

BOARD MEETING DATE: August 7, 2020

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through June 30, 2020.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

ft

The following three summaries are attached: **May and June 2020 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2020.** An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of May 1 to June 30, 2020

Report of May 2020 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. City of Rialto, California Case No. 6105-2 (D. Hsu)	203(b)	Wastewater treatment facility sought relief to operate its backup flare to an extent greater than its permitted capacity, during repair of its main Zink flare.	Not opposed/Granted	Ex Parte EV granted commencing 5/26/20 and continuing through 6/15/20, or until final compliance, repair and operation of the Zink flare, whichever occurs first.	TBD due by 6/12/20
2. New Indy-Ontario Case No. 6162-1 (T. Barrera)	N/A	At required status and modification hearing, Petitioner requested the extension of an interim compliance date to account for additional corrective measures necessary to achieve full production capacity and compliance.	Not Opposed/Granted	MFCD/EXT granted commencing 5/7/20 and continuing through 8/20/20.	PM-10: 110 lbs/day averaged over 30 days
3. South Coast AQMD vs. City of San Bernardino Municipal Water District Case No. 6124-2 (Consent Calendar; No Appearance)	N/A	Status report	No Action	The Hearing Board received a status report and determined that no action was necessary to modify the O/A.	N/A
4. South Coast AQMD vs. D&D Disposal Services, Inc. dba West Coast Rendering Company Case No. 3462-4 (D. Hsu)	N/A	Status Report/Modification	Not Stipulated/Modified	Mod O/A issued commencing 5/6/20 and continuing through 12/10/20. The Hearing Board shall retain jurisdiction over this matter until compliance is achieved.	N/A
5. South Coast AQMD vs. Hubbell Inc./Lyall Division Case No. 6172-2 (Consent Calendar; No Appearance)	203(a) 1147(c)(1)	South Coast AQMD sought to bring Respondent facility into compliance by requiring the installation of a compliant burner to operate its ovens.	Stipulated/Issued	O/A issued commencing 5/13/20 and continuing through 8/31/20. The Hearing Board shall retain jurisdiction over this matter until compliance is achieved.	N/A

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
6. Tesoro Refining and Marketing Company LLC Case No. 4982-124 (K. Roberts)	203(b) 218(f)(3) 2004(f)(1) 2012(c)(2)(A) 2012(c)(2)(B) 2012(g)91) 3002(c)(1)	Petitioner requested relief from requirement to run its CEMS for a heater which is currently out of operation and under repair.	Not Opposed/Granted	RV and AOC granted commencing 5/12/20 and continuing for a period not to exceed six (6) months or until notice is provided as specified in the Order, whichever comes first.	None

Acronyms

- AOC: Alternative Operating Conditions
- CEMS: Continuous Emissions Monitoring System
- EV: Emergency Variance
- EXT: Extension
- MFCD: Modification of Final Compliance Date
- Mod. O/A: Modification Order for Abatement
- O/A: Order for Abatement
- PM10: Particulate Matter ≤ 10 microns
- RV: Regular Variance
- TBD: To Be Determined

Report of June 2020 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. Phillips 66 Company Case No. 4900-108 (Consent Calendar: No Appearance)	1180(e)	Petitioner sought relief because a third-party installation critical to the process cannot be completed due to stay- at-home orders.	Not Opposed/Granted	RV granted commencing 6/24/20 and continuing through 9/15/20, or until the third party is available and the installation completed, whichever occurs first.	None
2. South Coast AQMD vs. Weber Metals, Inc Case No. 6136-1 (Consent Calendar: No Appearance)	1430	Petitioner sought extension to comply with South Coast AQMD rules for one component of its operations due to construction delays from stay-at-home orders.	Stipulated/Issued	Mod. O/A issued commencing 6/11/20 and continuing through 11/20/20. The Hearing Board shall retain jurisdiction over this matter until 2/28/21.	N/A

Acronyms

O/A: Order for Abatement

RV: Regular Variance

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2020 HEARING BOARD CASES AS OF JUNE 30, 2020**

REGULATION II – PERMITS

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 218 Continuous Emissions Monitoring
- Rule 218.1 Continuous Emission Monitoring Performance Specifications

REGULATION IV – PROHIBITIONS

- Rule 401 Visible Emissions
- Rule 441 Research Operations
- Rule 461 Gasoline Transfer and Dispensing
- Rule 463 Organic Liquid Storage

REGULATION XI - SOURCE SPECIFIC STANDARDS

- Rule 1121 Control of Nitrogen Oxides (NOx) from Residential Type, Natural-Gas-Fired Water Heaters
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1148.1 Oil and Gas Production Wells
- Rule 1173 Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
- Rule 1176 VOC Emissions from Wastewater Systems
- Rule 1178 Reductions VOC Emissions from Storage Tanks at Petroleum Facilities
- Rule 1180 Refinery Fenceline and Community Air Monitoring

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2020 HEARING BOARD CASES AS OF JUNE 30, 2020**

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41701 Restricted Discharges