

BOARD MEETING DATE: October 7, 2011

AGENDA NO. 19

REPORT: Hearing Board Report

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

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

SW:DP

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

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

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														0
1171(c)														0
1171(c)(1)														0
1171(c)(1)(A)(i)														0
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)							1		1					2
1176(e)(2)							1							1
1176(e)(2)(A)														0
1176(e)(2)(A)(ii)									1					1
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							1							1

Report of August 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. Anthony International Case No. 4797-2 J. Voge	202(b) 203(b) 3002(c)(1)	Source test protocol requires coating use in excess of permit limit.	Not Opposed/Granted	RV granted commencing 8/9/11 and continuing through 11/9/11, the FCD.	PM10: 6.71 lbs/day
2. Eneritech Environmental California LLC Case No. 5778-1 K. Manwaring	202(a)	Startup operational problems have prevented Petitioner from conducting source tests at max operating conditions as required.	Not Opposed/Modified	RV Conditions modified commencing 8/17/11 and continuing through 2/28/12.	None
3. ExxonMobil Oil Corporation Case No. 1183-458 J. Voge	203(b) 2004(f)(1) 3002(c)(1)	Refinery boiler must be shut down for maintenance. On restart, petitioner will violate permit conditions until SCR reaches proper operating temperature.	No Position/ Granted	SV & AOC granted commencing 8/8/11 and continuing through 9/29/11.	NOx: 238.8 lbs/day AOC: None
4. Los Angeles Department of Water & Power Case No. 1263-62 J. Voge	203(b) 2004(f)(1) 2012, Att. C, B.2 3002(c)(1)	Petitioner has experienced series of operational problems preventing completion of RATA test within prescribed timeframe.	No Position/Dismissed	EV dismissed without prejudice.	N/A
5. Los Angeles Department of Water & Power Case No. 1363-62 J. Voge	203(b) 2004(f)(1) 2012, Att C, B.2. 3002(c)(1)	Petitioner has experienced series of operational problems preventing completion of RATA test within prescribed timeframe	Not Opposed/Granted	SV granted for 14 operating days within a window-of-time commencing 8/16/11 and continuing through 9/15/11.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Magnolia Power Project, SCPPA Case No. 5601-2 K. Manwaring	203(b) 2004(f)(1) 3002(c)(1)	Source test revealed excess VOC emissions.	Not Opposed/Granted	Ex Parte EV granted commencing 8/18/11 and continuing for 30 days or until the EV hearing currently scheduled for 8/24/11, whichever comes first.	VOC: 75.12 lbs/day
7. Magnolia Power Project, SCPPA Case No. 5601-2 K. Manwaring	203(b) 2004(f)(1) 3002(c)(1)	Source test revealed excess VOC emissions.	Not Opposed/Granted	EV converted to IV per stipulation of all parties. IV granted for 90 days or until the SV hearing currently scheduled for 10/12/11, whichever comes first.	VOC: TBD due 10/27/11
8. Paramount Petroleum Corporation Case No. 2914-111 J. Voge	1176(e)(1) 1176(e)(2)(A)(ii)	Petitioner must remove refinery waste water separator cover to repair leaks.	Not Opposed/Granted	SV granted commencing 8/4/11 and continuing through 11/2/11.	VOC: 22.84/40 hours
9. SCAQMD vs. California Hospital Medical Center Case No. 5826-1 K. Manwaring	1146(c)(2)	Respondent operating noncompliant boilers.	Stipulated/Issued	O/A issued commencing 8/24/11 and continuing until 8/24/12. The Hearing Board shall retain jurisdiction over this matter for one year from the date this O/A issued or 30 days after Respondent has achieved final compliance, whichever comes first.	N/A
10. SCAQMD vs. Rust-Oleum Corporation Case No. 4579-2 N. Sanchez (Consent Calendar)	1113(c)(2) 1113(c)(3)(A) 1113(c)(3)(B)	Respondent manufacturing and offering for sale, floor coatings with excess VOC.	Stipulated/Issued	O/A issued commencing 8/10/11 and continuing through 11/30/11. The Hearing Board shall retain jurisdiction over this matter until 12/31/11.	N/A
11. SCAQMD vs. Stationary Diesel-Fueled Internal Combustion Engine Facilities, Does 1-100 Case No. 5823-1 N. Sanchez (Consent Calendar)	1470	Respondents operating stationary diesel fueled ICEs violating Tier4 limit in R1470.	Stipulated/Issued	Group O/A Order issued on 8/10/11 with respect to Does 22-40 and continuing through 3/1/12. The Hearing Board shall retain jurisdiction over this matter until 3/1/12.	N/A

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
12. SCAQMD vs. Stationary Diesel-Fueled Internal Combustion Engine Facilities, Does 1-100 Case No. 5823-1 N. Sanchez (Consent Calendar)	1470	Respondents operating stationary diesel fueled ICEs violating Tier4 limit in R1470.	Stipulated/Issued	Group O/A Order issued on 8/31/11 with respect to Does 41-62 and continuing through 3/1/12. The Hearing Board shall retain jurisdiction over this matter until 3/1/12.	N/A

Acronyms

AOC: Alternative Operating Conditions
 CARB: California Air Resources Board
 CEMS: Continuous Emissions Monitoring System
 CO: Carbon Monoxide
 ESP: Electrostatic Precipitator
 EV: Emergency Variance
 FGRS: Flare Gas Recovery System
 FCCU: Fluid Catalytic Cracking Unit
 FCD: Final Compliance Date
 GDF: Gasoline Dispensing Facility
 H&S: Health & Safety Code
 H2S: Hydrogen Sulfide
 ICE: Internal Combustion Engine
 I/P: Increments of Progress
 IA: Interim Authorization
 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
 NMOC: Non-Methane Organic Compounds
 NOV: Notice of Violation
 NOx: Oxides of Nitrogen
 O/A: Order for Abatement
 PM: Particulate Matter
 PPM: Parts per Million
 RATA: Relative Accuracy Test Audit
 RECLAIM: Regional Clean Air Incentives Market
 ROG: Reactive Organic Gas
 RV: Regular Variance
 SCR: Selective Catalytic Reduction
 SO2: Sulfur Dioxide
 SOx: Oxides of Sulfur
 SV: Short Variance
 TBD: To be determined
 TOC: Total Organic Compounds
 VOC: Volatile Organic Compounds
 VRS: Vapor Recovery System