BOARD MEETING DATE: February 7, 2003   AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                 of December 1 through December 31, 2002.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

                              Edward Camarena
                              Chairman of Hearing Board
EC:SM
_____

Two summaries are attached: **Rules from Which Variances and Orders for
Abatement Were Requested in 2002** and **December 2002 Hearing Board Cases**.

The total number of appeals filed during the period December 1 to December 31, 2002 is
2, and the total number of appeals filed during the period January 1 to December 31, 2002
is 16.

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	2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
Rules from which Variances and Order for Abatements were Requested in 2002														
# of HB Actions*														
Involving														
Rules														
201		1					1							2
202														0
202(a)		2	2			1				2	5	1	1	14
202(b)		1				1	1		1			1		5
202(c)		1						1			1			3
203											1		1	2
203(a)					3	2	3		4	1	1	1	2	17
208														0
218														0
218(c)(1)(A)					1								1	2
221(b)														0
401												1	1	2
401(a)														0
401(b)						1				1				2
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
402			2				1	1	2		2	1	2	11
403(d)(1)			1	1			2				1	1	1	7
403(d)(2)			1	1			2				1	1	1	7
404														0
404(a)						1			1					2
404(b)														0
405														0
405(a)						1			1					2
405(b)														0
407(a)						1								1
407(a)(2)(A)			1											1
409								1						1
431.1(c)(1)														0
431.1(d)(1)														0
444														0
444(a)														0
444(c)														0
444(d)														0
461		1									1			2
461(c)(1)											1			1
461(c)(1)(A)			1			1	1	1						4
461(c)(1)(B)		1	1			1	1	1						5
461(c)(1)(C)			1			1								2
461(c)(1)(E)														0
461(c)(1)(F)(i)														0
461(c)(1)(F)(iv)														0
461(c)(1)(F)(v)														0
461(c)(1)(H)														0
461(c)(2)											1			1
461(c)(2)(A)					1									1
461(c)(2)(B)		1			1									2
461(c)(2)(C)														0
461(c)(3)(A)														0
461(c)(4)(B)														0
461(c)(4)(B)(ii)														0
461(e)(1)														0

*Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(e)(2)		1			1								2
461(E)(2)(A)		1			1								2
461(e)(2)(B)(i)		1			1								2
461(e)(2)(C)													0
461(e)(3)		1			1								2
461(e)(4)		1			1								2
461(e)(5)		1			1								2
461(e)(7)						1							1
462(c)(1)(A)(ii)													0
462(c)(3)(B)													0
462(c)(4)(B)(i)													0
462(c)(7)(A)(ii)													0
462(d)(1)(A)							1						1
462(d)(1)(A)(ii)	2									2			4
462(d)(2)(A)(i)													0
462(e)(1)(E)							1						1
462(e)(1)(E)(ii)	2									2			4
462(e)(2)(A)(i)													0
462(h)(1)	2									2			4
463(c)												2	2
463(c)(1)(A)													0
463(c)(1)(A)(I)-(iv)													0
463(c)(1)(B)													0
463(c)(1)(C)													0
463(c)(1)(D)													0
463(c)(1)(E)													0
463(c)(2)													0
463(c)(2)(B)													0
463(c)(3)(B)													0
463(c)(3)(C)													0
463(d)(2)						1							1
463(e)(3)(C)													0
463(e)(4)													0
464(b)(1)													0
468		1											1
468(a)				1									1
468(b)				1									1
475(b)	1										1		2
1104(c)(1)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(2)						1		1					2
1107(c)(7)													0
1107(d)													0
1110.2													0
1110.2(d)(1)(B)													0
1110.2(e)(1)(A)													0
1113(c)(2)													0
1118(d)(1)		1											1
1118(d)(1)(2)													0
1118(d)(1)(3)													0
1118(d)(2)		1											1
1118(d)(3)		1						1					2
1118(d)(4)(B)		1											1
1118(d)(5)(A)		1						1					2
1118(d)(5)(B)		1											1
1118(e)		1											1
1118(f)		1											1

*Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1121													0
1122(c)(2)(A)													0
1122(c)(2)(E)													0
1122(d)(1)(B)											1		1
1122(d)(3)													0
1122(e)(2)(A)													0
1122(e)(2)(B)													0
1122(e)(2)(C)													0
1122(e)(2)(D)													0
1122(e)(4)(A)													0
1122(e)(4)(B)													0
1122(g)(3)								1				1	2
1124													0
1124(c)(1)(A)													0
1124(c)(1)(E)													0
1124(c)(4)										1			1
1128(c)(1)			1										1
1128(c)(2)			1										1
1130(c)													0
1130(c)(4)													0
1134(c)													0
1134(c)(1)													0
1134(d)													0
1134(d)(1)													0
1134(d)(2)(B)(ii)													
1134(f)													0
1134(g)(2)													0
1135(c)(3)					1								1
1135(c)(3)(C)													0
1135(c)(4)					1								1
1135(c)(4)(D)													0
1135(e)													0
1145(b)(2)										1			1
1145(c)(2)					1								1
1145(c)(6)	1												1
1145(h)(1)(E)													0
1145(h)(1)(E)													0
1146	1												1
1146.1	1				1								2
1146.1(c)(1)				1									1
1146.1(c)(2)(B)				1									1
1146.1(e)(1)(B)			1										1
1146.2									1				1
1146.2(c)(1)									1				1
1146.2(c)(3)								2	1				3
1150.1													0
1150.1(d)(1)(C)(i)													
1150.1(d)(4)			1		1								2
1150.1(d)(5)			1										1
1150.1(d)(6)			1		1								2
1150.1(e)													0
1150.1(e)(1)			1		1								2
1150.1(e)(2)			1										1
1150.1(e)(3)			1		1								2
1150.1(e)(1)(C)													0
1150.1(e)(2)(C)													0
1150.1(e)(3)(C)													0
1150.1(e)(6)(A)(I)													0

*Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1150.1(e)(6)(A)(ii)													0
1150.1(f)(1)(A)(iii)(I)													0
1150.1(f)(1)(H)(i)													0
1151(c)(1)(B)													0
1151(c)(8)													0
1151(2)													0
1151(5)													0
1151(d)(1)													0
1151(e)(1)													0
1151(e)(2)													0
1153(c)(1)(B)													0
1158										1			1
1158(d)(2)										3			3
1158(d)(5)										1			1
1158(d)(7)										1			1
1158(d)(7)(A)(ii)										1			1
1158(d)(8)										1			1
1166(c)(2)													0
1168(c)(1)											1		1
1168(c)(2)												1	1
1171(c)(1)							1						1
1171(c)(1)(A)(i)		1											1
1171(c)(1)(b)(i)										1			1
1171(c)(1)(i)						1							1
1171(c)(5)							1						1
1173(c)													0
1173(f)(1)													0
1175(c)(2)				1						1			2
1175(c)(4)(B)(ii)(II)				1									1
1176													0
1176(e)(1)													0
1176(e)(2)													0
1176(e)(2)(B)													0
1176(e)(3)(A)													0
1176(e)(6)													0
1189(C)(1)													0
1189(c)(1)													0
1401(d)(1)													0
1401(d)(1)(A)													0
1401(d)(1)(B)													0
1405(d)(3)(C)													0
1407(d)													0
1407(d)(1)													0
1407(d)(2)													0
1407(d)(4)													0
1407(f)(1)													0
1415(d)(3)													0
1418(d)(2)(A)													0
1421						1							1
1421(d)													0
1421(d)(1)(C)													0
1421(d)(3)(A)													0
1425(d)(1)(A)													
1469	1								1	1		1	4
1469(c)	1												1
1469(c)(2)	1												1
1469(d)(1)													0
1469(e)(1)													0
1469(e)(2)													0

*Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

2002	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1469(h)	1												1
1469(l)	1												1
1189(c)(3)						1							1
2004(c)(1)(C)			1										1
2004(d)							1	1					2
2004(k)													0
2009(b)(2)												2	2
2009(c)		1							1				2
2009(f)(1)		1							1				2
2009(f)(2)												2	2
2009.1							1						1
2009.1(c)										1			1
2009.1(f)(1)										1			1
2009.1(f)(2)										1			1
2009.1(f)(3)										1			1
2011 Appendix A													0
2011 Attachment C													0
2011(c)(2)													0
2011(c)(2)(A)								1					1
2011(c)(3)(A)								1					1
2011(e)(1)								1					1
2011(f)(3)													0
2011(g)													0
2011(k)													0
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4													0
and Appen. A, Chap. 2, Section C.2.a, c & d								1					1
2012 Appen. A, Attach. C, Sec. B.2		1		1			1				1		4
2012 Appen. A, Attach. C, Sec. 7													0
2012 Appen A								1					1
2012 Appen A, Chap. 2													0
2012 Appen A, Chap. 2, Sec. A				1						1			2
2012 Appen A. Chap. 2. Sec. A1.g.							1						1
2012 Appen A, Chap. 2, Sec. B				1									1
2012 Appen A, Chap. 2, Sec. E										1			1
2012(c)(2)											1		1
2012(c)(2)(A)	1			2	1		1						5
2012(c)(2)(B)				1									1
2012(c)(3)(A)	1			1	1		1						4
2012(c)(3)(B)	1												1
2012(c)(10)													0
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(e)(2)(B)								1					1
2012(g)(1)	1							1		1			3
2012(g)(3)													0
2012(h)(3)													0
2012(h)(4)	1												1
2012(h)(5)													0
2012(h)(6)				1									1
2012(i)													0
2012(j)(2)													0
2012(m)		1											1
2012(m) Appen. A, Attach. C	2												2
2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e,g,													
and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d								1					1
3002(c)(1)			2		1	3	1	1		4	2	2	16
H&S 41700		1					1	1			1	1	5

*Does not include variances for Rules 203-Permits or 2004(f) (1)-RECLAIM

Report of December 2002 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
1. AES Placerita, Inc. Case #3694-9 (A. Mednick)	2012, Appendix A, Attachment C, Subpart (B)(2)	RATA test could not be done by the January 1, 2003 deadline because the power plant had not been called on to operate.	Not Opposed/Granted	SV granted commencing 1/1/03 and continuing through 3/31/03.	None
2. Berry Petroleum Co. Case #5364-1 (C. Engelhardt)	203(b) 218(c)(1)(A) 2004(f)(1) 3002(c)(1)	Petitioner failed to complete certification tests within 90 days of installation of CEMS.	Not Opposed/Granted	Ex parte granted commencing 12/27/02 and continuing for 30 days or until the SV hearing currently scheduled for 1/21/03.	None
3. Caddock Electronics, Inc. Case #5351 (A. Mednick)	203(b) 1122(g)(3) 1122(d)(1)(B)	Compliant solvents are not compatible with product. Need time to investigate compliance options.	Not Opposed/Granted	RV granted commencing 1/1/03 and continuing through 8/1/03, the FCD.	PERC 2.6 lbs/day for Facility ID #027701 PERC 9 lbs/day for Facility ID #034764 VOC 1.5 lbs/day total for both facilities
4. Carpenter Company Case #5356 (N. Feldman)	203(b)	Although preliminary source test results indicate compliance with hazard index limit, Petitioner must now conduct a facility wide health risk assessment and cannot complete it by the January 1, 2003 compliance deadline.	Not Opposed/Granted	SV granted commencing 12/18/02 and continuing through 3/17/03.	TDI 3 lbs/day
5. City of Burbank, Burbank Water & Power Case #1474-17 (N. Feldman)	203(b) 2004(f)(1) 2009(b)(2) 2009(f)(2) 2012(c)(2) 3002(c)(1)	Petitioner filed application for permit to construct in February 2002 and is awaiting its approval. Petitioner cannot meet the January 1, 2003 compliance deadline until permit to construct is issued, construction completed, and source test conducted.	Not Opposed/Granted	RV granted commencing 1/10/03 and continuing through 11/30/03, the FCD.	NO_X 2.41 tons/total for both units
6. Darling International, Inc. Case #4061-10 (E. Sernel)	203(b) 2004(f)(1)	Accidental fire destroyed baghouse. Grinding and milling equipment served by baghouse needed to continue operation to preclude odor nuisance.	Not Opposed/Granted	SV granted commencing 12/5/02 and continuing through 12/20/02.	PM 53 lbs/day

7. ExxonMobil Oil Corp. Case #1183-362 (N. Feldman)	203(b) 463(c) 2004(f)(1)	Malfunction of compressor possibly due to line blockage may force petitioner to vent vapors from butane storage tank directly to atmosphere.	Not Opposed/Granted	Ex parte granted commencing 12/6/02 and continuing for 30 days or until 12/12/02, whichever comes first.	VOC TBD
8. ExxonMobil Oil Corp. Case #1183-363 (A. Mednick)	203(b) 2004(f)(1)	Bypass dampers to petitioner's ESPs have malfunctioned. During repairs and subsequent testing, the ESPs will be bypassed.	Not Opposed/Granted	Ex parte granted commencing 12/13/02 and continuing through 12/23/02.	NOx 55 lbs/day
9. ExxonMobil Oil Corp. Case #1183-362 (B. Theis)	203(b) 463(c) 2004(f)(1)	Malfunction of compressor possibly due to line blockage may force petitioner to vent vapors from butane storage tank directly to atmosphere.	Not Opposed/Granted	IV granted commencing 12/18/02 and continuing for 90 days or until the SV hearing currently scheduled for 1/14/03, whichever comes first.	HC TBD CO TBD PM TBD NOx TBD SOx TBD
10. Gulfstream Aerospace Corp. Case 4327-1 (Consent Calendar; No Appearance)	203(a)	Petitioner awaiting District approval on application for modification of emission control system.	Not Opposed/Granted	MFCD/EXT granted commencing 12/18/02 and continuing through 6/30/03 or on the date the District issues a permit to operate for the application submitted on 7/31/02, whichever comes first.	None
11. Long Beach Generation, LLC Case #5098-5 (E. Sernel)	203(b) 475(b) 2004(f)(1)	Preliminary source test results indicate two gas turbines cannot comply with applicable PM limit. Time needed to do boiler cleaning and other actions believed needed to reduce PM. Petitioner needs variance to restart turbines for testing after January 1, 2003 compliance deadline.	Not Opposed/Dismissed	Interim dismissed.	

12. Praxair, Inc. Case #4616-8 (A. Mednick)	202(a) 2004(f)(1)	Petitioner has been unable to complete startups of reformer heater and SCR within the time limit imposed by permit conditions and has been unable to locate a reliable CEMS for ammonia as required. Petitioner has an application for change in permit conditions pending before the District.	Not Opposed/Granted	RV granted commencing 12/19/02 and continuing through 6/30/03, the FCD.	NO_X TBD based on the number of startups and the length of the startups
13. Reliant Energy Etiwanda, LLC Case #5250-4 (A. Mednick)	2009(b)(2) 2009(f)(2)	Petitioner cannot install and operate BARCT (SCR) before January 1, 2003 deadline.	Opposed/Granted	RV granted commencing 1/1/03 and continuing through 3/31/04, the FCD.	None
14. SCAQMD vs. Bradley Technologies California, Inc., individually and dba Bradley Coatings California, Inc. Case #5353 (E. Sernel)	1168(c)(2)	Respondent still using noncompliant adhesive three years after being advised of the violation.	Not Opposed/Issued	O/A issued commencing 12/18/02. Respondent shall immediately cease and desist the use of any adhesives in excess of 420 g/l VOC, as applied.	
15. SCAQMD vs. Cambro Manufacturing Co. Case #5326 (A. Mednick)	402 H&S §41700	District requested modification of O/A against firm creating odor nuisance from the use of styrene in its manufacturing process.	Stipulated/Issued	Mod. O/A issued commencing 12/17/02. The Board shall retain jurisdiction over this matter until 1/31/03.	
16. SCAQMD vs. Gulfstream Aerospace Corp. Case #4327-3 (B. Theis)	203(a) 203(b)	Petitioner awaiting District approval on application for modification of emission control system.	Stipulated/Issued	O/A issued commencing 12/3/02. The Board shall retain jurisdiction over this matter until 12/3/03.	
17. SCAQMD vs. Hillman Holdings, LLC dba J. D. Heiskell Case #5182 (C. Engelhardt)	203(b) 402 403(d)(1) 403(d)(2)	Status report on progress to acquire and move to a fugitive dust compliant facility or build new facility.	Stipulated/Issued	Mod. O/A issued commencing 12/11/02. The Board shall retain jurisdiction over this matter until 1/15/04.	

No.					
18. SCAQMD vs. Jill Baxter, Keith Baxter and Guillermo Lopez, a partnership, dba West Coast Cylinder Works Case #5179-1 (E. Sernel)	203 1469	Status report to determine respondent's compliance with previously issued O/A.	Stipulated /Issued	Mod. O/A issued commencing 12/10/02. The Board shall retain jurisdiction over this matter until 3/31/03.	
19. Zamora Mexican Foods Case No.5344-1 (J. Panasiti)	203(b) 401	Blower malfunctioned requiring shut down of blower and bypass of SCR.	Opposed/Dismissed	Interim dismissed.	

Key to Acronyms

EV: Emergency Variance
FCD: Final Compliance Date
H&S: Health & Safety Code
IV: Interim Variance
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
O/A: Order for Abatement
RV: Regular Variance
SV: Short Variance
TBD: To be determined
TDI: Toluene Diisocyanate