

BOARD MEETING DATE: July 12, 2019

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2019.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

DG

Two summaries are attached: **May 2019 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2019**. An Index of South Coast AQMD Rules is also attached.

The total number of appeals filed during the period May 1 to May 31, 2019 is 0; and total number of appeals filed during the period of January 1 to May 31, 2019 is 2.

Report of May 2019 Hearing Board Cases

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Ameresco Chiquita Energy LLC Case No. 6143-1 (M. Reichert)	203(b) 1150.1(d)(1)(C)(i) 1150.1(f)(2)(A) 3002(c)(1)	Due to inclement weather petitioner was unable to perform required source testing on Gas Turbine #1 or submit test reports by compliance deadline.	Not Opposed/Granted	IV granted commencing 5/30/19 and continuing for 90 days or until the SV hearing currently scheduled for 7/23/19, whichever comes first.	None
2. Equilon Enterprises LLC dba Shell Oil Products US Case No. 4982-120 (B. Tomasovic)	203(b) 463(c)(2) 463(e)(4) 463(f)(1)(C) 1178(d)(2) 1178(g) 1178(h)(2) 2004(f)(1) 3002(c)(1)	Unable to complete repairs to damaged storage tank roof within the allowable 72-hour period provided by Rule 463.	Not Opposed/Granted	Ex Parte EV granted commencing 5/7/19 and continuing for 30 days or until the EV hearing currently scheduled for 5/14/19, whichever comes first.	VOC: 7.1 lbs/day
3. Equilon Enterprises LLC dba Shell Oil Products US Terminal Case No. 4982-120 (M. Reichert)	203(b) 463(c)(2) 463(e)(4) 463(f)(1)(C) 1178(d)(2) 1178(g) 1178(h)(4) 2004(f)(1) 3002(c)(1)	Additional time required to empty tank of liquid to eliminate safety risks before conducting necessary repairs.	Not Opposed/Granted	IV granted commencing 5/14/19 and continuing for 90 days or until the SV hearing currently scheduled for 6/12/19, whichever comes first.	VOC: 7.1 lbs/day
4. Federal Aviation Administration Pomona VOR Facility Case No. 5292-2 (No Appearance; Consent Calendar)	203(b)	Emergency generator exceeded annual permitted 200-hour operation limit due to vandalism, causing loss of commercial power.	Not Opposed/Granted	RV granted commencing 5/14/19 and continuing through 12/31/19, the FCD.	CO: 0.4 lb/hr NOx: 0.3 lb/hr PM: 0.04 lb/hr SOx: 0.003 lb/hr VOC: 0.3 lb/hr

5. Lake Arrowhead Community Services District Case No. 6142-1 (T. Barrera)	203(b)	Emergency generator exceeded annual permitted 200-hour operation limit due to inclement weather that resulted in power interruption causing failure of circuit board, repairs of which were delayed by replacement part shipping error.	Not Opposed/Granted	SV granted commencing 5/22/19 and continuing through 8/22/19, or until the RV hearing currently scheduled for 7/9/19, whichever occurs first.	CO: 0.4 lb/hr NOx: 0.4 lb/hr PM10: 0.02 lb/hr VOC: 0.4 lb/hr SOx: 0.001 lb/hr
6. Orange County Sanitation District Case No. 2048-14 (T. Barrera)	203(b) 3002(c)(1)	Petitioner unable to conduct required annual source testing due to severe damage to engine.	Not Opposed/Granted	RV granted commencing 6/7/19 and continuing through 5/15/20, the FCD.	None
7. Phillips 66 Company Case No. 4900-106 (D. Hsu)	203(b) 1158(d)(2) 2004(f)(1) 3002(c)(1)	Additional time needed to complete unanticipated repairs to Coke Barn.	Not Opposed/Granted	SV granted commencing 6/3/19 and continuing through 7/13/19.	PM10: 0.4 lb/day
8. South Coast AQMD vs. Matchmaster Dyeing & Finishing, Inc. Case No. 6110-1 (M. Reichert)	N/A	The Board modified the existing Order to include additional conditions to reduce and/or prevent odors generated from the facility.	Stipulated/Issued	Mod. O/A issued commencing 4/3/19; the Hearing Board shall continue to retain jurisdiction over this matter until 7/31/19.	N/A

TBD: To Be Determined
VOC: Volatile Organic Compounds

Acronyms

- CO: Carbon Monoxide
- EV: Emergency Variance
- FCD: Final Compliance Date
- H&S: Health and Safety Code
- ICE: Internal Combustion Engine
- IV: Interim Variance
- Mod. O/A: Modification Order for Abatement
- N/A: Not Applicable
- NOx: Oxides of Nitrogen
- O/A: Order for Abatement
- P/C: Permit to Construct
- PM: Particulate Matter
- PM10: Particulate Matter ≤ 10 microns
- PPM: Parts Per Million
- RV: Regular Variance
- SV: Short Variance
- SOx: Oxides of Sulfur

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2019 HEARING BOARD CASES AS OF MAY 31, 2019**

REGULATION II – PERMITS

- Rule 201 Permit to Construct
- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

- 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 Engines
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
- Rule 1158 Storage, Handling, and Transport of Coke, Coal and Sulfur
- Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIII – NEW SOURCE REVIEW

- Rule 1303 Requirements

REGULATION XIV – TOXICS

- Rule 1420.2 Emission Standards for Lead from Metal Melting Facilities
- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41960.2 Maintenance of Vapor Control System