

BOARD MEETING DATE: February 7, 2014

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2013.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DG

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2013** and **December 2013 Hearing Board Cases**.

The total number of appeals filed during the period December 1 to December 31, 2013 is 0; and total number of appeals filed during the period of January 1 to December 31, 2013 is 4.

Rules from which Variances and Order for Abatements were Requested in 2013

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
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
1420														0
1420.1(g)(4)														0
1421(d)														0
1421(d)(1)(C)														0
1421(d)(1)(G)														0
1421(d)(3)(A)														0
1421(e)(2)(c)														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)(8)														0
1469(c)(11)(A)														0
1469(c)(13)(ii)									1					1
1469(d)(5)														0
1469(e)(1)														0
1469(e)(2)														0
1469(g)(2)														0
1469(h)														0
1469(i)														0
1469(j)(4)(A)														0
1469(j)(4)(D)														0
1469(k)(3)(A)														0
1470		1												1
1470(c)(2)(C)(i)(I)														0
1470(c)(2)(C)(iv)														0
1470(c)(3)(B)														0
1470(c)(3)(C)(iii)								1		1				7
1470(c)(3)(C)(i)(I)									1					1

Report of December 2013 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. Brea Parent 2007, LLC Case No. 4966-2 (M. Reichert)	202(a) 203(b) 3002(c)(1)	Petitioner failed to meet the final compliance date in Paragraph B of the variance.	Not Opposed/No Action	Interim Authorization hearing request determined not appropriate because petitioner's variance lacked I/P to hold an Interim Authorization hearing.	N/A
2. Burbank Water and Power Case No. 1474-26 (Consent Calendar; No Appearance)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner cannot conduct annual NH3 slip test on two SCRs because boilers they serve have been out of service and will continue to be out of service for an unknown period.	Not Opposed/Granted	RV granted commencing 12/31/13 and continuing through 12/31/14, the FCD.	None
3. Carson Cogeneration Company Case No. 4324-5 (N. Sanchez)	203(b) 2012(c)(2)(A) 2012, Chapter 2, B.5.e. & f. 2012, Chapter 2, E.2.b.i and ii 2004(f)(1)	CEMS/DAS is not calculating recorded data properly. Supplier no longer providing support service. Time needed to find alternate compliance method or support service.	Not Opposed/Granted	RV granted commencing 12/12/13 and continuing through 4/30/14, the FCD.	None
4. Chevron Products Company Case No. 831-369 (R. Fernandez)	203(b) 2004(f)(1) 3002(c)(1)	Replacement NH3 slip. CEMS failed shortly after startup. Time is needed for repair.	Not Opposed/Granted	Ex Parte EV granted commencing 12/3/13 and continuing for 30 days or until the SV hearing currently scheduled for 12/19/13, whichever comes first.	None

<p>5. City of Riverside Public Utilities Department Case No. 5336-3 (M. Reichert)</p>	<p>2004(f)(1) 2012(c)(2)(A) 2012, Chapter 2, (B)(5)(e) 2012, Chapter 2, (E)(1)(b)(i) and (ii) [missing NO_x concentration data] 2012, Chapter 2, (E)(2)(b)(i) and (ii) [missing exhaust flow rate data]</p>	<p>CEMS/DAS is not calculating recorded data properly. Supplier no longer providing support service. Time is needed to find an alternate compliance method or support service.</p>	<p>Not Opposed/Granted</p>	<p>SV granted commencing 12/3/13 and continuing through 1/31/14.</p>	<p>None</p>
<p>6. Exxon Mobil Oil Corporation Case No. 1183-482 (J. Panasiti)</p>	<p>203(b) 2004(f)(1) 3002(c)(1)</p>	<p>Thermal oxidizer must be repaired or replaced during which time the mist eliminator must be disconnected from it.</p>	<p>Not Opposed/Granted</p>	<p>RV/AOC granted commencing 12/12/13 and continuing through 11/30/14, the FCD.</p>	<p>None</p>
<p>7. L.A. City, Sanitation Bureau (HTP) Case No. 1212-33 (M. Reichert)</p>	<p>203(b) 431.1(c)(2) 3002(c)(1)</p>	<p>Desulfurization facility must be shut down for upgrading to meet code and safety requirements.</p>	<p>Not Opposed/Granted</p>	<p>RV/AOC granted commencing on the start date between 1/15/14 and 3/31/14, and shall continue for not more than 16 days thereafter.</p>	<p>SO_x: 47 lbs/day</p>
<p>8. Mike's Auto Wrecking Case No. 5967-1 (N. Sanchez)</p>	<p>203(a)</p>	<p>Unpermitted generator in use while waiting for the installation of adequate power equipment by the local utility.</p>	<p>Not Opposed/Granted</p>	<p>SV granted commencing 12/12/13 and continuing through 3/12/14.</p>	<p>Non-Methane Hydrocarbons plus NO_x: 1.609 lbs/day CO: 0.864 lb/day PM: 0.056 lb/day</p>
<p>9. Los Angeles Department of Water and Power Case No. 1263-70 (R. Fernandez)</p>	<p>203(b) 218(b)(2) 2004(f)(1) 2012, Appendix A, Chapter 2, Section A 2012, Attachment C, B.2.a. 3002(c)(1)</p>	<p>Unit No. 9 is out of service due to catastrophic damage to compressor and cannot conduct RATA test by the 12/31/13, due date.</p>	<p>Not Opposed/Denied</p>	<p>Ex Parte EV denied.</p>	<p>N/A</p>

10. Los Angeles Department of Water and Power Case No. 1263-70 (L. Nevitt)	203(b) 218(b)(2) 2004(f)(1) 2012, Appendix A, Chapter 2, Section A 2012, Attachment C, B.2.a. 3002(c)(1)	Unit No. 9 is out of service due to catastrophic damage to compressor and cannot conduct RATA test by the December 31, 2013, due date.	Not Opposed/Dismissed	IV dismissed without prejudice for the lack of good cause. SV hearing scheduled for 12/31/13.	N/A
11. Los Angeles Department of Water and Power Case No. 1263-70 (M. Reichert)	203(b) 218(b)(2) 2004(f)(1) 2012, Attachment A, Chapter 2, Section A 2012, Attachment C, B.2.a. 3002(c)(1)	Unit No. 9 is out of service due to catastrophic damage to compressor and cannot conduct RATA test by the December 31, 2013, due date.	Not Opposed/Granted	SV granted commencing 12/31/13 and continuing through 3/1/14.	None
12. Southern California Edison Company (SCE) Case No. 1262-107 (L. Nevitt)	203(b) 3002(c)	CALISO may require startup of peaker units beyond permit limitations.	Not Opposed/Granted	IV granted commencing 12/19/13 and continuing through 12/31/13 for Grapeland and Center Peakers only. SV scheduled for 1/15/14 and RV scheduled 2/4/14.	NO _x : 4.81 lbs/hr PM ₁₀ : 5.29 lbs/hr CO: 7.2 lbs/hr VOC: 1.34 lbs/hr SO _x : 0.31 lb/hr
13. Southern California Edison Company (SCE) Case No. 1262-108 (L. Nevitt)	203(b) 2012, Appendix A, Attachment C, Section B.2 3002(c)	Steam turbine malfunction delayed the completion of the RATA test beyond the due date.	Not Opposed/Granted	IV granted commencing 12/31/13 and continuing for 90 days or until the SV hearing currently scheduled for 1/15/14.	None
14. Southern California Gas Company Case No. 137-69 (M. Lorenz)	203(b) 1110.2(f)(1)(C) 2004(f)(1) 2012, Appendix A, Attachment C, Section (b)(2) 3002(c)(1)	Old 5,500 HP ICE suffered major damage. RATA test cannot be completed by deadline because of repair delays.	Not Opposed/Granted	RV granted commencing 1/1/14 and continuing through 2/28/14.	None
15. Southern California Gas Company Case No. 137-70 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Expected weather conditions may require emergency generator starts to exceed the annual limit.	Not Opposed/Granted	EX Parte EV granted commencing 12/19/13 and continuing through midnight 12/31/13.	NO _x : 18.48 lbs/day

16. SCAQMD vs. Ridgeline Energy Services (USA) Inc. Case No. 5954-1 (K. Manwaring)	203(a) 219 402 H&S Code Section 41700	Status report on compliance with O/A regarding nuisance odors.	Stipulated/No Action	Status O/A. Progress report received and no action taken. Mod. O/A scheduled for 1/9/14.	N/A
17. 3M Company Case No. 5970-1 (K. Manwaring)	202(b) 203(b) 1147(c)(14)(B) 3002(c)(1)	Cannot meet emission limits because of problems with startup and with the new Low-NO _x burners.	Not Opposed/Granted	IV granted commencing 12/18/13 and continuing for 90 days or until the SV hearing currently scheduled for 1/8/14.	CO: 436 lbs/day NO _x : 15.36 lbs/day
18. Western Propane Gas Association Case No. 5962-1 (N. Sanchez)	1177(d)(2)(D)	Equipment not available to meet LPG transfer requirements.	Not Opposed/Granted	GRV granted for 23 petitioners commencing 1/1/14 and continuing through 6/30/14, the FCD.	VOC: TBD by 6/30/14
19. Western Propane Gas Association Case No. 5962-1 (N. Sanchez)	1177(d)(2)(D)	Equipment is not available to meet the LPG transfer requirements.	Not Opposed/Granted	The Board issued an order adjusting and partially waiving excess emissions fees for 23 petitioners.	VOC: TBD by 6/30/14
20. Ultramar Inc. dba Valero Wilmington Refinery Case No. 3845-88 (V. Tyagi)	202(a) 203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c) H&S Section 41701	Leaks discovered in the main air blower during the restart of the FCCU following repairs and maintenance.	Not Opposed/Granted	Ex parte EV commencing 12/17/13 and continuing through 12/24/13, the FCD.	Variance: None AOC: CO: 1,453 lbs/mo SO _x : 162 lbs/mo

Acronyms

AOC: Alternative Operating Conditions
CALISO: California Independent System Operator
CARB: California Air Resources Board
CEMS/DAS: Continuous Emissions Monitoring System/Data Acquisition System
CO: Carbon Monoxide
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
GRV: Group Regular Variance
H₂S: Hydrogen Sulfide
H&S: Health & Safety Code
ICE: Internal Combustion Engine
I/P: Increments of Progress
IV: Interim Variance
LPG: Liquid Propane Gasoline
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance

Mod. O/A: Modification of an Order for Abatement
NaOH: Sodium Hydroxide
NH₃: Ammonia
NOV: Notice of Violation
NO_x: Oxides of Nitrogen
N/A: Not Applicable
O/A: Order for Abatement
P/C: Permit to Construct
PM: Particulate Matter
RATA: Relative Accuracy Test Audit
RECLAIM: Regional Clean Air Incentives Market
ROG: Reactive Organic Gas
RV: Regular Variance
SCR: Selective Catalytic Reduction
SO_x: Oxides of Sulfur
SV: Short Variance

TBD: To be determined
VOC: Volatile Organic Compound
VRS: Vapor Recovery System