

BOARD MEETING DATE: September 4, 2020

AGENDA NO. 13

REPORT: Hearing Board Report

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

Report of July 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. Axiom Oil, Inc. Case No. 6175-1 (B. Tomasovic)	461(e)(2)(A)(i)	Petitioner sought relief to delay an annual test on its pumps due to unexpected delays in the delivery of equipment from manufacturer because of COVID.	Not Opposed/Granted	Ex Parte EV granted commencing 8/1/20 and continuing through 8/11/20, or upon final compliance with South Coast AQMD Rule 461(e)(2)(A)(i), whichever occurs first.	None
2. San Antonio Regional Hospital Case No. 5606-4 (Consent Calendar; No Appearance)	203(b) 218.1(b)(4)(C) 3002(c)(1)	Petitioner sought permit to delay the CEMS RATA for a disconnected cogeneration unit that is down for repair.	Not Opposed/Granted	RV granted commencing 7/22/20 and continuing through 10/31/20, the FCD.	None
3. South Coast AQMD vs. City of San Bernardino Water Department Case No. 6124-2 (Consent Calendar; No Appearance)	1196	Allow for the immediate replacement of four vehicles with model year 2020 vehicles, rather than waiting to replace with later year models.	Stipulated/Issued	Mod. O/A issued commencing 7/23/20 and continuing through 12/15/23. The Hearing Board shall retain jurisdiction over this matter until 12/15/23.	N/A
4. South Coast AQMD vs. County of San Bernardino Case No. 6174-1 (K. Roberts)	1196(d)(1) 1196(f)(8)(a) 1196(f)(10)	Require compliance with South Coast AQMD's fleet rules.	Stipulated/Issued	O/A issued commencing 7/7/20 and continuing through 1/31/24. The Hearing Board shall retain jurisdiction over this matter until 1/31/24.	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
5. Tesoro Refining and Marketing Company, LLC Case No. 4982-126 (Consent Calendar; No Appearance)	203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(2)(B) 2011(e)(1) 2012(c)(2)(A) 2012(c)(2)(B) 2012(g)(1) 3002(c)(1)	Petitioner sought permission to disconnect CEMS from the refinery heater during a turnaround to allow the installation of an SCR unit.	Not Opposed/Granted	SV granted commencing upon notice given pursuant to Condition No. 2(a) of the Order and continuing for 46 consecutive days, or on the day the CEMS analyzers are reconnected to the refinery heater and is returned to full operational status; and notice is provided as specified in Condition No.2(b), whichever occurs first.	None

Acronyms

CEMS: Continuous Emissions Monitoring System

EV: Emergency Variance

FCD: Final Compliance Date

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

O/A: Order for Abatement

RATA: Relative Accuracy Test Audit

RV: Regular Variance

SCR: Select Catalytic Reduction

SV: Short Variance

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2020 HEARING BOARD CASES AS OF JULY 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 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
- 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

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 JULY 31, 2020**

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41701 Restricted Discharges