

BOARD MEETING DATE: June 7, 2019

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2019.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

DG

Two summaries are attached: **April 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 April 1 to April 30, 2019 is 0; and total number of appeals filed during the period of January 1 to April 30, 2019 is 2.

Report of April 2019 Hearing Board Cases

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South AQMD Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Carpenter Company Case No. 5356-3 (S. Hanizavareh)	1147(c)(1)	Petitioner sought to conduct source tests using fewer burners to meet NOx limits without new equipment.	Not Opposed/Granted	SV granted commencing 4/18/19 and continuing through 7/17/19, for seven (7) nonconsecutive days for testing.	NOx: 0.09 lb/hr during testing
2. County of San Bernardino Fleet Management Case No. 6070-3 (T. Barrera)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to inclement weather.	Not Opposed/Granted	RV granted commencing 4/3/19 and continuing through 12/31/19 or until final compliance is achieved, whichever comes first.	CO: 7.2 lbs/day NOx: 0.06 lb/day PM10: 1.5 lbs/day SOx: 0.1 lb/day VOC: 3.1 lbs/day
3. Eastern Municipal Water District Case No. 4937-57 (S. Pruitt)	N/A	Status Report	No Action	The Hearing Board received a status report and continued the hearing to 7/16/19.	N/A
4. FAA/Pomona VOR Facility – Case No. 5292-2 (S. Hanizavareh)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to vandalism.	Not Opposed/Granted	IV granted commencing 4/16/19 and continuing for 90 days or until the RV hearing currently scheduled for 5/14/19, whichever comes first.	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. Mt. San Jacinto Winter Park Authority dba Palm Springs Aerial Tramway Case No. 5906-4 (K. Manwaring)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to inclement weather.	Not Opposed/Granted	RV granted commencing 4/9/19 and continuing through 12/31/19 or until final compliance is achieved, whichever comes first.	<u>ICE/Generators 1 & 2</u> CO: 0.8 lb/hr NOx: 3.6 lbs/hr PM: 0.1 lb/hr PM10: 0.1 lb/hr SOx: 0.004 lb/hr VOC: 0.2 lb/hr <u>ICE/Generators 3 & 4</u> CO: 0.5 lb/hr NOx: 2 lbs/hr PM: 0.06 lb/hr PM10: 0.06 lb/hr SOx: 0.003 lb/hr VOC: 0.08 lb/hr

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South AQMD Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Tamco Case No. 5972-2 (M. Reichert)	203(b) 1420.2(g)(3)(B) & Appendix 1 2004(f)(1) 3002(c)(1)	Petitioner requested additional time to achieve full compliance with negative air pressure requirements.	Not Opposed/Granted	MFCD/EXT granted commencing 4/25/19 and continuing through 12/30/20.	None
7. Veer Petro Partners, Inc. Case No. 6140-1 (S. Pruitt)	N/A	Appeal of P/C Conditions for a GDF.	Opposed/Denied	The Board determined the Executive Officer properly issued the P/C Conditions for a GDF to Veer Petro Partners, Inc. and therefore denied their appeal petition.	N/A
8. Verizon Wireless Case No. 6139-1 (M. Reichert)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to inclement weather.	Not Opposed/Granted	RV granted commencing 4/24/19 and continuing through 1/1/20, the FCD.	CO: 0.3 lb/hr NOx: 0.3 lb/hr PM: 0.03 lb/hr SOx: 0.002 lb/hr VOC: 0.3 lb/hr
9. South Coast AQMD vs. Gold Coast Baking Co., Inc. Case No. 6137-1 (T. Barrera)	203(a)	Require installation of BACT for ovens.	Not Opposed/Granted	O/A issued commencing 4/3/19; the Hearing Board shall retain jurisdiction over this matter until 12/1/19.	N/A

Acronyms

BACT: Best Available Control Technology

CO: Carbon Monoxide

FCD: Final Compliance Date

GDF: Gasoline Storage and Dispensing Facility

ICE: Internal Combustion Engine

IV: Interim Variance

MFCD/EXT: Modification of a Final Compliance Date
and Extension of Variance

N/A: Not Applicable

NOx: Oxides of Nitrogen

O/A: Order for Abatement

P/C: Permit to Construct

PM: Particulate Matter

PM10: Particulate Matter \leq 10 micron

RTO: Regenerative Thermal Oxidizer

RV: Regular Variance

SV: Short Variance

SOx: Oxides of Sulfur

TBD: To Be Determined

VOC: Volatile Organic Compounds

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2019 HEARING BOARD CASES AS OF APRIL 30, 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

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Engines
Rule 1147 NOx Reductions from Miscellaneous Sources
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

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