BOARD MEETING	GDATE: February 7, 2020	AGENDA NO. 9
REPORT:	Hearing Board Report	
SYNOPSIS:	This reports the actions taken by the Hea period of December 1 through December	•
COMMITTEE:	No Committee Review	
RECOMMENDED Receive and file.	ACTION:	

Julie Prussack Chairman of Hearing Board

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

# Report of December 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. Air Liquide Large Industries, U.S. LP Case No. 5705-9 (D. Hsu)	203(b) 2004(f)(1) 3002(c)(1)	Ammonia CEMS unexpectedly and suddenly failed.	Not Opposed/Granted	Ex Parte EV granted commencing 12/26/19 and continuing for 30 days or until 1/18/20, whichever comes first.	NOx: TBD by 1/11/20 NH3: TBD by 1/11/20
2. Berry Petroleum Company Case No. 5364-4 (D. Hsu)	203(b) 2004(f)(1) 2012 3002(c)(1)	Petitioner unable to conduct required annual RATA test on non- operational boiler.	Not Opposed/Dismissed	Ex Parte EV dismissed without prejudice for lack of good cause.	N/A
<ol> <li>City of San Bernardino Municipal Water District Case No. 6124-1 (S. Hanizavareh)</li> </ol>	N/A	Status Report	No Action	The Hearing Board received a status report detailing petitioner's progress with the conditions and increments of progress of the existing variance.	N/A
4. OC Waste & Recycling Case No. 6151-2 (K. Roberts)	203(b) 1303(b)(2) 3002(c)(1)	Petitioner sought to continue operating landfill gas collection and control system while remedying failed PM-10 source test from Flare #2.	Opposed/Dismissed	IV dismissed without prejudice.	N/A
5. S & C Oil Co Inc. and JP Resources Inc. Case No. 6165-1 (M. Reichert)	203(b) 463(c) 1148.1(d)(8) 1173(d)(1)(B)	Due to recent changes in fuel specifications, petitioner's gas which is transported and used by a third party is unable to be processed.	Not Opposed/No Action	No action was taken by the Board on the IV because the motion failed for lack of three concurring votes.	N/A

Case Name and Case No. Rules Reason for South Coast AQMD Attorney) Petition/Hea		Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions		
<ol> <li>South Coast AQMD vs. John Esposito Porsche Case No. 6164-1 (K. Roberts)</li> </ol>	203(a)	Respondent operating a paint spray booth without a valid permit to operate.	Not Stipulated/Issued	O/A issued commencing 12/19/19; the Hearing Board shall retain jurisdiction over this matter until 2/29/20.	N/A		
<ul> <li>7. South Coast AQMD vs. Lubeco Inc. Case No. 6089-2 (Consent Calendar; No Appearance)</li> </ul>	1402(g)(2)(C) 1469(h)(4)(C)(i)	Respondent failed to implement and install all risk reduction measures required in its Early Action Reduction Plan.	Stipulated/Issued	O/A issued commencing 12/4/19 and continuing until compliance is achieved.	N/A		
8. Southern California Edison Case No. 1262-112 (M. Reichert)	203(b) 3002(c)(1)	Petitioner is unable to complete repairs in time to conduct source test within required time frame.	Not Opposed/Granted	IV granted commencing 1/1/20 and continuing for 90 days or until the SV hearing currently scheduled for 1/14/20, whichever comes first.	None		

#### Acronyms

CARB: California Air Resources Board CEMS: Continuous Emissions Monitoring System 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 NH3: Ammonia NOx: Oxides of Nitrogen O/A: Order for Abatement P/C: Permit to Construct PM: Particulate Matter PM-10: Particulate Matter < 10 microns PPM: Parts Per Million RATA: Relative Accuracy Test Audit RV: Regular Variance SV: Short Variance SOx: Oxides of Sulfur TBD: To Be Determined VOC: Volatile Organic Compounds

and 1 <		Rules from which Variances and Orders for Abatement were Requested in 2019													
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1150.1(d)(12)     2     2       1150.1(d)(14)     3     2     5       1150.1(d)(16)     2     2       1150.1(d)(20)     2     2       1150.1(e)(1)     3     2     5       1150.1(e)(2)     3     2     5       1150.1(e)(2)(C)     1     2     3       1150.1(e)(2)(C)     2     2     2       1150.1(e)(3)     1     2     3	1150.1(d)(10)						_		_						
1150.1(d)(14)       3       2       5         1150.1(d)(16)       2       2       2         1150.1(d)(20)       2       2       2         1150.1(e)(1)       3       2       5         1150.1(e)(2)       1       2       3         1150.1(e)(2)(B)       2       2       2         1150.1(e)(2)(C)       2       2       2         1150.1(e)(3)       1       2       3	1150.1(d)(11)														
1150.1(d)(16)       2       2         1150.1(d)(20)       3       2       2         1150.1(e)(1)       3       2       5         1150.1(e)(2)       1       2       3         1150.1(e)(2)(B)       2       2       2         1150.1(e)(2)(C)       2       2       2         1150.1(e)(3)       1       2       3													2		
11150.1(d)(20)     2     2       11150.1(e)(1)     3     2     5       11150.1(e)(2)     1     2     3       11150.1(e)(2)(B)     2     2     2       11150.1(e)(2)(C)     2     2     2       11150.1(e)(3)     1     2     3												<u></u>			
1150.1(e)(1)     3     2     5       1150.1(e)(2)     1     2     3       1150.1(e)(2)(B)     2     2     2       1150.1(e)(2)(C)     2     2     2       1150.1(e)(3)     1     2     3	1150.1(d)(20)											2	۷		
1150.1(e)(2)     1     2     3       1150.1(e)(2)(B)     2     2       1150.1(e)(2)(C)     2     2       1150.1(e)(3)     1     2     3													2		
1150.1(e)(2)(B)     2     2       1150.1(e)(2)(C)     2     2       1150.1(e)(3)     1     2     3		_		_	_	_		_		_				_	
1150.1(e)(2)(C)     2     2       1150.1(e)(3)     1     2     3													2		
1150.1(e)(3) 1 2 3				_	_	_	_	_	_	_					
													2		
	1150.1(e)(3(B)			_	_	_	_	_	_	_		2	~		2

			Rules from	which Variar	ices and Orde	rs for Abatem	ent were Req	uested in 20	19					
	2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1150.1(e)(3)(C)											2			2
1150.1(e)(4)											3	2		5
1150.1(e)(4)(A)											2			2
1150.1(e)(4)(B)											2			2
1150.1(e)(7)											3	2		5
1150.1(e)(7)(C)											2			2
1150.1(f)(1)(A)											1	2		3
1150.1(f)(1)(A)(iii)(I)											2			2
1150.1(f)(1)(B)											3	2		5
1150.1(f)(1)(C)											1	2		3
1150.1(f)(1)(E)											1	2		3
1150.1(f)(1)(G)											1	2		3
1150.1(f)(1)(L)											3	2		5
1150.1(f)(2)(A)								1						1
1158(d)(2)						2	1							3
1173(d)(1)(B)											1	1	1	3
1178(d)(2)						2	1							3
1178(g)						1								1
1178(h)(2)						1	1							2
1178(h)(4)			1											1
1196											1			1
1303								1						1
1303(a)								1						1
1303(b)					1									1
1303(b)(2)													1	1
1402(g)(2)(C)													1	1
1420.2(g)(3)(B)										1				1
1430				1							1			2
1430(d)(8)				1										1
1430(e)(2)								1						1
1469(h)(4)(C)(i)													1	1
1470(c)(2)(C)(iv)(I)		1			1	3	2			1				8
2004(f)(1)										1	1	3	2	7
2012													1	1
2202(a)										1				1
2202(b)										1				1
2202(e)										1				1
2202(I)		1			1	5	2		2	1		3		15
3002(c)(1)									1		4		4	9
H&S 41701			1								3	1		5
H&S 41960.2			1											1

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