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HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BEFORE THE HEARING BOARD
OF THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA

In the Matter of the Application of)
)
ASHLAND, INC.)
)
For a Variance from Plant A7618,)
Regulation 8, Rule 5 and 6 insofar as it)
requires compliance with Permit Condition)
No. 14829.)
_____)

No. 3572

ORDER GRANTING
EMERGENCY VARIANCE

The above-entitled matter, being an Application for Variance from the provisions of Regulation 8, Rule 5 and 6, insofar as it requires compliance with Permit Condition No. 14829, as they pertain to POC emission abated through the thermal oxidizer (A4), having been filed at 1:05 p.m. on October 27, 2009, and having been considered by the Hearing Board:

THE HEARING BOARD STATES as the reasons for its decision and FINDS as to those matters in which findings are required:

1. Applicant filed this Application for Variance under the Emergency Variance procedures, Hearing Board Rules, Section 2.5. Pursuant to Health and Safety Code Sections 42359 and 42359.5, the Hearing Board determined that this Application properly could be ruled upon without notice and hearing. Prior to making this determination, and in accordance with Hearing Board Rules Section 2.5.d.2, the Hearing Board requested and received a response to this Application from the Air Pollution Control Officer. That response recommended the Emergency Variance be granted.

1 2. Applicant operates an organic solvent and plastic pellets distribution facility at
2 2461 Crocker Circle, Fairfield, CA 94533. On September 23, 2009, a routine quarterly inspection
3 was conducted on A4. A mechanical problem was found and maintenance was scheduled for
4 October 21, 2009.

5 3. On October 21, 2009, repairs were made to A4. Follow-up on October 22, 2009
6 revealed the cooling fan was found to be out of order and repaired.

7 4. On October 26, 2009 burn spots were detected on the outside of A4 and it was
8 shut down to minimize damage to the oxidizer, and repair was scheduled and on October 27, 2009,
9 an internal inspection was conducted.

10 5. On October 28, 2009 the thermal oxidizer (A4) was temporarily repaired at
11 14:00 and resumed operations. A permanent repair to correct the air intake fan will be done as
12 soon as the parts are available.

13 6. All emissions from operations on October 26, 2009 and October 27, 2009 were
14 vented to the Bladder Accumulator and not released to A4. Approximately 20 pounds of POC's
15 were emitted during the three day period when A4 was not operating.

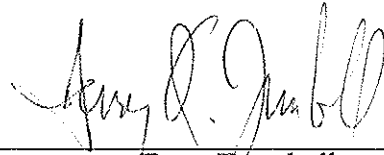
16 7. This Variance will not cause injury, detriment, nuisance, or annoyance to any
17 considerable number of persons or to the public, or endanger the comfort, repose, health or safety
18 of any such persons or the public, or cause or have a natural tendency to cause injury or damage to
19 business or property. In fact, the actions of Applicant were taken to reduce the potential threat to
20 public safety as described above.

21 THEREFORE, THE HEARING BOARD ORDERS:

22 A Variance from Regulation 8, Rule 5 and 6, insofar as it requires compliance with
23 Permit Condition No. 14829, be and is hereby granted from October 26, 2009 to and including
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1 November 6, 2009.

2 DATED: November 3, 2009

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6 _____
7 Terry Trumbull

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