

BOARD MEETING DATE: September 1, 2017

AGENDA NO. 14

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file this report.

Julie Prussack  
Chairman of Hearing Board

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

## Report of June 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. County of Los Angeles Department of Public Works Case No. 6044-1 (N. Sanchez)	1110.2(d)(1)(B)	Extension of FCD to install compliant replacement equipment.	Not Opposed/Granted	MFCD/EXT granted commencing forthwith. The variance shall be for 800 nonconsecutive hours from 4/1/18 until the new electric hoist is certified or 4/30/20, whichever occurs first.	NOx: 1,188 lbs VOC: 2,331.8 lbs CO: 751.7 lbs
2. Los Angeles City Sanitation Bureau Hyperion Treatment Plant Case No. 1212-35 (M. Reichert)	202(a) 203(b) 1147(c) 3002(c)(1)	Extension of FCD to allow for delivery and testing of new thermal oxidizers.	Not Opposed/Granted	MFCD/EXT granted commencing 6/7/17 and continuing through 12/31/17.	NOx: 13.2 lbs/day
3. Mt. San Jacinto Winter Park Authority dba Palm Springs Aerial Tramway Case No. 5906-3 (S. Hanizavareh)	203(b)	Two ICEs will exceed 200 hour annual operating limit.	Not Opposed/Granted	RV granted commencing 6/22/17 and continuing through 12/31/17.	VOC: .14 lbs NOx: 2.92 lbs CO: .64 lbs PM: .006 lbs PNIO: .06 lbs
4. Rashid's Inc., dba University Mobil Case No. 6085-1 (V. Tyagi)	203(b) 461(e)(5)	Failed back pressure test	Not Opposed/Granted	SV granted commencing 6/28/17 and continuing through 7/27/17, or until final compliance is achieved, whichever comes first.	None
5. Tesoro (USA) 63046 Case No. 6087-1 (T. Barrera)	461(e)(1)	Failed to complete vapor recovery test by 6/23/17 as required.	Opposed/Denied	Ex Parte EV denied for lack of good cause.	None
6. SCAQMD vs City of Palm Springs Case No. 6084-1 (M. Reichert)	203(b) 1110.2(d)(1)(L)	Compliance with NOx and CO limits for unique, BACT equipment.	Stipulated/Issued	O/A issued commencing 6/7/17 and continuing through 6/1/18. The Hearing Board shall retain jurisdiction over this matter until 6/1/18.	N/A

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
7. SCAQMD vs. Final Touch Dyeing and Finishing Case No. 6080-1 (D. Hsu)	203(b) 1146	Respondent failed to conduct annual source tests for several years. Modifications must be made to bring equipment into compliance.	Not Stipulated/Issued	O/A issued commencing 6/15/17. The Hearing Board shall retain jurisdiction over this matter until final compliance is achieved. Respondent is ordered to file permit applications by 8/18/17 and complete modification, installation and/or construction of equipment within 60 days from the issuance of the required permits.	N/A
8. SCAQMD vs. Veterans Administration Greater Los Angeles Health Care System Case No. 5895-4 (D. Hsu)	3002	Respondent operating equipment without proper permits.	Stipulated/Issued	O/A issued commencing 6/29/17 and continuing through 8/15/17. The Hearing Board shall retain jurisdiction over this matter until 8/30/17.	N/A

### Acronyms

CO: Carbon Monoxide  
EV: Emergency Variance  
GDF: Gasoline Dispensing Facility  
H&S: Health & Safety Code  
IV: Interim Variance  
MFCD/EXT: Modification of a Final Compliance Date & Extension of a Variance  
Mod. O/A: Modification of an Order for Abatement  
N/A: Not Applicable  
NOx: Oxides of Nitrogen  
O/A: Order for Abatement  
SV: Short Variance

## Report of July 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 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1) 1110.2(d)(1)(B), Table II	Crane on offshore platform failed source test. Petitioner seeks to replace noncompliant engine.	Not Opposed/Granted	Ex Parte EV granted commencing 7/19/17 and continuing for 30 days or until the IV hearing currently scheduled for 7/27/17, whichever comes first.	VOC: .002 lb/day
2. Bowerman Power LFG, LLC Case No. 6088-1 (A. Gay and M. Reichert)	203(b) 1110.2 1703 3002(c)(1)	May exceed NOx emission limit while determining why new equipment is sporadically out of compliance.	Opposed/Dismissed	IV dismissed without prejudice for lack of good cause.	N/A
3. Los Angeles City, Department of Airports Case No. 4703-9 (K. Manwaring)	203(b) 2004(f)(1) 3002(c)(1) 1110.2(d)(2)(A)(ii)	Requested to operate PERP-registered back-up generator in lieu of District-permitted generator due to breakdown.	Opposed/Denied	Ex Parte EV denied.	N/A
4. SCAQMD vs. Carlton Forge Works Case No. 6086-1 (D. Hsu and N. Feldman)	402 H&S Code §41700	Odor nuisance from alloy manufacturing operations.	Stipulated/Issued	O/A issued commencing 7/27/17 and continuing through 12/31/18. The Hearing Board shall retain jurisdiction over this matter until 12/31/18.	N/A
5. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-96 (T. Barrera)	203(b) 3002(c)(1)	Requested permission to increase throughput of crude storage tank beyond permitted limit.	Not Opposed/Granted	RV and AOC granted commencing 7/22/17 and continuing through 10/31/17, the FCD.	None

## Acronyms

AOC: Alternative Operating Conditions  
APC: Air Pollution Control  
BACT: Best Available Control Technology  
BTU: British Thermal Unit  
CEMS: Continuous Emissions Monitoring System  
CEQA: California Environmental Quality Act  
CO: Carbon Monoxide  
DPF: Diesel Particulate Filter  
EV: Emergency Variance  
FCCU: Fluid Catalytic Cracking Unit  
FCD: Final Compliance Date  
GDF: Gasoline Dispensing Facility  
H<sub>2</sub>S: Hydrogen Sulfide  
H&S: Health & Safety Code  
ICE: Internal Combustion Engine  
I/P: Increments of Progress  
IV: Interim Variance  
MFC/EXT: Modification of a Final Compliance Date and Extension of a Variance  
Mod. I/P: Modification Increments of Progress

Mod. O/A: Modification Order for Abatement  
NH<sub>3</sub>: Ammonia  
NOV: Notice of Violation  
NO<sub>x</sub>: Oxides of Nitrogen  
N/A: Not Applicable  
O/A: Order for Abatement  
PERP: Portable Equipment Registration Program  
PM: Particulate Matter  
PPM: Parts Per Million  
RATA: Relative Accuracy Test Audit  
ROG: Reactive Organic Gases  
RTO: Regenerative Thermal Oxidizer  
RV: Regular Variance  
SCR: Selective Catalytic Reduction  
SO<sub>x</sub>: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VOC: Volatile Organic Compound  
VRS: Vapor Recovery System

**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
<b># of HB Actions Involving Rules</b>														
202(a)			1	1	1		1							4
203(a)		1	1	1	2									5
203(b)		6	4	6	3	3	5	4						31
402		2	2	3	1	1		1						10
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
203(a)		1	1	1	2									5
203(b)		6	4	6	3	3	5							27
1110.2								1						1
1110.2(d)(1)(B), Table II		1					1	1						3
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							3
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
2004(f)(1)		6	1	3	2	1		2						15
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						19
H&S 41700		2	2	3	1	1		1						10



**REGULATION XXX - TITLE V PERMITS**

Rule 3002    Requirements  
Rule 3003    Applications

**CALIFORNIA HEALTH AND SAFETY CODE**

§41700      Prohibited Discharges