

BOARD MEETING DATE: January 6, 2017

AGENDA NO. 8

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2016.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

DG

---

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2016** and **November 2016 Hearing Board Cases**.

The total number of appeals filed during the period November 1 to November 30, 2016 is 0; and total number of appeals filed during the period of January 1 to November 30, 2016 is 3.

Rules from which Variances and Orders for Abatement were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
<b># of HB Actions Involving Rules</b>														
202(a)						1	2	1	1					5
202(c)		1												1
203				1			1					1		3
203(a)			1				1	1		1	1			5
203(b)		4	3	4	5	8	5	2	4	4	2	3		44
221(b)			1											1
221(d)			1											1
401(b)(1)							1			1	1			3
401(b)(1)(A)					1									1
401(b)(1)(B)									1	1				2
402		1	1		2	1	1		1	1				8
404(a)					1									1
405(a)					1									1
407					1									1
410					1									1
461(e)(2)				1			1	1						3
461(e)(5)		1		3	1	1		1						7
461(e)(6)(d)							1							1
464(b)(1)(A)					1			1						2
464(b)(2)								1						1
464(b)(3)					1			1						2
1110.2				1	1	1	1							4
1110.2(d)(1)(B)					1									1
1110.2(d)(1)(B), Table II						1		1	1					3
1118(g)(1)			1											1
1118(g)(5)			1											1
1123										1				1
1146(c)(1)(G)							1							1
1147								1		1				2
1147(c)(10)									1					1
1173(g)(1)		1	1		1									3
1176(e)(1)								1						1
1176(e)(2)					1			1						2
1402(e)(3)						1								1
1420.1(d)			1											1
1420.1(n)(2)(D)						1								1
1420.1(n)(2)(E)						1								1
1420.2(e)(1)(A)		1												1
1420.2(f)(1)		1												1
1420.2(f)(3)		1												1
1420.2(j)(2)		1												1
1469(e)(7)						1	1							2
1470(c)(3)(C)(iii)							1							1
1470(c)(4)(B)				1			1							2
2004(f)(1)		2	2		5	4	2	3	3	2	2	2		27
2011(c)(2)						1								1

<b>Rules from which Variances and Orders for Abatement were Requested in 2016</b>														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
2011(c)(2)(A)					2									2
2011(c)(3)(A)					2									2
2011(e)(1)					2									2
2011, Attachment C, Section B, Paragraph 2						1								1
2012(c)(2)(A)		1			2									3
2012(c)(3)(A)					2									2
2012(g)(1)		1			2									3
3002(c)(1)		2	3	1	4	5	2	3	2	3	2	2		29
H&S 41700		1	1		1	1	1		1	1				7
H&S 41701					1		1		1	2	1			6

## Report of November 2016 Hearing Board Cases

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Beta Offshore Case No. 5855-5 (M. Reichert)	203(b) 2004(f)(1) 3002(c)(1)	West crane ICE on offshore platform failed VOC test.	Not Opposed/Granted	Ex Parte EV granted commencing 11/2/16 and continuing for 30 days or until the IV hearing currently scheduled for 11/8/16, whichever comes first.	VOC: 0.02 lb/day
2. Beta Offshore Case No. 5855-5 (S. Hanizavarah)	203(b) 2004(f)(1) 3002(c)(1)	West crane ICE on offshore platform failed VOC test.	Not Opposed/Granted	IV granted commencing 11/2/16 and continuing for 90 days or until the regular variance hearing currently scheduled for 12/15/16, or until final compliance is achieved, whichever comes first.	VOC: 0.02 lb/day
3. Edwards Lifesciences LLC Case No. 6065-1 (N. Feldman)	203(b)	Petitioner will exceed the time authorized for testing and maintenance of its emergency ICE.	Opposed/Dismissed	IV dismissed for lack of good cause.	N/A
4. Mt. San Jacinto Winter Park Authority dba Palm Springs Aerial Tramway Case No. 5906-2 (N. Feldman)	203	Two emergency ICEs are expected to exceed the annual permitted hours of operation.	Not Opposed/Granted	SV granted commencing 11/11/16 and ending 12/31/16.	VOC: 0.14 lb/day NOx: 2.92 lb/day CO: 0.64 lb/day PM: 0.01 lb/day PM10: 0.06 lb/day

### Acronyms

AOC: Alternative Operating Conditions  
 CEMS: Continuous Emissions Monitoring System  
 CO: Carbon Monoxide  
 EV: Emergency Variance  
 FCCU: Fluid Catalytic Cracking Unit  
 FCD: Final Compliance Date  
 H&S: Health and Safety  
 ICE: Internal Combustion Engine  
 IV: Interim Variance  
 LFG: Landfill Gas  
 NOx: Oxides of Nitrogen  
 N/A: Not Applicable  
 O/A: Order for Abatement  
 PM: Particulate Matter  
 PM<sub>10</sub>: Particulate Matter  $\leq$  10 Microns  
 RV: Regular Variance  
 SV: Short Variance

SOx: Oxides of Sulfur  
 VOC: Volatile Organic Compounds