

BOARD MEETING DATE: February 4, 2011

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2010.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

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Three summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2010 and December 2010 Hearing Board Cases.**

The total number of appeals filed during the period December 1 to December 31, 2010 is 0; and total number of appeals filed during the period of January 1 to December 31, 2010 is 12.

Report of December 2010 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. Air Products and Chemicals, Inc. Case No. 4276-12 (J. Panasiti)	203(b) 2004(f)(1) 2012(c)(2)(A) 3002(c)(1)	A malfunction of the reformer stack wet oxygen analyzer occurred. Petitioner was unable to repair it within the 96 hours grace period.	Not Opposed/Granted	Ex Parte EV granted commencing 12/28/10 and continuing for 30 days or until the EV hearing currently scheduled for 1/5/11, whichever comes first.	None.
2. AOC, LLC Case #5733-3 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1)	The afterburner controlling the VOC from the mixing tanks will shut down when the boiler that fuels it is shut down for the State required inspection.	Not Opposed/Granted	SV granted commencing 12/5/10 and continuing through 12/10/10.	VOC: Estimated at 18 lbs over six days
3. BP West Coast Products, LLC Case #5357-69 (K. Manwaring)	203(b) 463(e)(4) 3002(c)(1)	The floating roof on the gasoline storage tank failed (submerged). Petitioner is unable to rectify the problem within the 72 hours allotted by Rule 463.	Not Opposed/Granted	Ex Parte EV granted commencing 12/17/10 and continuing through 12/21/10.	VOC: TBD by 1/7/11
4. BP West Coast Products, LLC Case No. 5357-70 (T. Barrera)	203(b) 463(c)(2)(C) 463(e)(4) 3002(c)(1)	Petitioner is unable to complete the removal of VOCs from roof of floating tank in the time allotted by EV Case No. 5357-69.	Not Opposed/Granted	Ex Parte EV granted commencing 12/22/10 and continuing for 30 days or until the EV hearing currently scheduled for 1/5/11, whichever occurs first.	TBD by 1/6/11
5. Chevron Products Company Case #831-357 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1)	The NH3 CEMS was dismantled and sent to the manufacturer for repairs.	Not Opposed/Granted	SV granted commencing 12/1/10 and continuing through 2/3/11.	None.
6. City of Los Angeles, Sanitation Bureau, Hyperion Treatment Plant Case #1212-32 (J. Panasiti)	203(b) 431.1 3002(c)	Digester gas will be vented to flare during demolition of existing equipment and installation of four new digester gas compressors.	Not Opposed/Granted	SV granted commencing 12/08/10 and continuing through 3/13/11.	H2S: 71 lbs/day for 6 days
7. Double Tree Hotel Carson Case #5797-1 (N. Sanchez)	203(a) 222 1146.2	Petitioner is operating five unregistered boilers that exceed emission limits.	Not Opposed/ Dismissed	IV dismissed without prejudice for lack of good cause. RV currently scheduled for 1/13/11.	N/A

8. Eastern Municipal Water District Case #4937-45 (N. Sanchez)	202(b) 1110.2(d)(1)(B)(ii)	Petitioner is operating the ICE in excess of the NO _x limit in Rule 1110.2 and is in noncompliance with the conditions of its permit.	Not Opposed/Granted	SV granted for a period of 120 non-consecutive hours in a window-of-time starting on 12/22/10 and continuing through 3/21/11.	NO _x : 1554 lbs/for 120 hours
9. ExxonMobil Oil Corporation Case #1183-451 (K. Manwaring)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must take the SCR offline to conduct maintenance and repair of the air preheater and SCR.	Not Opposed/Granted	SV & AOC granted for a period of 168 consecutive hours in a window-of-time commencing on 2/10/11 and continuing through no later than 4/25/11.	NO _x : 2352 lbs/variance period
10. L.A. City, Department of Airports Case #4703-7 (J. Panasiti)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner seeks an increase in rock crusher throughput limit to meet the construction deadline.	Not Opposed/Granted	SV granted commencing 12/22/10 and continuing through 3/21/11.	TBD by 1/6/11
11. Lunday-Thagard Company Case #2033-17 (N. Feldman)	202(b) 203(b) 204 2004(f)(1)	Petitioner exceeds the throughput limits on VOC storage tanks, and is waiting for the issuance of permit modifications.	Not Opposed/Granted	M/E granted commencing 12/16/10 and continuing through 5/1/11.	VOC: 2 lbs/day
12. SCAQMD vs. 520 La Fayette Park, LLC Case #5798-1 (N. Sanchez)	203(a)	Respondent is operating the boiler without a permit.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 3/30/11.	N/A
13. SCAQMD vs. Gas Dispensing Facilities Case #5795-1 (N. Sanchez)	203(b) 461(c)(2)(A) 461(e)(1)	Respondents are each operating gasoline dispensing facilities without required in-station diagnostic.	Stipulated/Issued	Group O/A issued. The Hearing Board shall retain jurisdiction over this matter until 7/31/11, at which time this O/A, if it has not been properly extended, shall expire.	N/A
14. SCAQMD vs. Santana Cycles, Inc. Case #4403-5 (J. Panasiti)	1107	Respondent is using noncompliant coatings.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until all increments of progress are completed or 11/18/11, whichever occurs first.	N/A
15. SCAQMD vs. Mitsubishi Cement Corporation Case #5545-1 (J. Panasiti)	203(b)	Respondent is waiting for the issuance of permits pending CEQA review.	Not Stipulated/ Dismissed	Mod. O/A dismissed without prejudice as the Board determined that it is unclear whether it has authority to modify the order without the stipulation of both parties and it is unwilling at this time to bring its own motion for a new order for abatement in this matter.	N/A

16. Southern California Edison Company Case #1262-97 (N. Sanchez)	203(b)	The emergency standby generator exceeds the limit on hours of operation.	Not Opposed/ Dismissed	IV dismissed without prejudice for lack of good cause. SV currently scheduled for 12/21/10.	N/A
17. Southern California Edison Company Case #1262-97 (N. Sanchez)	203(b)	The emergency standby generator exceeds the limit on hours of operation.	Not Opposed/ Dismissed	SV dismissed without prejudice.	N/A
18. Southern California Edison Company Case #1262-98 (Consent Calendar Item) (N. Sanchez)	203(b)	Respondent has exceeded the annual operation limit for the emergency generator.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 1/7/11.	N/A

Acronyms

CARB: California Air Resources Board
CO: Carbon Monoxide
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
H2S: Hydrogen Sulfide
H&S: Health & Safety Code
ICE: Internal Combustion Engine
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
NH3: Ammonia
NOV: Notice of Violation
NOx: Oxides of Nitrogen
N/A: Not Applicable
O/A: Order for Abatement
RECLAIM: Regional Clean Air Incentives Market
ROG: Reactive Organic Gas
RV: Regular Variance
SCR: Selective Catalytic Reduction
SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compound
VRS: Vapor Recovery System