

BOARD MEETING DATE: October 4, 2019

AGENDA NO. 15

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

DG

Two summaries are attached: **August 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 August 1 to August 31, 2019 is 0; and total number of appeals filed during the period of January 1 to August 31, 2019 is 3.

Report of August 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. Eastern Municipal Water District Case No. 4937-57 (S. Pruitt)	203(b) 1110.2(d)(1)(F) 1110.2(h) 3002(c)(1)	Petitioner requested additional increments of progress.	Not Opposed/Granted	MFCD/EXT granted commencing 8/6/19 and continuing through 6/30/20.	VOC: 3 lbs/day NOx: 12 lbs/day CO: 2.5 lbs/day
2. Orange County Waste & Recycling Case No. 6151-1 (S. Pruitt)	203(b) 3002(c)(1)	Petitioner requested to exceed annual permitted hours of operation for back-up generator in the event of an unplanned power outage.	Opposed/Dismissed	IV dismissed without prejudice.	N/A
3. South Coast AQMD vs. D&D Disposal Inc., dba West Coast Rendering Co. Case No. 3462-4 (D. Hsu)	N/A	Status report.	Not Stipulated/Issued	No action was taken. The Hearing Board shall continue to retain jurisdiction over this matter until 10/31/19.	N/A
4. Universal City Studios, LLC Case No. 4935-17 (Consent Calendar; No Appearance)	401(b)(1)(B) H&S §41701	Petitioner will use artificial fog for Halloween production exceeding opacity limits.	Not Opposed/Granted	SV granted commencing 9/7/19 and continuing through 11/11/19.	Opacity: TBD by 10/1/19

Acronyms

CO: Carbon Monoxide
 EV: Emergency Variance
 H&S: Health and Safety Code
 ICE: Internal Combustion Engine
 IV: Interim Variance
 MFCD/EXT: Modification of Final Compliance Date and
 Extension
 Mod. O/A: Modification Order for Abatement
 N/A: Not Applicable
 NOx: Oxides of Nitrogen
 O/A: Order for Abatement
 RV: Regular Variance
 SV: Short Variance
 TBD: To Be Determined
 VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2019														
	2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
109(c)(1)								1						1
201			1											1
202(c)			1					1						2
203(a)			1		1		1	1						4
203(b)		1	3	6	5	7	2	2	2					28
401(b)(1)(B)									1					1
407								1						1
415(d)(1)(B)(ii)							1							1
415(d)(1)(C)(ii)							1							1
415(e)(1)							1							1
415(e)(5)							1							1
415(e)(6)							1							1
461(c)(1)(A)			2					1						3
461(c)(2)(A)			2											2
461(c)(3)(P)			2											2
461(e)(5)							1	1						2
463(c)(2)						2	1							3
463(e)(4)						2	1							3
463(f)(1)(C)						2	1							3
1110.2(d)(1)(F)									1					1
1110.2(d)(1)(L)				1										1
1110.2(h)									1					1
1110.2(i)(1)(J)				1										1
1147			1											1
1147(c)(1)					1									1
1150.1(d)(1)(C)(i)						1								1
1150.1(f)(2)(A)						1								1
1153.1								1						1
1158(d)(2)						1								1
1178(d)(2)						2	1							3
1178(g)						2	1							3
1178(h)(2)						1								1
1178(h)(4)						1	1							2
1303			1											1
1303(a)								1						1
1303(b)								1						1
1420.2(g)(3)(B)					1									1
1430(d)(8)				1										1
1430(e)(2)				1										1
1470(c)(2)(C)(iv)(I)								1						1
2004(f)(1)		1			1	3	2							7
3002(c)(1)		1			1	5	2		2					11
H&S 41701									1					1
H&S 41960.2			1											1
H&S 41960.2(a)			1											1

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2019 HEARING BOARD CASES AS OF AUGUST 31, 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 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 XXX - TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41701 Restricted Discharges

§41960.2 Maintenance of Vapor Control System