

BOARD MEETING DATE: April 1, 2022

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2022.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Cynthia Verdugo-Peralta
Hearing Board Chair

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The following summaries are attached: **February 2022 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2022**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of February 1 to February 28, 2022.

Report of February 2022 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. Petro Diamond Terminal Company Case No. 3678-6 (M. Reichert)	203(b) 462(d)(1) 462(e)(1)(E)(i)(II)	Petitioner requested Ex-parte EV due to CEMS unexpected exceedance of 4,200 ppmv limit for total hydrocarbons twice, resulting in intermittent shutdowns. Vapor recovery system was not able to achieve compliant operation.	Not Opposed/Granted	Ex Parte EV granted commencing 2/11/22 and continuing through 3/12/22	None
2. Snow Valley, Inc. Case No. 6221-1 (K. Manwaring)	203(b)	Due to Petitioner's ski-lift electric drive failure, two diesel back-up engines were used. On 02/14/22, both engines reached their annual allotted 200 hours, requiring the IV request.	Not Opposed/Granted	IV granted commencing 2/17/22 and continuing for 90 days or until the RV hearing currently scheduled for 4/13/22, whichever comes first.	NOx: 29.92 lbs/day SOx: .008 lb/day VOC: .72 lb/day PM: 11.84 lbs/day CO: 16.16 lbs/day
3. South Coast AQMD vs. 365 Disposal and Recycling Inc. Case No. 6213-1 (K. Roberts)	203(b) 403(d)(1)(A) 403(d)(2) 403(d)(4) 1133.1(d)(3) 1133.1(d)(4) 1133.1(e)	Due to numerous failures to comply with several previous conditions, including shutting down one of their facilities, several NOV's were issued requiring the Hearing, with the potential to close-down the entire business.	Stipulated/Modified	Mod. O/A issued commencing 2/15/22 and continuing through 7/1/22. The Hearing Board shall retain jurisdiction over this matter until 7/1/22.	N/A

Acronyms

CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
EV: Emergency Variance
IV: Interim Variance
Mod. O/A: Modification Order for Abatement
N/A: Not Applicable

NOV: Notice of Violation
NOx: Oxides of Nitrogen
PM: Particulate Matter
RV: Regular Variance
SOx: Oxides of Sulfur
VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2022

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(c)	1												1
203(b)	6	3											9
403(d)(1)(A)		1											1
403(d)(2)		1											1
403(d)(4)		1											1
462(d)(1)		1											1
462(e)(1)(E)(i)(II)		1											1
1133.1(d)(3)		1											1
1133.1(d)(4)		1											1
1133.1(e)		1											1
1147	1												1
1153.1	1												1
1469.1(d)	1												1
1470(c)(4)A)	1											\	1
2004(f)(1)	5												5
2011(c)(2)(A)	1												1
2011(c)(3)(A)	1												1
2011(e)(1)	1												1
2011(k)	1												1
2011, APP. A, Ch 2-A, Att. C	1												1
2012(c)(2)(A)	1												1
2012(c)(3)(A)	1												1
2012(g)(1)	1												1
2012(m)	1												1
2012, APP.. A, Ch 2. A.16	1												1
2012, APP. A, Ch 2-A, Att. C	1												1
3002(c)(1)	5												5

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
2022 HEARING BOARD CASES AS OF FEBRUARY 28, 2022**

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 403 Fugitive Dust
Rule 462 Organic Liquid Loading

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1133.1 Chipping & Grinding Activities
Rule 1147 NOx Reductions from Miscellaneous Sources
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1469.1 Spraying Operations Using Coatings Containing Chromium
Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

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

REGULATION XXX – TITLE V PERMITS

Rule 3002 Requirements