

BOARD MEETING DATE: July 8, 2011

AGENDA NO. 22

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2011.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DP

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2011** and **May 2011 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2011 is 0; and total number of appeals filed during the period of January 1 to May 31, 2011 is 0.

Rules from which Variances and Order for Abatements were Requested in 2011

	2011	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1171(c)(1)(b)(i)														0
1171(c)(4)														0
1171(c)(5)														0
1171(c)(5)(A)(i)														0
1171(c)(6)														0
1173														0
1173(c)														0
1173(d)														0
1173(e)(1)														0
1173(f)(1)														0
1173(g)														0
1175														0
1175(c)(2)														0
1175(c)(4)(B)														0
1175(c)(4)(B)(i)														0
1175(c)(4)(B)(ii)														0
1175(c)(4)(B)(ii)(I)														0
1175(b)(1)(C)														0
1175(d)(4)(ii)(II)														0
1176														0
1176(e)														0
1176(e)(1)														0
1176(e)(2)														0
1176(e)(2)(A)														0
1176(e)(2)(A)(ii)														0
1176(e)(2)(B)(v)														0
1178(d)(1)(A)(xiii)														0
1178(d)(1)(A)(xiv)														0
1178(d)(1)(B)														0
1176(f)(3)														0
1178(d)(1)(C)														0
1178(d)(3)(C)														0
1178(d)(3)(D)														0
1178(d)(3)(E)														0
1178(d)(4)(A)(i)														0
1178(g)														0
1186.1														0
1186.1														0
1189(c)(3)														0
1195														0
1195(d)(1)(D)														0
1303														0
1303														0
1303(a)(2)														0
1401														0
1401(d)(1)														0
1401(d)(1)(A)														0

Report of May 2011 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. ExxonMobil Oil Corporation Case #1183-457 (T. Barrera)	202(a) 203(b) 2004(f)(1) 3002(c)(1)	Petitioner must bypass portion of FCCU control equipment to repair pipe at outlet of 4th stage separator.	Not Opposed/Granted	SV & AOC granted for 70 non-consecutive hours in a period of seven days between 7/25/11 and 8/1/11.	None
2. PurEnergy Operating Services, LLC Case #5227-8 (Consent Calendar; No Appearance)	218.1(b)(4)(A) 218.1(b)(4)(B) 218.1(b)(4)(C) 218.1(b)(4)(D)	Power plant has not operated since October 2010 and will not operate in foreseeable future. Consequently, periodic compliance testing, gas audits and RATA for CO CEMS cannot be conducted.	Not Opposed/Granted	RV granted commencing 5/11/11 and continuing through 4/20/12, the FCD.	None
3. PurEnergy Operating Services, LLC Case #5227-9 (Consent Calendar; No Appearance)	218.1(b)(4)(A) 218.1(b)(4)(B) 218.1(b)(4)(C) 218.1(b)(4)(D)	Power plant has not operated since October 2010 and will not operate in foreseeable future. Consequently, periodic compliance testing, gas audits and RATA for CO CEMS cannot be conducted.	Not Opposed/Granted	RV granted commencing 5/11/11 and continuing through 4/20/12, the FCD.	None
4. SCAQMD vs. Frito-Lay, Inc. Case #5141-5 (Consent Calendar; No Appearance)	1303	Respondent's newly installed RTO has failed to bring equipment into compliance. Additional equipment must be installed.	Stipulated/Issued	O/A issued commencing 5/11/11. The Hearing Board shall retain jurisdiction over this matter until 5/11/12.	N/A
5. SCAQMD vs. Imperial Western Products, Inc. Case #5782-1 (T. Barrera)	201 202(a)	Petitioner seeks increase in allowable fuel use to meet FDA Health & Safety Protocol for animal feed manufacturing.	Stipulated/Issued	O/A issued commencing 5/31/11. The Hearing Board shall retain jurisdiction over this matter until 12/1/11.	N/A
6. SCAQMD vs. Jan IV Corp., dba Faith Plating Co. Case #5747-4 (K. Manwaring)	203(b) 1469	Respondent operates chrome plating facility in violation of Rule 1469.	Not Stipulated/Issued	O/A issued commencing 5/3/11. The Hearing Board shall retain jurisdiction over this matter until 7/15/11.	N/A

7. SCAQMD vs. Quality Car Care Products, Inc. Case #5766-4 (Consent Calendar; No Appearance)	203(b)	Delay in issuance of city permit necessitates rescheduling final compliance date.	Stipulated/Issued	O/A issued commencing 5/31/11. The Hearing Board shall retain jurisdiction over this matter until 11/1/11.	N/A
8. SCAQMD vs. Richard Bagdasarian, Inc. Case #5819-1 (N. Sanchez)	461(c)(1)(B) 461(c)(2)(A) 461(c)(3)(F) 461(c)(3)(I) 461(e)(2)(B)	Respondent operating above ground gasoline storage tank without a CARB-certified VRS.	Stipulated/Issued	O/A issued commencing 5/24/11. The Hearing Board shall retain jurisdiction over this matter until 12/31/11.	N/A
9. Southern California Edison Case #1262-99 (Consent Calendar; No Appearance)	203(b) 3002(c)	There will be excess NOx emissions during commissioning of backup compressors.	Not Opposed/Granted	SV granted commencing 5/4/11 and continuing through 8/1/11.	CO: 5 lbs/day NOx: 30 lbs/day
10. Tesoro Refining and Marketing Co. Case #4982-88 (J. Voge)	203(b) 1118(c)(4) 1118(c)(5) 2004(f)(1) 3002(c)(1)	Petitioner must shut down gasoline VRS to conduct legally required internal inspection of associated compressor's knockout drum.	Not Opposed/Granted	SV & AOC granted commencing 6/6/11 and continuing through 7/19/11.	ROG: 2.9 lbs/day NOx: 3.1 lbs/day CO: 16.9 lbs/day PM10: 0.9 lbs/day SOx: 392 lbs/day

Acronyms

AOC: Alternative Operating Conditions
 CARB: California Air Resources Board
 CEMS: Continuous Emissions Monitoring System
 CO: Carbon Monoxide
 EV: Emergency Variance
 FCCU: Fluid Catalytic Cracking Unit
 FCD: Final Compliance Date
 FDA: Food and Drug Administration
 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
 PM: Particulate Matter
 PPM: Parts Per Million
 RATA: Relative Accuracy Test Audit
 ROG: Reactive Organic Gases
 RTO: Regenerative Thermal Oxidizer
 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