

BOARD MEETING DATE: November 1, 2019

AGENDA NO. 13

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Julie Prussack  
Chairman of Hearing Board

DG

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Two summaries are attached: **September 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 September 1 to September 30, 2019 is 0; and total number of appeals filed during the period of January 1 to September 30, 2019 is 3.

## Report of September 2019 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. City of Pasadena Water and Power Department Case No. 2244-35 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner sought to troubleshoot and retest a gas turbine after unexpectedly failing ammonia emissions test.	Not Opposed/Granted	Ex Parte EV granted commencing 9/19/19 and continuing for 30 days or until the SV hearing currently scheduled for 10/8/19, whichever comes first.	NH3: 5 lbs/day
2. County of San Bernardino - Regional Park, County of San Bernardino – Special Districts Case No. 6152-1 (B. Tomasovic)	203(b)	Emergency generator exceeded annual 200-hour operating limit due to unexpected power outages.	Not Opposed/Granted	IV granted commencing 9/10/19 and continuing for 90 days or until the RV hearing currently scheduled for 10/22/19, whichever comes first.	CO: 0.3 lb/hr NOx: 0.6 lb/hr VOC: 0.03 lb/hr PM10: 0.03 lb/hr SOx: 0.001 lb/hr
3. Forged Metals, Inc. Case No. 6111-2 (T. Barrera)	203(a) 203(b)	Petitioner sought to operate a previously unpermitted air pollution control system after a fire destroyed its permitted dust collection system.	Not Opposed/Granted	Ex Parte EV granted commencing 9/19/19 and continuing for 30 days or until the SV hearing currently scheduled for 10/15/19, whichever comes first.	PM10: 0.02lb/day
4. Howard Industries Case No. 6153-1 (M. Reichert)	1111(c)(4)	Petitioner sought interim relief to continue selling non-compliant furnaces after Rule 1111 compliance deadline.	Opposed/Dismissed	IV dismissed without prejudice.	N/A
5. South Coast AQMD vs. Aurora Las Encinas Behavioral Healthcare Case No. 6149-1 (D. Hsu)	2202(a) 2202(b) 2202(e) 2202(I)	Require compliance with Rule 2202 mobile source emission reduction provisions.	Stipulated/Issued	O/A issued commencing 9/11/19; the Hearing Board shall retain jurisdiction over this matter until 12/31/19.	N/A
6. South Coast AQMD vs. Weber Metals, Inc. Case No. 6136-1 (D. Hsu)	1430	Respondent requires additional time to meet Order requirement.	Stipulated/Issued	Mod. O/A issued commencing 9/19/19; the Hearing Board shall retain jurisdiction over this matter until 8/31/20.	N/A

## **Acronyms**

CARB: California Air Resources Board

CO: Carbon Monoxide

EV: Emergency Variance

FCD: Final Compliance Date

GDF: Gasoline Dispensing Facility

H&S: Health and Safety Code

ICE: Internal Combustion Engine

IV: Interim Variance

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

NH<sub>3</sub>: Ammonia

NO<sub>x</sub>: Oxides of Nitrogen

O/A: Order for Abatement

P/C: Permit to Construct

PM: Particulate Matter

PM<sub>10</sub>: Particulate Matter ≤ 10 microns

PPM: Parts Per Million

RV: Regular Variance

SV: Short Variance

SO<sub>x</sub>: 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 SEPTEMBER 30, 2019**

**REGULATION I – GENERAL PROVISIONS**

Rule 109      Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II – PERMITS**

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

**REGULATION IV – PROHIBITIONS**

Rule 401      Visible Emissions  
Rule 407      Liquid and Gaseous Air Contaminants  
Rule 415      Odors from Animal Rendering Facilities  
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 1111      Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces  
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

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

**REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004 Requirements

**REGULATION XXII - ON-ROAD MOTOR VEHICLE MITIGATION**

Rule 2202 On-Road Motor Vehicle Mitigation Options

**REGULATION XXX - TITLE V PERMITS**

Rule 3002 Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

§41701 Restricted Discharges

§41960.2 Maintenance of Vapor Control System