

BOARD MEETING DATE: October 6, 2017

AGENDA NO. 17

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

Julie Prussack
Chairman of Hearing Board

DG

Two summaries are attached: **August 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 August 1 to August 31, 2017 is 0; and total number of appeals filed during the period of January 1 to August 31, 2017 is 3.

Report of August 2017 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. 5855-6 (S. Pruitt & N. Feldman)	203(b) 1110.2(d)(1)(B) 2004(f)(1) 3002(c)(1)	ICE failed source test.	Not Opposed/Granted	SV granted commencing 8/10/17 and continuing through 10/17/17, or until final compliance is achieved, whichever comes first.	VOC: 0.02 lb/day
2. Bowerman Power LFG, LLC Case No. 6088-1 (M. Reichert)	203(b) 1110.2 1703 3002(c)(1)	Coverage needed to trouble shoot and remedy issues with SCR system.	Not Opposed/Granted	SV granted commencing 8/10/17 and continuing through 11/07/17.	NOx: 130.3 lbs/day
3. United States Navy Case No. 4518-9 (M. Reichert)	203(b) 2004(f)(1)	ICE expected to exceed annual permitted hours of operation.	Not Opposed/Granted	IV granted commencing 8/15/17 and continuing for 90 days or until the RV hearing currently scheduled for 9/19/17, whichever occurs first.	CO: 137.7 lbs/total NOx: 6.8 lbs/total PM10: .11 lb/total VOC: .7 lb/total
4. Universal City Studios LLC Case No. 4935-15 (K. Manwaring)	401(b)(1) H&S §41701	Petitioner will use artificial fog for Halloween production exceeding opacity limits.	Not Opposed/Granted	SV granted commencing 9/8/17 and continuing through 11/6/17.	N/A
5. SCAQMD vs. Carlton Forge Case No. 6086-1 (D. Hsu & N. Feldman)	N/A	Status Report.	No Action	The Hearing Board received a status report regarding Carlton Forge and determined no action was necessary to modify the O/A.	N/A
6. SCAQMD vs Lubeco, Inc. Case No. 6089-1 (T. Barrera & S. Pruitt)	402 H&S §41700	Control hexavalent chromium emissions.	Stipulated/Issued	O/A issued commencing 8/23/17 and continuing through 12/1/18. The Hearing Board shall retain jurisdiction over this matter until 12/1/18.	N/A

Acronyms

CO: Carbon Monoxide

EV: Emergency Variance

GDF: Gasoline Dispensing Facility

H&S: Health & Safety Code

ICE: Internal Combustion Engine

IV: Interim Variance

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

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

N/A: Not Applicable

NOx: Oxides of Nitrogen

O/A: Order for Abatement

RV: Regular Variance

SCR: Selective Catalytic Reduction

SV: Short Variance

Rules from which Variances and Orders for Abatement were Requested in 2017

	2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
# of HB Actions Involving Rules														
202(a)			1	1	1		1							4
203(a)		1	1	1	2									5
203(b)		6	4	6	3	3	5	4	3					34
401(b)(1)									1					1
402		2	2	3	1	1		1	1					11
403(d)(1)					1									1
403(d)(2)					1									1
403(d)(3)					1									1
442			2											2
461(e)(2)						1								1
461(e)(1)							1							1
461(e)(3)			1											1
1110.2								1	1					2
1110.2(d)(1)(B), Table II		1					1	1	1					4
1110.2(d)(1)(L)							1							1
1110.2(d)(2)(A)(ii)								1						1
1146							1							1
1147		1												1
1147(c)			1	1			1							1
1153.1(c)(3)						1								1
1153.1(c)(6)						1								1
1176(f)(3)		1												1
1470(c)(3)(C)(iii)			1											1
1703								1	1					2
2004(f)(1)		6	1	3	2	1		2	2					17
2011(c)(2)			1											1
2012(c)(2)(A)				1										1
2012(c)(3)(A)				1										1
3002							1							1
3002(a)			1											1
3002(c)(1)		3	4	4	2	1	1	4	2					21
H&S 41700		2	2	3	1	1		1	1					11

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements

Rule 3003 Applications

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges

§41701 Restricted Discharges