

BOARD MEETING DATE: December 5, 2014

AGENDA NO. 19

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of October 1 through October 31, 2014.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

SM

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2014** and **October 2014 Hearing Board Cases**.

The total number of appeals filed during the period October 1 to October 31, 2014 is 0; and total number of appeals filed during the period of January 1 to October 31, 2014 is 5.

| Rules from which Variances and Order for Abatements were Requested in 2014 | | | | | | | | | | | | | | |
|---|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------------|
| | 2014 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| 2012 Appen A, Chap. 2, Sec. B | | | | | | | | | | | | | | 0 |
| 2012, Appen. A, Protocol 2012, Chap. 2, B.5. | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap. 2, B.5.a | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap. 2, B.10 | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap. 2, B.11 | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap. 2, B.12 | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap. 2, B.17 | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap.2, B.18 | | | | | | | | | | | | | | 0 |
| 2012, Appen A, Chap.2, B.20 | | | | | | | | | | | | | | 0 |
| 2012, Chapter 2, E.2.b.i. | | | | | | | | | | | | | | 0 |
| 2012, Chapter 2, E.2.b.ii. | | | | | | | | | | | | | | 0 |
| 2012 Appen A, Chap. 4.A.4 | | | | | | | | | | | | | | 0 |
| 2012(B)(5)(e) | | | | | | | | 1 | | | | | | 1 |
| 2012(c)(2)(A) | | | | | | | | | | 1 | 2 | | | 3 |
| 2012(c)(2)(B) | | | | | | | | | | | | | | 0 |
| 2012(c)(3) | | | | | | | | | | | | | | 0 |
| 2012(c)(3)(A) | | | | | | | | | | 1 | 1 | | | 2 |
| 2012(c)(3)(B) | | | | | | | | | | | | | | 0 |
| 2012(c)(10) | | | | | | | | | | | | | | 0 |
| 2012(d)(2) | | | | | | | | | | | | | | 0 |
| 2012(d)(2)(A) | | | | | | | | | | | | | | 0 |
| 2012(d)(2)(D) | | | | | | | | | | | | | | 0 |
| 2012(f)(2)(A) | | | | | | | | | | | | | | 0 |
| 2012(g)(1) | | | | | | | | | | 1 | 1 | | | 2 |
| 2012(g)(3) | | | | | | | | | | | | | | 0 |
| 2012(g)(7) | | | | | | | | | | | | | | 0 |
| 2012(h)(3) | | | | | | | | | | | | | | 0 |
| 2012(h)(4) | | | | | | | | | | | | | | 0 |
| 2012(h)(5) | | | | | | | | | | | | | | 0 |
| 2012(h)(6) | | | | | | | | | | | | | | 0 |
| 2012(i) | | | | | | | | | | | | | | 0 |
| 2012(j)(1) | | | | | | | | | | | | | | 0 |
| 2012(j)(2) | | | | | | | | | | | | | | 0 |
| 2012, Protocol (Appen. A) Chap. 2, Part A.1.a | | | | | | | | | | | | | | 0 |
| 2012, Protocol (Appen. A) Chap. 2, Part B.4 | | | | | | | | | | | | | | 0 |
| 2012, Protocol, (Appen A) Chap. 2, Part B.5.e | | | | | | | | | | | | | | 0 |
| 2012 Chapter 2, B.5.f | | | | | | | | | | | | | | 0 |
| 2012(m) | | | | | | | | | | 1 | 1 | | | 2 |
| 2012(m) Table 2012-1, and Appen. A, Chp 2, & Attachment C | | | | | | | | | | 1 | 1 | | | 2 |
| 2012(m) Appen. A, Attach. C | | | | | | | | | | | | | | 0 |
| 2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e.g, and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d | | | | | | | | | | | | | | 0 |
| 2012(m) Appen. A, Chap 3, Section (A)(6) | | | | | | | | | | | | | | 0 |
| 2012(m) Appen. A, Chap 5, Para G, Table 5B and Att. D | | | | | | | | | | | | | | 0 |
| 3002 | | | | | | | | | | | | | | 0 |
| 3002(a) | | | | | | | | | | | | | | 0 |
| 3002(c) | | 1 | | 1 | | | 1 | | | | | | | 3 |

Report of October 2014 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. Breitburn Operating, LP Case No. 4358-11 (N. Sanchez) | 462(d)(1) | Petitioner must upgrade truck bulk loading rack, awaiting issuance of P/C to begin construction. | Not Opposed/Granted | MFCD/EXT granted commencing 10/28/14 and continuing through 12/31/14, the FCD. | VOC: .81 lbs/day NOx: 1.51 lbs/day |
| 2. City of Pasadena Case No. 2244-31 (M. Reichert) | 203(b) 2004(f)(1) 3002(c)(1) 2012(c)(2)(A) 2012(c)(2)(C) | CEMS serving boiler is malfunctioning. | Not Opposed/Granted | Ex Parte EV granted commencing 10/21/14 and continuing through 11/5/14 or until the EV hearing currently scheduled for 10/28/14, whichever comes first. | None |
| 3. ExxonMobil Oil Corporation Case No. 1183-487 (M. Reichert) | 202(a) 203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(3)(A) 2011(e)(1) 2011(k) 2011 [Table 2011-1 and Appendix A, Chapter 2, & Attachment C] 2012 (c)(2)(A) 2012(c)(3)(A) 2012(g)(1) 2012(m) 2012 [Table 2012-1 and Appendix A, Chapter 2, & Attachment C] 3002(c)(1) | Boiler expected to exceed NOx limit on restart after repairs until SCR reaches proper operating temperature. | Not Opposed/Granted | EV & AOC granted commencing 10/8/14 and continuing through 10/29/14. | None |
| 4. Hoag Memorial Hospital Presbyterian Case No. 6005-1 (K. Manwaring) | 203(b) 1110.2(d)(1)(B)(ii) 3002(c)(1) | Petitioner operates three ICEs that intermittently exceed NOx and CO limits. | Not Opposed/Granted | SV granted commencing 10/22/14 and continuing through 1/20/15. | NOx & CO: TBD by 11/6/14 |
| 5. Johanson Dielectrics, Inc. Case No. 6010-1 (N. Sanchez) | 203(b) 442 | Catalytic oxidizer for VOC control failed. | Opposed/Denied | Ex Parte EV denied. | 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 |
|--|---|--|--|---|--|
| 6. Marine Corps Air Station Yuma, Arizona Case No. 5999-1 (K. Manwaring) | 203(b) | Emergency generator has exceeded annual operating limit of 200 hours. | Not Opposed/Granted | RV granted commencing 10/22/14 and continuing through 1/10/15. | NOx: 3.61 lbs/day VOC: 3.61 lbs/day CO: 4.81 lbs/day |
| 7. Phillips 66 Company Case No. 4900-97 (M. Lorenz) | 203(b) 2004(f)(1) 3002(c)(1) | Vapor recovery compressor must be taken off line to repair leaks/corrosion in lines. | Not Opposed/Granted | SV granted commencing upon notice to be given pursuant to Condition No. 1 and shall be for 20 consecutive days in a 60-day window and shall end no later than 12/13/14. | None |
| 8. SCAQMD vs. Barry Shy, individually and a Agent for Service of Process for all other respondents; DTLA Management, LLC Main SB, LLC aka Main SB LLC aka SB Main; SBSpring LLC aka S B Spring LLC aka SB Spring LLC aka SB Spring aka SB Tower; 5 th ST Loft LLC aka Shybary Grand Inc. aka SB Grand; Manhattan Loft, LLC aka Manhattan Loft LLC aka SB Manhattan; and 6 th ST Loft LLC aka SB Lofts LLC aka SB Lofts Case No. 6006-1 (M. Reichert) | 203(a) 222 | Respondents operate ICEs at several residential buildings that power emergency firefighting pumps without valid permits. | Not Stipulated/Issued | O/A issued commencing 10/15/14. The Hearing Board shall retain jurisdiction over this matter until 9/30/15. | N/A |
| 9. SCAQMD vs. City of Vernon Case No. 4957-7 (N. Feldman) | 1470(c)(3)(C)(iii) 1470(c)(3)(B)(ii) | Respondent operating diesel ICE within 100 meters of school in violation of Rule 1470. | Stipulated/Issued | O/A issued commencing 10/29/14 and continuing through 4/14/15. The Hearing Board shall retain jurisdiction over this matter until 6/30/15. | 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 |
|--|--------------------|--|--|--|------------------|
| 10. SCAQMD vs. North County Sand and Gravel, Inc. Case No. 6008-1 (K. Wiese) | 203(a) | Respondent operating various pieces of portable aggregate rock crushing equipment in excess of time limit under portable equipment rules. | Stipulated/Issued | O/A issued commencing 10/29/14 and continuing through 10/29/14. The Hearing Board shall retain jurisdiction over this matter until 10/29/14. | N/A |
| 11. SCAQMD vs. Pacific Alliance Medical Center Case No. 6007-1 (N. Feldman) | 1470(c)(3)(C)(iii) | Respondent operating ICE within 100 meters of school in violation of Rule 1470. | Stipulated/Issued | O/A issued commencing 10/8/14 and continuing through 3/30/15. The Hearing Board shall retain jurisdiction over this matter until 4/30/15. | N/A |

Acronyms

AOC: Alternative Operating Conditions

CEMS: Continuous Emissions Monitoring System

CO: Carbon Monoxide

EV: Emergency Variance

FCD: Final Compliance Date

ICE: Internal Combustion Engine

MFC/EXT: Modification of a Final Compliance Date and Extension of a Variance

Mod. O/A: Modification of an Order for Abatement

NOx: Oxides of Nitrogen

N/A: Not Applicable

O/A: Order for Abatement

P/C: Permit to Construct

RV: Regular Variance

SCR: Selective Catalytic Reduction

SV: Short Variance

TBD: To be determined

VOC: Volatile Organic Compound