

BOARD MEETING DATE: May 1, 2020

AGENDA NO. 10

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 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: **March 2020 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2020**. An index with the applicable South Coast AQMD Rules is also attached.

There were no appeals filed during the period March 1 to March 31, 2020.

Report of March 2020 Hearing Board Cases

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition/Hearing	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. California Institute of Technology Case No. 5738-3 (D. Hsu)	203(b) 3002(c)(1)	Petitioner seeks to run noncompliant gas turbine due to delay in delivery of new turbine.	Not Opposed/Granted	IV granted commencing 3/26/20 and continuing until the RV hearing currently scheduled for 5/7/20 or when final compliance is achieved, whichever comes first.	NOx: 30 lbs/day CO: 27 lbs/day
2. Equilon Enterprises, LLC dba Shell Oil Products Case No. 4982-125 (D. Hsu)	203(b) 463(c)(2) 463(e)(4) 1178(d)(3) 1178(g) 2004(f)(1) 3002(c)(1)	Petitioner seeks additional time to drain, degas and repair tank due to a slow down in ethanol use/sales as a result of COVID-19.	Not Opposed/Granted	Ex Parte EV granted commencing 3/31/20 and continuing through 4/26/20 or final compliance, whichever comes first.	VOC: 3.7 lbs/day
3. Phillips 66 Company Case No. 4900-108 (S. Hanizavareh)	1180(e)	Petitioner sought relief from fenceline monitoring deadline due to construction delays as a result of COVID-19.	Not Opposed/Granted	Ex Parte EV granted commencing 3/28/20 and continuing for 30 days or until UCLA staff is available and the installation can be completed, whichever occurs first.	None
4. Phillips 66 Company Case No. 4900-109 (S. Hanizavareh)	1180(e)	Petitioner sought relief from fenceline monitoring deadline due to construction delays as a result of COVID-19.	Not Opposed/ Denied	Ex Parte EV denied.	N/A
5. Tesoro Refining & 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)(1) 3002(c)(1)	Petitioner sought relief from CEMS requirement on heater, where stack had to be removed due to unexplained explosion.	Opposed/Dismissed	IV dismissed for lack of good cause.	N/A

Acronyms

CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
EV: Emergency Variance
IV: Interim Variance

N/A: Not Applicable
NOx: Oxides of Nitrogen
O/A: Order for Abatement
RV: Regular Variance

SV: Short Variance
VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2020														
	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
109(c)(1)														0
202			1											1
202(a)														0
202(c)														0
203(a)														0
203(b)		6	7	3										16
218.1(b)(4)(C)			2											2
218(f)(3)				1										1
401(b)(1)			1											1
401(b)(1)(B)														0
405(a)														0
407														0
407(a)			1											1
415(d)(1)(B)(ii)														0
415(d)(1)(C)(ii)														0
415(e)(1)														0
415(e)(5)														0
415(e)(6)														0
461(c)(1)(A)														0
461(c)(2)(A)														0
461(c)(3)(P)														0
461(e)(5)														0
463(c)		1	1											2
463(c)(2)				1										1
463(c)(3)														0
463(e)(4)				1										1
463(f)(1)(C)														0
1110.2(d)(1)(F)														0
1110.2(d)(1)(L)														0
1110.2(h)														0
1110.2(i)(1)(B)														0
1110.2(i)(1)(J)														0
1111														0
1111(c)(4)														0
1146(c)(5)														0
1147														0
1147(c)(1)														0
1148.1(d)(8)		1												1
1150.1(d)(1)(C)(i)														0
1150.1(d)(8)														0
1150.1(d)(10)														0
1150.1(d)(11)														0
1150.1(d)(12)														0
1150.1(d)(14)														0
1150.1(d)(16)														0
1150.1(d)(20)														0
1150.1(e)(1)														0
1150.1(e)(2)														0
1150.1(e)(2)(B)														0
1150.1(e)(2)(C)														0

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

	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1150.1(e)(3)														0
1150.1(e)(3)(B)														0
1150.1(e)(3)(C)														0
1150.1(e)(4)														0
1150.1(e)(4)(A)														0
1150.1(e)(4)(B)														0
1150.1(e)(7)														0
1150.1(e)(7)(C)														0
1150.1(f)(1)(A)														0
1150.1(f)(1)(A)(iii)(I)														0
1150.1(f)(1)(B)														0
1150.1(f)(1)(C)														0
1150.1(f)(1)(E)														0
1150.1(f)(1)(G)														0
1150.1(f)(1)(L)														0
1150.1(f)(2)(A)														0
1158(d)(2)														0
1173(d)(1)(B)		1												1
1176(e)(2)(A)			1											1
1178(d)(3)				1										1
1178(g)				1										1
1178(h)(2)														0
1178(h)(4)														0
1180(e)				2										2
1196														0
1303														0
1303(a)														0
1303(b)														0
1303(b)(2)														0
1402(g)(2)(C)														0
1420.2(g)(3)(B)														0
1430														0
1430(d)(8)														0
1430(e)(2)														0
1469(h)(4)(C)(i)														0
1470(c)(2)(C)(iv)(I)														0
2004(f)(1)		5	6	2										13
2011(c)(2)(A)			1											1
2011(c)(2)(B)			1											1
2011(e)(1)			1											1
2012, Appendix A		1												1
2012, Appendix A, Chapter C h.			2											2
2012(d)(2)		1												1
2012(c)(2)(A)			1	1										2
2012(c)(2)(B)			1	1										2
2012(g)(1)			1	1										2
2202(a)														0
2202(b)														0
2202(e)														0
2202(l)														0
3002(c)		1	1											2
3002(c)(1)		4	5	3										12

Rules from which Variances and Orders for Abatement were Requested in 2020														
	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
H&S 41701			1											1
H&S 41960.2														0

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2020 HEARING BOARD CASES AS OF MARCH 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 463 Organic Liquid Storage

REGULATION XI - SOURCE SPECIFIC STANDARDS

- 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 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

- §41701 Restricted Discharges