

BOARD MEETING DATE: September 6, 2013

AGENDA NO. 17

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DP

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

The total number of appeals filed during the period June 1 to July 31, 2013 is 0; and total number of appeals filed during the period of January 1 to July 31 2013 is 2.

Report of June 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. California Amforge Corporation Case No. 5945-1 (M. Lorenz & N. Feldman)	1147(c)(1)	Petitioner unable to meet 60ppm NOx limit by 7/1/13 compliance date for forging furnace.	Not Opposed/Granted	RV granted commencing 7/1/13 and continuing through 9/30/13, the FCD.	NO _x : 1.4 lbs/day
2. Department of Commerce/NOAA/National Weather Service of San Diego Case No. 5882-2 (J. Panasiti)	203(b)	Petitioner has almost exceeded its allotment of operating hours for its emergency generator and seeks additional hours for remainder of 2013.	Not Opposed/Granted	RV granted commencing 6/18/13 and continuing through 12/31/13, the FCD.	VOC, NO _x & CO: TBD by 7/3/13
3. ExxonMobil Oil Corporation Case No. 1183-477 (J. Panasiti)	203(b) 221(b) 221(d) 1118(g)(1) 2004(f)(1) 3002(c)(1)	Petitioner cannot comply with condition defining start and end of flaring event of recently issued permit.	Not Opposed/Granted	SV & AOC granted commencing 6/13/13 and continuing through 9/12/13.	None
4. SCAQMD vs. Doron Varon, individually and dba First Kitchen Case No. 5942-1 (J. Panasiti)	109(c)(1) 203(a)	Respondent operating paint spray booth without permit to operate and fails to maintain usage records.	Not Stipulated/Issued	O/A issued commencing 6/5/13; the Hearing Board shall retain jurisdiction over this matter until 7/31/13.	N/A
5. SCAQMD vs. Doron Varon, individually and dba First Kitchen Case No. 5942-1 (J. Panasiti)	109(c)(1) 203(a)	Respondent operating paint spray booth without permit to operate and fails to maintain usage records.	Not Stipulated/Issued	O/A re-issued commencing 6/12/13; the Hearing Board shall retain jurisdiction over this matter until 9/30/13.	N/A
6. SCAQMD vs. El Segundo Power, LLC Case No. 5097-9 (T. Barrera)	202(a) 203(b) 2004(f)(1) 3002(c)(1)	Respondent will exceed NOx limit during start up.	Stipulated/Issued	O/A issued commencing 6/18/13; the Hearing Board shall retain jurisdiction over this matter until 7/31/13.	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
7. SCAQMD vs. Los Angeles Department of Water and Power Case No. 1263-67 (N. Feldman)	203(b)	Respondent's permit for six new turbines limits it to operating no more than three units at one time but must operate six at a time to demonstrate system readiness, emergency preparedness and NERC mandatory reliability standards.	Stipulated/Issued	O/A issued commencing 6/13/13; the Hearing Board shall retain jurisdiction over this matter until 8/30/13.	N/A
8. SCAQMD vs. UHS-Corona Inc./Corona Regional Medical Center Case No. 5941-1 (M. Reichert & A. Giragosian)	1470(c)(3)(C)(iii)	Respondent operating emergency diesel ICE exceeding NOx limits.	Stipulated/Issued	O/A issued commencing 6/13/13; the Hearing Board shall retain jurisdiction over this matter until 6/13/14.	N/A
9. SCAQMD vs. Valley Presbyterian Hospital Case No. 5920-2 (K. Manwaring)	1146.1(c)(2)	Respondent needs additional time to install compliant boiler.	Stipulated/Issued	Mod. O/A issued commencing 6/26/13; the Hearing Board shall retain jurisdiction over this matter until 3/6/14.	N/A
10. Southern California Edison Case No. 1262-104 (T. Barrera)	2012, Appendix A, Attachment C, Section B.2.	ICE is out of service due to major failure and cannot conduct semi-annual RATA until returned to service after due date.	Not Opposed/Granted	SV granted commencing 7/1/13 and continuing through 9/28/13.	None

Acronyms

AOC: Alternative Operating Conditions
CARB: California Air Resources Board
CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
ESP: Electrostatic Precipitator
EV: Emergency Variance
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
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
NERC: North American Electric Reliability Corporation
NH₃: Ammonia
NO_x: Oxides of Nitrogen
O/A: Order for Abatement
OSHDP: Office of Statewide Health Planning and Development
PM: Particulate Matter
RATA: Relative Accuracy Test Audit
ROG: Reactive Organic Gas
RV: Regular Variance
SCR: Selective Catalytic Reduction
SO₂: Sulfur Dioxide
SO_x: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compounds
VRS: Vapor Recovery System

Report of July 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. City of Pasadena, Water & Power Department Case No. 2244-27A (J. Panasiti)	203(b) 2004(f)(1) 2012 Protocol, Attachment C, Section B.2 3002(c)(1)	Fire protection system malfunction prevents petitioner from conducting emission testing by due date of July 31, 2013.	Not Opposed/Denied	Ex Parte EV denied.	N/A
2. City of Pasadena, Water and Power Department Case No. 2244-27A (R. Fernandez)	203(b) 2004(f)(1) 2012 Protocol, Attachment C, Section B.2 3002(c)(1)	Fire protection system malfunction prevents petitioner from conducting emission testing by due date of July 31, 2013.	Not Opposed/Granted	EV granted commencing 8/1/13 and continuing through 8/30/13.	None
3. SCAQMD vs. California State University, Los Angeles Case No. 5926-1 (N. Sanchez)	1146(c)(1)(I)	Respondent cannot meet O/A conditions. Boiler retrofit and testing delayed due to delay in receiving compliant retrofit burner and delay in receiving permit.	Not Stipulated/Issued	Mod. O/A issued commencing 7/2/13 and continuing through 7/31/13. The Hearing Board shall retain jurisdiction over this matter until 12/31/13.	N/A
4. SCAQMD vs. Hemet Valley Medical Center Case No. 5901-2 (N. Sanchez)	1146(c)(1)(I)	Respondent operating two boilers with excess NOx.	Not Stipulated/Denied	Mod. O/A denied.	N/A
5. SCAQMD vs. Johnson Thai, individually and dba Monterey Park Auto Body, Inc. Case No. 5947-1 (K. Manwaring)	203(a)	Respondent operating paint spray booth without permit.	Not Stipulated/Issued	O/A issued to cease and desist operating paint spray booth at the facility effective close of business on 7/24/13, unless and until respondent submits a complete application with payment in full for a permit including all fees owed to operate the paint spray booth. The Hearing Board shall retain jurisdiction over this matter until 1/22/14.	N/A

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6. SCAQMD vs. O'Connor Laguna Hills Mortuary Case No. 5946-1 (N. Sanchez)	1147(c)(10)	Respondent operating crematorium exceeding R1147 limit of 60 ppm NOx.	Stipulated/Issued	O/A issued commencing 7/2/13 and continuing through 11/15/13. The Hearing Board shall retain jurisdiction over this matter until 1/31/14.	N/A
7. SCAQMD vs. Westcoast Plating, Inc. Case No. 5840-1 (J. Panasiti)	203(a) 1469(c)(13)(ii)	Respondent operating chrome, copper and nickel plating operation in close proximity to sensitive receptors and cannot comply with O/A conditions.	Stipulated/Issued	Mod. O/A issued commencing 7/30/13 and continuing through 10/29/13. The Hearing Board shall retain jurisdiction over this matter until 10/29/13.	N/A
8. Southern California Edison Case No. 1262-105 (M. Reichert)	1470(c)(3)(C)(iii)	Petitioner operating emergency generator within 100 meters of a school in excess of limits of R1470.	Opposed/Dismissed	IV dismissed for lack of good cause.	N/A

Acronyms

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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
N/A: Not Applicable
NH3: Ammonia
NOx: Oxides of Nitrogen
O/A: Order for Abatement
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RV: Regular Variance
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SO2: Sulfur Dioxide
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