Appen A, Chap. 2, Sec. A													0		
2012 Appen A. Chap. 2. Sec. A1.g.													0		
2012 Appen A, Chap. 2, Sec. B													0		
2012 Appen A, Chap. 2, Sec. E													0		
2012(c)(2)				1	1								2		
2012(c)(2)(A)					2								2		
2012(c)(2)(C)													0		
2012(c)(3)				1									1		
2012(c)(3)(A)		1			1								2		
2012(c)(3)(B)		1											1		
2012(c)(10)													0		
2012(d)(2)													0		
2012(d)(2)(A)													0		
2012(d)(2)(D)													0		
2012(e)(2)(B)													0		
2012(g)(1)		1			1								2		
2012(g)(3)													0		
2012(h)(3)													0		
2012(h)(4)													0		
2012(h)(5)													0		
2012(h)(6)													0		
2012(i)													0		
2012(j)(1)													0		
2012(j)(2)													0		
2012, Appen. A, Chp 3, Sec (A)(6)													0		
2012(m)													0		
2012(m) Appen. A, Chp 2, except Sections E & Attach C.													0		
2012(m) Appen. A, Attach. C													0		
2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e.g, and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d													0		
2012(m) Appen A, Chap 3, Section (A)(6)													0		
2012(m) Appen. A., Chap 5, Para G, Table 5B and Att. D													0		
3002(c)						1							1		
3002(c)(1)		2	2	2	1								7		
3002(c)(2)													0		
H&S 39152(b)					1								1		
H&S 41510					1								1		
H&S 41700		1											1		
H&S 41701		2											2		

## Report of May 2005 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Ashland, Inc. Case #4796-5 (B. Theis)	203(b) 462(d)(1)(A) 462(d)(1)(C) 462(e)(1)(E) 462(h)(1) 463(c)(3)(C)	The variance extension is needed to allow petitioner to operate the terminal while the District completes a review of the permit modification.	Not Opposed/Granted	M/E granted commencing 5/4/05 and continuing through 3/1/06, the FCD.	None
2. B.P. West Coast Products, LLC Case #5357-27 (No appearance, Consent Calendar)	203(b) 463(c)(3)(B) 463(c)(3)(C) 2004(f)(1)	Petitioner will need to temporarily disconnect the piping from the petroleum storage tanks to the vapor recovery system to replace old piping and prevent leaks.	Not Opposed/Granted	SV granted for four consecutive days commencing upon the date specified in the notice given to the District pursuant to Condition No. 2 of the Order and ending no later than 5/31/05, the FCD.	NO <sub>x</sub> :18.65 lbs/day CO: 4.93 lbs/day SO <sub>2</sub> : 1.72 lbs/day PM: 0.91 lb/day VOC: 0.85 lb/day
3. Equilon Enterprises, LLC dba Shell Oil Products US Case #4982-47 (B. Theis)	203(b) 462(d)(1)(A) 462(d)(1)(C) 462(e)(1)(E) 462(h)(1) 463(c)(3)(C) 2004(f)(1)	The variance extension is needed to allow petitioner to operate the terminal while the District completes a review of the permit modification.	Not Opposed/Granted	M/E granted commencing 5/4/05 and continuing through 11/8/05, the FCD.	None
4. Empire Rock, Inc. Case #5513-1 (E. Sernel)	203(b)	Petitioner has exceeded the twelve month location limit on the permit.	Not Opposed/Denied	RV denied.	
5. ExxonMobil Oil Corporation Case #1183-391 (N. Feldman)	203(b) 468(b) 2004(f)(1)	To avoid potential breakdowns in the future, the blower that draws sulfur gases to a control device needs to be taken off line to remove, clean and replace connecting pipes.	Not Opposed/Granted	SV granted commencing upon the date specified in the notice given to the District pursuant to Condition No. 2 and shall last for a period of 34 days.	H <sub>2</sub> S: TBD

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. ExxonMobil Oil Corporation Case #1183-393 (N. Feldman)	203(b) 401(b)(1) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2012(c)(2) 2012(g)(1)	The boiler and SCR will be shutdown concurrently to conduct a state required safety and maintenance inspection.	Not Opposed/Granted	SV granted commencing upon the date specified in the notice given to the District pursuant to Condition No. 1 of the Order and shall last for 14 days but no later than 7/30/05.	TBD
7. Kimberly-Clark WorldWide, Inc., Fullerton Mill Case #4777-4 (A. Mednick)	203(b) 2004(f)(1) 2012(c)(2)(A) 3002(c)(1)	An aged gas meter and CEMs needs to be replaced. The removal of the old equipment, and the installation and certification of the new equipment will exceed the 96-hour downtime allowed by District rules.	Not Opposed/Granted	SV granted commencing 5/22/05 and continuing through 6/30/05, the FCD.	None
8. SCAQMD vs. Franklin Towers Homeowners Association, Inc. Case #5509-1 (B. Theis)	1146.1(a)(2) 1146.1(a)(8) 1146.1(b) 1146.1(c)(1) 1146.1(e) H&S 39152(b) H&S 41510	Respondent operates several boilers that exceed the NO <sub>x</sub> limits of District rules.	Not Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 5/12/06.	
9. Group Order for Abatement Rule 461 EVR-Class 1 Case #5516-1 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline fuel dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 9/1/05.	
10. Group Order for Abatement Rule 461 EVR-Class 1 Case #5516-2 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline fuel dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 9/1/05.	
11. Group Order for Abatement Rule 461 EVR Class 2 Case #5517-1 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline fuel dispensing facilities.	Stipulated/Issued	O/A issued. Unless terminated previously, the Hearing Board shall retain jurisdiction over this matter until 9/1/05, at which time this O/A, if it has not been properly extended, shall expire.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
12. Group Order for Abatement Rule 461 EVR-Class 1 Case #5521-1 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline fuel dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 9/1/05, at which time this O/A, if it has not been properly extended, shall expire.	
13. Litton Systems, Inc., Navigation Systems Division Case #4622-1 (A. Mednick)	1122(k)(1)(D)	The supplier failed to ship the required equipment on time to allow petitioner to complete the installation prior to the 6/1/05 compliance date.	Not Opposed/Granted	SV granted commencing 6/1/05 and continuing through 8/30/05, the FCD.	VOC: 3.5 lbs/day
14. Raytheon Company Case #4759-1 (C. Engelhard)	1122(d)(1)(A)	Petitioner is unable to comply with the substitute solvents and will need additional time to install controls at a cost of \$1.8 – 3.3 MM.	Not Opposed/Granted	RV granted commencing 6/1/05 and continuing through 9/1/05, the FCD.	VOC: 6.6 lbs/day
15. SCAQMD vs. Cajoleben, Inc. dba Galasso's Bakery Case #5512-1 (J. Panasiti)	203(b) 1153(c)(1) 3002(c)	Respondent's bakery exceeds the daily and monthly VOC emission limits.	Stipulated/Issued	O/A issued. Unless terminated previously, the Hearing Board shall retain jurisdiction over this matter until 10/15/05, at which time this O/A, if it has not been properly extended, shall expire.	
16. SCAQMD vs. Chevron Products Company Case #831-323 (N. Feldman)	407(a)(1)	Respondent is requesting additional time for startup activities during which 2,000 PPM CO limit could be exceeded.	Stipulated/Issued	Mod. O/A issued. The O/A shall be terminated when a new ground flare used for CO control is made operational, but no later than 10/15/05.	
17. SCAQMD vs. Frank's Auto Body & Paint Case #5473-1 (B. Theis)	402 1171(c)(1) 1171(c)(4)	Respondent shut down operations as required by the prior order. Respondent is requesting permission to resume operations upon issuance of temporary permit to operate by District.	Not Stipulated/Modified	Mod. O/A modified. The Hearing Board shall retain jurisdiction over this matter until 6/17/06, unless the Order is amended or modified.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
18. SCAQMD vs. Jafar Rashid, an individual; R.D. 786 Enterprises, Inc., a California Corporation a/k/a Century Gas Case #5519-1 (B. Theis)	203(a) 461	Respondent is operating a gasoline dispensing facility without a valid permit to operate and has failed to maintain the maintenance, repair and test records as required by the rule.	Not Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 5/10/06.	
19. SCAQMD vs. Jafar Rashid, an individual; Rashid & Sons, Inc., a California Corporation, a/k/a Gage Gas Case #5520-1 (B. Theis)	203(b) 461	Respondent is operating a gasoline dispensing facility without valid permit to operate and has failed to maintain the maintenance, repair and test records as required by the rule.	Not Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 5/10/06.	
20. SCAQMD vs. Jafir Rashid, individually and dba Shell Auto Care dba Rashid Shell Case #5464-2 (B. Theis)	203(b) 461(e)(1) 461(e)(2)	Respondent has operated a gasoline dispensing facility without a valid permit to operate and has repeatedly failed the reverification tests.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 4/19/06, unless the Order is amended or modified.	
21. SCAQMD vs. Industrial Container Services-CA, LLC (ICS-CA) Case #5495-2 (No appearance: Consent Calendar)	203(b)	Respondent operates an oven to recondition used barrels. NO <sub>x</sub> emissions exceed BACT limits and respondent is unable to find low NO <sub>x</sub> burners suitable for the design of the oven.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 11/30/05, unless the Order is amended or modified.	
22. SCAQMD vs. Parallel Products of California Case #5523-1 (J. Panasiti)	203	Respondent's liquid recycling operation has violated Rule 402 (odor nuisance). Numerous steps are required to control odor and VOC emissions.	Not Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 11/15/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
23. SCAQMD vs. United Parcel Service, Inc. Case #5015-12 (No Appearance; Consent Calendar)	203(b) 461(c)(1)(A) 461(c)(1)(B)	Respondent failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline fuel dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 10/1/05.	
24. Signal Hill Petroleum West Unit/Gas Plant Case #2166-7 (E. Sernel)	203(b) 2004(f)(1)	Petitioner shut down the gas fired turbine as soon as an emission problem was detected. Petitioner will need to operate the equipment in violation of District rules to diagnose the problem.	Not Opposed/Granted	RV granted commencing 5/19/05 and continuing through 11/1/05, the FCD.	TBD
25 Southern California Gas Company Case #137-58 (A. Mednick)	203(b) 461(c)(2)(B) 461(c)(3)(C) 461(c)(3)(H)	Petitioner will decommission the gasoline dispensing facility located in the underground parking structure because the equipment cannot be brought into compliance economically. Petitioner must operate the dispensers in violation of Rule 461 to remove fuel from underground tanks.	Not Opposed/Granted	SV granted commencing on the date specified in the notice to be given to the District pursuant to Condition No. 6 and shall continue for 90 days after that date but not later than 12/1/05, the FCD.	VOC: TBD
26. Westway Terminal Company, Inc. Case #5050-4 (N. Feldman)	203(b)	The floating roof on the aviation gasoline storage tank has failed and sank. Petitioner will be in violation of Rule 203(b) while the tank is emptied.	Not Opposed/Granted	Ex Parte granted commencing 5/18/05 and continuing for 30 days or until the SV hearing currently scheduled for 6/15/05, whichever comes first.	VOC: 119 lbs/day
27. Wheelabrator Norwalk Energy Company, Inc. Case #3756-10 (N. Feldman)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A)	A power surge caused the CEMs to fail.	Not Opposed/Granted	Ex Parte granted commencing 5/6/05 and continuing through 5/13/05, the FCD.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
28. Ultramar, Inc., dba Valero Wilmington Refinery Case #3845-60 (N. Feldman)	203(b) 2004(f)(1)	Petitioner's buyer of excess fuel gas temporarily shut down operations for maintenance. Petitioner's vapor recovery system is not designed to handle the amount of fuel gas normally sent to the buyer and petitioner will have to flare the excess fuel gas.	Not Opposed/Granted	EV granted commencing 5/18/05 and continuing through 6/1/05, the FCD.	TBD
29. Vopak Terminal Long Beach Case #5527-1 (N. Feldman)	203(b) 1415(d)(3)	Petitioner will need to shut down the vapor recovery system serving organic liquid storage tank to repair a refrigerant leak.	Opposed/Granted	Ex Parte granted commencing 5/12/05 and continuing through 5/24/05. An EV is currently scheduled for 5/24/05.	None

**Key to Acronyms**

- EV: Emergency Variance
- FCD: Final Compliance Date
- H&S: Health & Safety Code
- I/P: Increments of Progress
- IV: Interim Variance
- MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
- MOD O/A Modification of an Order for Abatement
- NMOC: Non-Methane Organic Compound
- O/A: Order for Abatement
- RV: Regular Variance
- SV: Short Variance
- TBD: To be determined