

BOARD MEETING DATE: December 4, 2020

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of October 1 through October 31, 2020.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

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Two summaries are attached: **October 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 was one (1) appeal filed during the period of October 1 to October 31, 2020.

Report of October 2020 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. Altair Paramount, LLC Case No. 2914-127 (M. Reichert)	203(b) 2004(f)(1) 3002(c)(1)	SCR unexpectedly failed.	Not Opposed/Granted	EV granted commencing 10/6/20 and continuing through 10/24/20.	NOx: 7.16 lbs/day NH ₃ : TBD by 10/30/20
2. OC Waste & Recycling, Frank R. Bowerman Landfill Case No. 5710-4 (B. Tomasovic & E. Chavez)	203(b) 404(a) 409 3002(c)(1)	Flares I-3 and I-4 unexpectedly failed source test for PM.	Not Opposed/Granted	IV granted commencing 10/7/20 and continuing for 90 days or until the SV hearing scheduled for 11/18/20, whichever comes first.	PM: 44.47 lbs/day
3. Orange County Waste & Recycling Frank R. Bowerman Landfill Case No. 5710-5 (S. Hanizavareh)	203(b) 1150.1(d)(14) 1150.1(d)(16) 1150.1(e)(1) 1150.1(e)(2) 1150.1(e)(3) 1150.1(e)(4) 1150.1(e)(7) 1150.1(f)(1)(A) 1150.1(f)(1)(B) 1150.1(f)(1)(C) 1150.1(f)(1)(E) 1150.1(f)(1)(G) 1150.1(f)(1)(L) 3002(c)(1)	Unexpected wildfire caused extensive damage to portions of the landfill, including loss of electrical power and the gas collection and control system, rendering it inoperable and in need of major repairs.	Not Opposed/Denied	Ex Parte EV denied.	N/A
4. Phillips 66 Company Case No. 4900-111 (No Appearance; Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	During major maintenance turnaround, petitioner plans to route the gases from the Alkylation Unit to portable vapor combustion unit in lieu of flare gas recovery system.	Not Opposed/Granted	SV granted commencing on or about 3/2/21 following the notice of start-up of the VCU given to the Hearing Board pursuant to Condition No. 1 and shall continue for 18 days after start-up of the VCU, with an estimated end date of 3/20/21.	None

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
5. South Coast AQMD vs. Riverside County Department of Water Resources, Lamb Canyon Landfill Case No. 6176-1 (No Appearance; Consent Calendar)	3002(c)(1)	Respondent is operating Flare in violation of its permitted emission limits.	Stipulated/Issued	O/A issued commencing 10/8/20; the Hearing Board shall retain jurisdiction over this matter until 5/31/21.	N/A

Acronyms

EV: Emergency Variance
 IV: Interim Variance
 N/A: Not Applicable
 NH₃: Ammonia
 NO_x: Oxides of Nitrogen
 O/A: Order for Abatement
 PM: Particulate Matter
 SCR: Selective Catalytic Reduction
 SV: Short Variance
 TBD: To Be Determined
 VCU: Vapor Combustion Unit

Rules from which Variances and Orders for Abatement were Requested in 2020

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202		1											1
203(a)				1	1								2
203(b)	6	7	3	4	2		2		5	4			33
218(f)(3)			1										1
218.1(b)(4)(C)		2			1		1						4
40(b)(1)		1							1				2
402								1					1
404(a)										1			1
407(a)		1						1	1				3
409										1			1
441				1									1
461				1									1
461(e)(2)(A)(i)							1						1
463(c)	1	1											2
463(c)(2)			1										1
463(e)(4)			1										1
464(b)(1)(A)									1				1
464(b)(2)									1				1
464(b)(3)									1				1
1121(c)(3)(A)				1									1
1147 (c)(2)					1								1
1148.1(d)(8)	1												1
1150(b)(2)									1				1
1150.1(d)(14)										1			1
1150.1(d)(16)										1			1
1150.1(e)(1)										1			1
1150.1(e)(2)										1			1
1150.1(e)(3)										1			1
1150.1(e)(4)										1			1
1150.1(e)(7)										1			1
1150.1(f)(1)(A)										1			1

Rules from which Variances and Orders for Abatement were Requested in 2020

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1150.1(f)(1)(B)										1			1
1150.1(f)(1)(C)										1			1
1150.1(f)(1)(E)										1			1
1150.1(f)(1)(G)										1			1
1150.1(f)(1)(L)										1			1
1173(d)(1)(B)	1												1
1176(e)(1)									1				1
1176(e)(2)									1				1
1176(e)(2)(A)		1											1
1178(d)(3)			1										1
1178(g)			1										1
1180(e)			2	1		1			1				5
1196							1						1
1196(d)(1)							1						1
1196(f)(8)(a)							1						1
1196(f)(10)							1						1
1430						1							1
2004(f)(1)	5	6	2	2	1		1		4	2			23
2011(c)(2)(A)		1					1		1				3
2011(c)(2)(B)		1					1						2
2011(c)(3)(A)							1		1				2
2011(e)(1)		1					1		1				3
2011(k) Table 2011-1									1				1
2011, Appendix A, Chapter 2, Table 2-A									1				1
2011, Attachment C									1				1
2012(c)(2)(A)		1	1		1		1		1				5
2012(c)(2)(B)		1	1		1		1						4
2012(c)(3)(A)									1				1
2012(d)(2)	1				1								2
2012(g)(1)		1	1				1		1				4

Rules from which Variances and Orders for Abatement were Requested in 2020

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
2012(m), Table 2012-1									1				1
2012, Apendix A	1												1
2012, Appendix A, Chapter C h.		2											2
2012, Appendix A, Chapter 2, Table 2-A									1				1
2012, Attachment C									1				1
3002(c)	1	1							1				3
3002(c)(1)	4	5	3	2	1		1		2	5			23
H&S 41700								1					1
H&S 41701		1							1				1

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2020 HEARING BOARD CASES AS OF OCTOBER 31, 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 402	Nuisance
Rule 404	Particulate Matter - Concentration
Rule 409	Combustion Contaminants
Rule 441	Research Operations
Rule 461	Gasoline Transfer and Dispensing
Rule 463	Organic Liquid Storage
Rule 464	Waste Water Separators

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 1150	Excavation of Landfill Sites
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
Rule 1196	Clean On-Road Heavy-Duty Public Fleet Vehicles

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1430	Control of Emissions from Metal Grinding Operations at Metal Forging Facilities
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FOR 2020 HEARING BOARD CASES AS OF OCTOBER 31, 2020**

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

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

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

- §41700 Prohibited Discharges
- §41701 Restricted Discharges