

BOARD MEETING DATE: February 2, 2018

AGENDA NO. 15

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

Julie Prussack
Chairman of Hearing Board

DG

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

Report of December 2017 Hearing Board Cases

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition/Hearing	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Air Liquide Large Industries U.S., LP Case No. 5705-5 (B. Tomasovic)	203(b) 2004(f)(1) 2005 3002(c)(1)	Petitioner's SCR catalyst experienced unexpectedly rapid degradation.	Opposed in part/Denied	Ex Parte EV denied.	N/A
2. Air Liquide Large Industries U.S., LP Case No. 5705-5 (S. Hanizavareh)	203(b) 2004(f)(1) 2005 3002(c)(1)	Petitioner's SCR catalyst experienced unexpectedly rapid degradation.	Not Opposed/Granted	EV converted to IV; IV granted commencing 12/21/17 and continuing for 90 days or until the RV currently scheduled for 1/23/18, whichever occurs first.	NH3: 150 lbs/day NOx: 28 lbs/total during testing
3. City of Los Angeles/LA Sanitation Case No. 1212-36 (B. Tomasovic)	203(b) 3002(c)	December Creek fire destroyed electric poles powering facility's pollution control device, requiring excess use of emergency generator.	Not Opposed/Granted	Ex Parte EV granted commencing 12/14/17 and continuing through 12/31/17.	NOx and PM: TBD by 12/29/17
4. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-98 (B. Tomasovic)	203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c)	Petitioner's amine treater, which removes sulfur during refining process, plugged and broke down unexpectedly.	Not Opposed/Granted	Ex Parte EV and AOC granted commencing 12/14/17 and continuing through 12/17/17.	SOx and CO: TBD by 12/29/17

Acronyms

AOC: Alternative Operating Conditions
 CO: Carbon Monoxide
 ERC: Emissions Reduction Credits
 EV: Emergency Variance
 N/A: Not Applicable
 NH3: Ammonia
 NOx: Oxides of Nitrogen
 RV: Regular Variance
 SCR: Selective Catalytic Reduction
 SOx: Oxides of Sulfur
 TBD: To be determined

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					1		5
203(a)		1	1	1	2									5
203(b)		6	4	6	3	3	5	4	3	1	3	2	4	44
401(b)(1)									1				1	2
402		2	2	3	1	1		1	1					11
403(d)(1)					1									1
403(d)(2)					1									1
403(d)(3)					1									1
407(a)													1	1
442			2											2
461(e)(2)						1								1
461(e)(1)							1							1
461(e)(3)			1											1
1110.2								1	1			1		3
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							3
1153.1(c)(3)						1								1
1153.1(c)(6)						1								1
1176(f)(3)		1												1
1420 (e)(2)												1		1
1470(c)(3)(C)(iii)			1											1
1703								1	1			1		3
2004(f)(1)		6	1	3	2	1		2	2		1	1	3	22
2005													1	1
2011(c)(2)			1									1		2
2012(c)(2)(A)				1										1
2012(c)(3)(A)				1										1
3002							1							1
3002(a)			1											1
3002(c)						1						1	2	4
3002(c)(1)		3	4	4	2		1	4	2	1	1	1	2	25
H&S 41700		2	2	3	1	1		1	1					11

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements
- Rule 2005 New Source Review for RECLAIM
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

- §41700 Prohibited Discharges
- §41701 Restricted Discharges