BOARD MEETING DATE: May 5, 2017

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2017.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

Two summaries are attached: March 2017 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2017. An Index of District Rules is also attached.

The total number of appeals filed during the period March 1 to March 31, 2017 is 0; and total number of appeals filed during the period of January 1 to March 31, 2017 is 1.
## Report of March 2017 Hearing Board Cases

<table>
<thead>
<tr>
<th>Case Name and Case No. (SCAQMD Attorney)</th>
<th>Rules</th>
<th>Reason for Petition</th>
<th>District Position/ Hearing Board Action</th>
<th>Type and Length of Variance or Order</th>
<th>Excess Emissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Chevron Products Company Case No. 831-386 (T. Barrera)</td>
<td>203(b) 2004(f)(1) 3002(c)(1)</td>
<td>Boiler and other equipment will not be operated per permit conditions during required maintenance. NOx and CO limits may be exceeded during tuning and testing of Cogeneration D burners.</td>
<td>Not Opposed/Granted</td>
<td>SV granted commencing 3/15/17 and continuing through 4/14/17.</td>
<td>NOx and CO: TBD by 3/30/17</td>
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<tr>
<td>2. Chevron Products Company Case No. 831-387 (M. Lorenz)</td>
<td>203(b) 2004(f)(1) 3002(c)(1)</td>
<td>Unanticipated operational problems have resulted in need to startup Cogeneration D more times than allowed by permit conditions.</td>
<td>Not Opposed/Granted</td>
<td>Ex Parte EV granted commencing 3/22/17 and continuing for 30 days or until the EV hearing currently scheduled for 3/28/17, whichever comes first.</td>
<td>NOx: 152.5 lbs/total CO: 16 lbs/total VOC: 28.5 lbs/total</td>
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<tr>
<td>3. Costco Wholesale Corporation/Costco Gasoline #1001 Case No. 5055-8 (N. Feldman)</td>
<td>203(b)</td>
<td>Petitioner seeks to be allowed greater throughput than authorized by permit.</td>
<td>Opposed/Denied</td>
<td>SV denied for lack of beyond reasonable control.</td>
<td>N/A</td>
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<tr>
<td>4. Los Angeles City, Sanitation Bureau, Hyperion Treatment Plant Case No. 1212-35 (M. Reichert)</td>
<td>202(a) 203(b) 1147(c) 3002(c)(1)</td>
<td>Petitioner seeks to operate noncompliant TO for digester gas utilization project while permanent correction can be engineered, procured, installed and tested.</td>
<td>Not Opposed/Granted</td>
<td>RV granted commencing 3/15/17 and continuing through 9/30/17.</td>
<td>NOx: 13.2 lbs/day</td>
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<tr>
<td>5. PQ Corporation Case No. 6072-1 (N. Sanchez)</td>
<td>203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 3002(c)(1)</td>
<td>Petitioner will exceed NOx limits while new stack and CEMS are installed.</td>
<td>Not Opposed/Granted</td>
<td>SV granted commencing 3/13/17 for a period of 14 consecutive days between 3/13/17 and 4/3/17.</td>
<td>None</td>
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<tr>
<td>6. San Bernardino County, Fleet Management Dept. Case No. 6070-1 (N. Sanchez)</td>
<td>203(b)</td>
<td>Petitioner has exceeded annual hours of operation limit for emergency generator.</td>
<td>Not Opposed/Granted</td>
<td>RV granted commencing 3/21/17 and continuing through 12/31/17.</td>
<td>NOx: 0.5 lb/hr CO: 0.2 lb/hr RHC: 0.02 lb/hr PM: 0.03 lb/hr</td>
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<tr>
<td>Case Name and Case No.</td>
<td>Rules</td>
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<tr>
<td>7. SCAQMD vs. Aesthetic Tree Case No. 6069-1 (N. Sanchez)</td>
<td>203(a)</td>
<td>Respondent operates diesel ICE without permit.</td>
<td>Stipulated/Issued</td>
<td>O/A issued commencing 3/7/17 and continuing through 6/30/17. The Hearing Board shall retain jurisdiction over this matter until 6/30/17.</td>
<td>N/A</td>
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<td>8. SCAQMD vs Browning-Ferris Industries of California, Inc., and Republic Services, Inc., dba Sunshine Canyon Landfill Case No. 3448-14 (N. Sanchez)</td>
<td>402 H&amp;S §41700</td>
<td>Status report and modification of O/A.</td>
<td>Stipulated/Issued</td>
<td>Mod. O/A issued commencing 3/1/17 and continuing through 6/30/19. The Hearing Board shall retain jurisdiction over this matter until 6/30/19.</td>
<td>N/A</td>
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<tr>
<td>9. SCAQMD vs Browning-Ferris Industries of California, Inc., and Republic Services, Inc., dba Sunshine Canyon Landfill Case No. 3448-14 (N. Sanchez &amp; K. Manwaring)</td>
<td>402 H&amp;S §41700</td>
<td>Status report and modification of O/A.</td>
<td>Stipulated/Issued</td>
<td>O/A modified through Minute Order only commencing 3/29/17 and continuing through 6/30/19. The Hearing Board shall retain jurisdiction over this matter until 6/30/19.</td>
<td>N/A</td>
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<tr>
<td>10. SCAQMD vs. Southern California Gas Company Case No. 137-76 (N. Feldman &amp; N. Sanchez)</td>
<td>402 H&amp;S §41700</td>
<td>Termination of O/A.</td>
<td>Stipulated/Terminated</td>
<td>Stipulated O/A terminated as of March 2, 2017.</td>
<td>N/A</td>
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</table>

**Acronyms**

CEMS: Continuous Emissions Monitoring System  
CO: Carbon Monoxide  
EV: Emergency Variance  
FCD: Final Compliance Date  
H&S: Health and Safety Code  
Mod. O/A: Modification of Order for Abatement  
ICE: Internal Combustion Engine  
N/A: Not Applicable  
NOx: Oxides of Nitrogen  
O/A: Order for Abatement  
PM: Particulate Matter  
RHC: Reactive HydroCarbons  
RV: Regular Variance  
SV: Short Variance  
TBD: To Be Determined  
TO: Thermal Oxidizer  
VOC: Volatile Organic Compounds
### Rules from which Variances and Orders for Abatement were Requested in 2017

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<th># of HB Actions Involving Rules</th>
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<th>Apr</th>
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FOR MARCH 2017 HEARING BOARD REPORT

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Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

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Rule 442 Usage of Solvents
Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
Rule 1147 NOx Reductions from Miscellaneous Sources
Rule 1176 Sumps and Wastewater Separators

REGULATION XIV – TOXICS

Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Ignition Engines

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

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CALIFORNIA HEALTH AND SAFETY CODE

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