

BOARD MEETING DATE: June 2, 2023

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2023.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Cynthia Verdugo-Peralta
Hearing Board Chair

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Two summaries are attached: **April 2023 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2023**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of April 1 to April 30, 2023.

Report of April 2023 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. Estrella Media, Inc. Case No. 6235-1 (M. Reichert)	203(b)	A distribution pole fell due to strong winds, causing a power outage. The backup emergency generator failed. Additional rental generator resulted in 214.3 hours requiring variance relief.	Not Opposed/Granted	IV granted commencing 4/13/23 and continuing for 90 days or until the RV hearing scheduled for 6/14/23, whichever comes first.	TBD by 6/14/23
2. Jackson Energy #6831 Case No. 6231-1A (Consent Calendar)	203(b) 461(e)(2)(A)(i)	Additional time is needed for modifications to existing equipment, which requires permits from both the Los Angeles County Department of Public Works and South Coast AQMD.	Not Opposed/Granted	RV granted commencing 4/5/23 and continuing through 7/31/23, the FCD.	VOC: TBD
3. South Coast AQMD vs. Baker Commodities Inc. Case No. 6223-1 (D. Hsu & N. Dwyer)	415(f) 415(g) 2004(f)(1) 3002(c)(1)	Petitioner requested to operate restaurant trap grease equipment and operations and wastewater treatment system.	Not Stipulated/Issued	Mod. O/A issued commencing 4/19/23; the Hearing Board shall continue to retain jurisdiction over this matter until 9/28/23.	N/A
4. Verizon Wireless Case No. 6139-5 (E. Chavez)	203(b)	Unforeseen severe weather caused petitioner to lose power, forcing the use of the emergency ICE, above their 200-hour annual limit. The Governor issued a Proclamation of a State of Emergency.	Not Opposed/Granted	IV granted commencing 4/11/23 and continuing for 90 days or until the RV hearing scheduled for 6/14/23, whichever comes first.	NOx: 10.47 lbs/day CO: 13.96 lbs/day VOC: 10.47 lbs/day

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. Verizon Wireless Case No. 6063-2 (E. Chavez)	203(b)	Unforeseen severe weather caused petitioner to lose power, forcing the use of the emergency ICE, above their 200-hour annual limit. The Governor issued a Proclamation of a State of Emergency.	Not Opposed/Granted	IV granted commencing 4/11/23 and continuing for 90 days or until the RV hearing scheduled for 6/14/23, whichever comes first.	NOx: 25.68 lbs/day CO: 5.76 lbs/day VOC: 2.4 lbs/day

Acronyms

- CO: Carbon Monoxide
- FCD: Final Compliance Date
- IV: Interim Variance
- Mod: Modification
- N/A: Not Applicable
- NOx: Oxides of Nitrogen
- O/A: Order for Abatement
- RV: Regular Variance
- TBD: To Be Determined
- VOC: Volatile Organic Compound

Rules from which Variances and Orders for Abatement were Requested in 2023

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
203(b)	2	7	16	4									29
218(b)(2)			1										1
218.1(b)(4)(C)			1										1
402	1												1
415(f)				1									1
415(g)				1									1
461(e)(2)(A)(i)				1									1
463(c)(2)(B)		1											1
1100(e)(2)(A)	1	2											3
1100(e)(2)(B)			2										2
1100(e)(3)(A)			1										1
1110.2		1											1
1146(c)(1)			1										1
1146(c)(1)(I)			1										1
1146(c)(1)(J)	1	2											3
1146(e)(1)			2										2
1178(d)(3)(D)		1											1
1470(c)(4)(A)	1												1
2004(f)(1)		4	3	1									8
2012(d)(2)		1											1
3002(c)(1)		5	3	1									9

SOUTH COAST AQMD RULES AND REGULATIONS INDEX
2023 HEARING BOARD CASES AS OF APRIL 30, 2023

REGULATION II – PERMITS

- Rule 203 Permit to Operate
- Rule 218 Continuous Emission Monitoring
- Rule 218.1 Continuous Emission Monitoring Performance Specifications

REGULATION IV – PROHIBITIONS

- Rule 402 Nuisance
- Rule 415 Odors from Rendering Facilities
- Rule 461 Gasoline Transfer and Dispensing
- Rule 463 Organic Liquid Storage

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- Rule 1100 Implementation Schedule for NO_x Facilities
- Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Engines
- Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
- Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- 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 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

REGULATION XXX – TITLE V PERMITS

- Rule 3002 Requirements