BOARD MEETING DATE: July 12, 2002   AGENDA NO. 18

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                   of May 1 through May 31, 2002.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

                                                Edward Camarena
                                                Chairman of Hearing Board
EC:JD:sm
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Two summaries are attached: **Rules From Which Variances and Orders for
Abatement Were Requested in 2002** and **May 2002 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2002 is 2, and the
total number of appeals filed during the period January 1 to May 31, 2002 is 8.

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Rules from which Variances and Order for Abatements were Requested in 2002

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions*													
Involving													
Rules													
201	1												1
202													0
202(a)	2	2			1								5
202(b)	1				1								2
202(c)	1												1
203(a)				3	2								5
208													0
218													0
218(c)(1)(A)				1									1
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
402		2											2
403(d)(1)		1	1										2
403(d)(2)		1	1										2
404													0
404(a)					1								1
404(b)													0
405													0
405(a)					1								1
405(b)													0
407(a)					1								1
407(a)(2)(A)		1											1
409.0													0
431.1(c)(1)													0
431.1(d)(1)													0
444													0
444(a)													0
444(c)													0
444(d)													0
461	1												1
461(c)													0
461(c)(1)(A)		1			1								2
461(c)(1)(B)	1	1			1								3
461(c)(1)(C)		1			1								2
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)				1									1
461(c)(2)(B)	1			1									2
461(c)(2)(C)													0
461(c)(3)(A)													0
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(e)(1)													0
461(e)(2)		1			1								2

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

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(E)(2)(A)		1			1								2
461(e)(2)(B)(i)		1			1								2
461(e)(2)(C)													0
461(e)(3)		1			1								2
461(e)(4)		1			1								2
461(e)(5)		1			1								2
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)													0
462(d)(1)(A)(ii)	2												2
462(d)(2)(A)(i)													0
462(e)(1)(E)													0
462(e)(1)(E)(ii)	2												2
462(e)(2)(A)(i)													0
462(h)(1)	2												2
463(c)(1)													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)(2)(B)													0
463(c)(3)(B)													0
463(c)(3)(C)													0
463(d)(2)													0
463(e)(3)(C)													0
463(e)(4)													0
464(b)(1)													0
468	1												1
468(a)					1								1
468(b)					1								1
475(b)	1												1
1104(c)(1)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(2)													0
1107(c)(7)													0
1107(d)													0
1110.2													0
1110.2(d)(1)(B)													0
1110.2(e)(1)(A)													0
1113(c)(2)													0
1118(d)(1)		1											1
1118(d)(1)(2)													0
1118(d)(1)(3)													0
1118(d)(2)		1											1
1118(d)(3)		1											1
1118(d)(4)(B)		1											1
1118(d)(5)(A)		1											1
1118(d)(5)(B)		1											1
1118(e)		1											1
1118(f)		1											1
1121													0

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

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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)			1										1
1128(c)(2)			1										1
1130(c)													0
1130(c)(4)													0
1134(c)													0
1134(c)(1)													0
1134(d)													0
1134(d)(1)													0
1134(d)(2)(B)(ii)													
1134(f)													0
1134(g)(2)													0
1135(c)(3)					1								1
1135(c)(3)(C)													0
1135(c)(4)					1								1
1135(c)(4)(D)													0
1135(e)													0
1145(c)(2)					1								1
1145(c)(6)	1												1
1145(h)(1)(E)													0
1145(h)(1)(E)													0
1146.0	1												1
1146.1	1				1								2
1146.1(c)(1)				1									1
1146.1(c)(2)(B)				1									1
1146.1(e)(1)(B)			1										1
1150.1													0
1150.1(d)(1)(C)(i)													
1150.1(d)(4)			1		1								2
1150.1(d)(5)			1										1
1150.1(d)(6)			1		1								2
1150.1(e)													0
1150.1(e)(1)			1		1								2
1150.1(e)(2)			1										1
1150.1(e)(3)			1		1								2
1150.1(e)(1)(C)													0
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

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

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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
1171(c)(1)(A)(i)		1											1
1173(c)													0
1173(f)(1)													0
1175(c)(2)				1									1
1175(c)(4)(B)(ii)(II)				1									1
1176													0
1176(e)(1)													0
1176(e)(2)													0
1176(e)(2)(B)													0
1176(e)(3)(A)													0
1176(e)(6)													0
1189(C)(1)													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
1407(f)(1)													0
1415(d)(3)													0
1418(d)(2)(A)													0
1421													0
1421(d)													0
1421(d)(1)(C)													0
1421(d)(3)(A)													0
1469.0	1												1
1469(c)	1												1
1469(c)(2)	1												1
1469(d)(1)													0
1469(e)(1)													0
1469(e)(2)													0
1469(h)	1												1
1469(I)	1												1
2004(c)(1)(C)				1									1
2004(d)													0
2004(k)													0
2009(c)			1										1
2009(f)(1)			1										1
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

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

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2011(k) Appen. A, Chap. 2													0
2012													0
2012 Appen. A, Attach. C, Sec. B.2		1		1									2
2012 Appen. A, Attach. C, Sec. 7													0
2012 Appen A													0
2012 Appen A, Chap. 2													0
2012 Appen A, Chap. 2, Sec. A				1									1
2012 Appen A, Chap. 2, Sec. B				1									1
2012(c)(2)													0
2012(c)(2)(A)	1			2									3
2012(c)(2)(B)				1									1
2012(c)(3)(A)	1			1									2
2012(c)(3)(B)	1												1
2012(c)(10)													0
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(e)(2)(B)													0
2012(g)(1)	1												1
2012(g)(3)													0
2012(h)(3)													0
2012(h)(4)	1												1
2012(h)(5)													0
2012(h)(6)				1									1
2012(i)													0
2012(j)(2)													0
2012(m)		1											1
2012(m) Appen. A, Attach. C	2												2
2012(l)													0
3002(c)(1)				2									2
H&S 41700		1											1

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

Report of MAY 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. ExxonMobil Oil Corporation Case #1183-355 (A. Mednick)	202(b) 2004(f)(1)	Recently installed low NOx burners are not performing as expected and are not operating at 80% of maximum firing rate. Permit condition requires burners to be tested while operating at not less than 80% of maximum firing rate. Petitioner requested time to resolve burner problem and conduct test.	Not Opposed/Granted	SV granted commencing 05/22/02 and continuing through 08/20/02, the FCD.	
2. Gulfstream Aerospace Corporation Case #4327-1 (Consent Calendar Item)	203(a)	The Board amended the existing order granted on 3/28/02, to clarify that the order will terminate on 12/31/02 or upon issuance of the permit to operate, whichever date is earlier. All conditions of the order remain in effect.	Not Opposed/Modified	Modification of a variance was granted commencing 03/28/02 and continuing through 12/31/02, or upon issuance of the permit to operate, whichever date is earlier.	
3. SCAQMD vs. City of Glendale Case #3478-21 (A. Mednick)	1135(c)(3) 1135(c)(4)	Installations of controls were not completed by June 1, 2002 as required by the O/A due to unanticipated delays in the issuance of the permit to construct.	Not Opposed/Modified	Mod. O/A issued commencing 05/22/02 and continuing through 01/31/03, the FCD.	
4. SCAQMD vs. Commonwealth Aluminum Concast, Inc. Case #4913-3 (N. Feldman)	2004(f)(1)	Respondent needs to test NOx emissions while charging shredded mixed low copper aluminum scrap to furnace to develop data for permit limit change request.	Not Opposed/Issued	O/A issued commencing 05/08/02 and continuing through 08/06/02, the FCD.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
5. SCAQMD vs. Equilon Enterprises, LLC Case #4982-15 (A. Mednick)	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)	Extension of final compliance date was requested because CARB certified remote fill systems are not available and respondent cannot convert to direct fill due to safety problems at three locations. Until CARB certifies a commercially available remote fill system, respondent must continue to use an uncertified remote fill system.	Not Opposed/Issued	Mod. O/A issued commencing 05/30/02 and continuing through 07/31/03, the FCD.	
6. SCAQMD vs. Michael and Patricia Jung, a partnership dba Olympic Cleaners Case #5309 (B. Theis)	203(a)	Respondent is operating a dry cleaning machine without a permit to operate and needs a period of several months to update or replace the machine.	Not Opposed/Issued	O/A issued commencing 05/14/02 and continuing through 06/14/03, the FCD.	
7. SCAQMD vs. PurEnergy Operating Services, LLC and Alliance Colton, LLC - Case #5227 (E. Sernel)	202(a) 203(b) 2004(f)(1)	Order modified to reflect name of new operator and to grant additional time to investigate cause of units to meet BACT limits for VOC and NH3.	Not Opposed/Issued	Modification of O/A issued commencing 01/29/02 and continuing through 10/31/02.	
8. SCAQMD vs. Leonel Vergara, individually and dba Sherwood Cleaners Case #5308 (B. Theis)	203(a)	Respondent is operating a dry cleaning machine without a permit to operate and needs a period of several months to update or replace the machine.	Not Opposed/Issued	O/A issued commencing 05/14/02 and continuing through 06/14/03, the FCD.	
9. SCAQMD vs. Trident Consolidated Industries, Inc. Case #5305 (B. Theis)	1145(c)(2)	Ceramic frit coating exceeds R1145 limit. Vendors require time to develop and test compliant coating.	Not Opposed/Issued	O/A issued commencing 05/08/02 and continuing through 05/07/03, the FCD.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
10. Tosco Refining Company Case #4900-51 (N. Feldman)	203(b) 2004(f)(1) 407(a) 468(a) 468(b)	Steam jacketed vapor suction line from sulfur pit developed a leak and must be disconnected in order to repair it.	Not Opposed/Granted	SV granted 05/08/02 for five days in a 21 day window-of-time commencing upon notification to the District personnel by telephone and to the Clerk of the Board by facsimile transmission 24 hours prior to beginning repair on the vapor suction line and continuing through 05/29/02, the FCD.	H_2S: 3.2 lbs total during the variance period. SO_2: 0.5 pound total during the variance period.
11. Tosco Refining Company Case #4900-52 (J. Panasiti)	203(b) 401(b) 404(a) 405(a) 2004(f)(1) H&S 41701	Petitioner needs to shut down ESP control system to repair excessive arcing and ground fault in the power supply.	Opposed/Denied	SV denied.	
12. SCAQMD vs. Valley Processing, a Division of Mitchell Rubber Products, Inc. Case #5301 (C. Engelhardt)	203(b) 2004(f)(1) 1146.1	Respondent periodically operates in excess of the permit limits for powder and process oil. District is in the process of evaluating applications for a change in the permit conditions.	Not Opposed/Issued	Stipulated O/A issued commencing 05/08/02 and continuing through 07/31/02, the FCD.	
13. SCAQMD vs. Villa Park Landfill, County of Orange Case #5249 (Consent Calendar Item)	1150.1(d)(4) 1150.1(d)(6) 1150.1(e)(1) 1150.1(e)(3)	Contractor requires more time than anticipated to complete installation of new landfill gas vapor collection and control system.	Not Opposed/Issued	Mod. O/A issued commencing 06/30/02 and continuing through 08/31/02.	

Key to Acronyms
EV: Emergency Variance
IV: Interim Variance
O/A: Order for Abatements
Mod.   O/A: Modification Order for Abatement
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

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