

BOARD MEETING DATE: September 7, 2018

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of June 1 through July 31, 2018.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

DG

Three summaries are attached: **June 2018 and July 2018 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2018.** An Index of District Rules is also attached.

The total number of appeals filed during the period June 1 to July 31, 2018 is 0; and total number of appeals filed during the period of January 1 to July 31, 2018 is 0.

Report of June 2018 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. Eastern Municipal Water District Case No. 4937-57 (S. Pruitt)	203(b) 1110.2(d)(1)(F) 1110.2(d)(1)(H) 3002(c)(1)	Facility requested an extension of time for its two biofuel/natural gas engines to meet emission limits by replacing the engines with zero-emission electric engines after failed technology demonstrations.	Not Opposed/Granted	RV granted commencing 1/1/19 and continuing through 6/30/20, the FCD.	NOx: 12.3 lbs/day CO: 2.5 lbs/day VOC: 3 lbs/day
2. Equilon Enterprises LLC DBA Shell Oil Products US Carson Terminal Case No. 4982-115 (B. Tomasovic)	203(b) 463(c)(2) 463(d)(2) 463(e)(4) 463(f)(1)(C) 1149(c)(1) 1149(c)(2) 1149(c)(7) 1178(d)(3) 1178(g) 1178(h)(4) 2004(f)(1) 3002(c)(1)	Facility requested an extension of time to empty and degas a tank after fire damaged the tank.	Not Opposed/Granted	Ex Parte EV granted commencing 6/15/18 and continuing for 30 days or until the EV hearing scheduled for 6/20/18, whichever comes first.	VOC: 1.6 lbs/day
3. Equilon Enterprises LLC DBA Shell Oil Products US Carson Terminal Case No. 4982-115 (D. Hsu)	203(b) 463(c)(2) 463(d)(2) 463(e)(4) 463(f)(1)(C) 1178(d)(3) 1178(g) 1178(h)(4) 2004(f)(1) 3002(c)(1)	Facility requested an extension of time to empty and degas a tank after fire damaged the tank.	Not Opposed/Granted	EV granted commencing 6/20/18 and continuing through 7/15/18.	VOC: 1.6 lbs/day
4. Insulfoam, a Division of Carlisle Construction Materials, LLC Case No. 5333-5 (M. Reichert)	1147	Facility sought emergency relief for its RTO from NOx emission limits.	Not Opposed/Denied	Ex Parte EV denied.	N/A

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
5. SCAQMD vs. Mission Community Hospital Case No.6109-1 (N. Sanchez)	1146(d)(6) 1146(d)(8)	Boilers out of compliance.	Stipulated/Issued	O/A issued commencing 6/20/18; the Hearing Board shall retain jurisdiction over this matter until 12/31/18.	N/A
6. SCAQMD vs. Sunshine Canyon Landfill Case No. 3448-14 (N. Sanchez)	N/A	Status report.	No Action	The Hearing Board received a status report and continued the hearing to 12/12/18.	N/A
7. SCAQMD vs. Sheraton Townhouse, L.P. Case No. 6106-1 (D. Hsu)	203(a) 222 1146.2 1470	Boiler and ICE out of compliance.	Stipulated/Issued	O/A issued commencing 6/13/18; the Hearing Board shall retain jurisdiction over this matter until 6/13/19.	N/A
8. SCAQMD vs. Sherman Oaks Hospital Case No. 6108-1 (D. Hsu)	1146.2(e) 1415(d)(1)(A)	Respondent required to perform necessary source tests on boilers.	Stipulated/Issued	O/A issued commencing 6/14/18; the Hearing Board shall retain jurisdiction over this matter until 6/14/19.	N/A

Acronyms

CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
H&S: Health and Safety Code
H2S: Hydrochloric Sulfide
ICE: Internal Combustion Engine
Mod. O/A: Modification Order for Abatement
N/A: Not Applicable
NOx: Oxides of Nitrogen
O/A: Order for Abatement
PM: Particulate Matter
PPM: Parts Per Million
RTO: Regenerative Thermal Oxidizer
RV: Regular Variance
SOx: Oxides of Sulfur
TBD: To Be Determined
VOC: Volatile Organic Compounds

Report of July 2018 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. Alondra Oil Inc. Case No. 6114-1 (D. Hsu)	461(e)(5)	GDF failed vent line blockage test.	Not Opposed/Granted	Ex Parte EV granted commencing 7/13/18 and continuing through 7/24/18, when the EV hearing is scheduled.	VOC: TBD by 7/24/18
2. Alondra Oil Inc. Case No. 6114-1 (S. Pruitt)	461(e)(5)	GDF failed vent line blockage test.	Opposed/Granted	EV granted commencing 7/24/18 and continuing through 8/11/18.	None
3. Carpenter Company Case No. 5356-2 (M. Reichert)	1147	Petitioner sought to operate while remedying failed NOx source test from SCR system.	Not Opposed/Granted	IV granted commencing 7/11/18 and continuing through 8/22/18, when the RV hearing is scheduled.	NOx: .9 lbs/day
4. Eastern Municipal Water District Case No. 4937-58 (D. Hsu)	202(a) 203 (b) 3002(c)(1)	Petitioner requested to bypass biofilter during brief periods of re-piping during facility upgrade.	Not Opposed/Granted	SV granted for two non-contiguous days within a period commencing on the date that notice is given to the District that work will commence under Condition (1)(a) and ending 90 days after that date, or on the date that work under Condition (1)(b) has been completed, whichever occurs first.	None
5. Mahmood Hussain Yucaipa Food Mart 76 Case No. 6113-1 (S. Hanizavareh)	461(c)(2)(B) 461(c)(3)(P) 461(e)(5)	GDF awaiting certification for repairs made to vapor recovery system.	Not Opposed/Granted	Ex Parte EV granted commencing 7/3/18 and continuing through 7/5/18.	VOC: TBD by 7/5/18
6. SCAQMD vs. MatchMaster Dyeing & Finishing, Inc. Case No 6110-1 (M. Reichert)	402 H&S §41700	Odor nuisance.	Stipulated/Issued	O/A issued commencing 7/24/18 and continuing through 1/30/2019. The Hearing Board shall retain jurisdiction over this matter until 1/30/2019.	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. Henry Romero dba Costa Mesa Collision and Auto Painting Case No. 6112-1 (B. Tomasovic)	203(a)	Operating paint spray booth without a permit.	Not Stipulated/Issued	O/A issued commencing 7/19/18 and continuing through 7/19/2021. The Hearing Board shall retain jurisdiction over this matter until 7/19/2021.	N/A
8. Torrance Refining Company Case No. 6060-9 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must disconnect control equipment to make necessary repairs.	Not Opposed/Granted	Ex Parte EV granted commencing 7/26/18 and continuing through 7/31/18 when the EV hearing is scheduled.	NOx: 5,194 lbs/day

Acronyms

AOC: Alternative Operating Conditions
 CEMS: Continuous Emissions Monitoring System
 CO: Carbon Monoxide
 EV: Emergency Variance
 FCD: Final Compliance Date
 GDF: Gasoline Dispensing Facility
 H&S: Health and Safety Code
 H2S: Hydrochloric Sulfide
 IV: Interim Variance
 Mod. O/A: Modification Order for Abatement
 N/A: Not Applicable
 NOx: Oxides of Nitrogen
 O/A: Order for Abatement
 PM: Particulate Matter
 PPM: Parts Per Million
 RV: Regular Variance
 SCR: Selective Catalytic Reduction
 SV: Short Variance
 SOx: Oxides of Sulfur
 TBD: To Be Determined
 VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2018

	2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
# of HB Actions Involving Rules														
109(c)(1)				1										1
202(a)								1						1
203(a)				2			1	1						4
203(b)		2	4	2	4	2	3	2						19
222							1							1
402								1						1
431.1(c)(2)					2	1	1							4
461(c)(2)(B)								1						1
461(c)(3)(P)								1						1
461(e)(5)								3						3
463(c)(2)							2							2
463(d)(2)							2							2
463(e)(4)							2							2
463(f)(1)(C)							2							2
1110.2(d)(1)(F)							1							1
1110.2(d)(1)(H)							1							1
1110.2(d)(1)(L)				1										1
1146(d)(6)							1							1
1146(d)(8)							1							1
1146.2							1							1
1146.2(e)							1							1
1147							1	1						2
1147(c)(1)		1												1
1149(c)(1)							1							1
1149(c)(2)							1							1
1149(c)(7)							1							1
1178(d)(3)							2							2
1178(g)							2							2
1178(h)(4)							2							2
1407				1										1
1415(d)(1)(A)							1							1
1420.2				2		1								3
1470							1							1
2004(f)(1)		2	3		2		2	1						10
2011(c)(2)(A)		1												1
2011(c)(2)(B)		1												1
2011(e)(1)		1												1
2012(c)(2)(A)		1												1
2012(c)(2)(B)		1												1
2012(g)(1)		1												1
3002(c)		1												1
3002(c)(1)		1	3		3		3	2						12
H&S 41700								1						1

**DISTRICT RULES AND REGULATIONS INDEX
FOR 2018 HEARING BOARD CASES AS OF JULY 31, 2018**

REGULATION I – GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate

Rule 203 Permit to Operate

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

REGULATION IV – PROHIBITIONS

Rule 402 Nuisance

Rule 431.1 Sulfur Content of Gaseous Fuels

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Organic Liquid Storage

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters

Rule 1147 NOx Reductions from Miscellaneous Sources

Rule 1149 Storage Tank and Pipeline Cleaning and Degassing

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIV – TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1407 Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations

Rule 1415 Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems

Rule 1420.2 Emission Standard for Lead from Metal Melting Facilities

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

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges