

BOARD MEETING DATE: May 6, 2005

AGENDA NO. 21

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2005.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

EC:RJ

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2005** and **March 2005 Hearing Board Cases**.

The total number of appeals filed during the period March 1 to March 31, 2005 is 0, and the total number of appeals filed during the period of January 1 to March 31, 2005 is 3.













## Report of March 2005 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Brea Power Partners LP Case #4966-1 (E. Sernel)	202(b) 1110.2(d)(1)(C) 1110.2(e)(1)(B) (l)(III) 1110.2(f)(1)(A)	Additional time is needed to install and test new technology for the ICEs to comply with Rule 1110.2 requirements.	Not Opposed/Granted	RV granted commencing 3/31/05 and continuing through 6/30/05, the FCD.	NO <sub>x</sub> : 190 lbs/day
2. Chevron Products Company Case #831-326 (C. Engelhardt)	203(b) 2004(f)(1) 2011(c)(2)(A)	Gas chromatograph monitoring emissions from the No. 2 crude unit and cogen C unit failed.	Not Opposed/Granted	Ex Parte granted commencing 3/2/05 and continuing through 3/20/05, at which time an EV hearing will be held if petitioner has not achieved compliance.	None
3. Chevron Products Company Case #831-326 (C. Engelhardt)	203(b) 2004(f)(1) 2011(c)(2)(A)	Gas chromatograph monitoring emissions from the No. 2 crude unit and cogen C unit failed.	Not Opposed/Granted	EV granted commencing 3/10/05 and continuing through 3/19/05, the FCD.	None
4. Chevron Products Company Case #831-327 (B. Theis)	203(b) 2004(f)(1)	Failure to meet the NO <sub>x</sub> mass emission limits following the modifications to FCCU regenerator.	Not Opposed/Granted	Ex Parte granted commencing 3/10/05 and continuing for 30 days or until the IV hearing currently scheduled for 3/16/05, whichever comes first.	NO <sub>x</sub> : 150 lbs/day
5. Chevron Products Company Case #831-327 (C. Engelhardt)	203(b) 2004(f)(1)	Failure to meet the NO <sub>x</sub> mass emission limits following the modifications to the FCCU regenerator.	Not Opposed/Granted	IV granted 3/24/05 through 5/6/05. A RV is currently scheduled for 5/4/05.	NO <sub>x</sub> : 100 lbs/day CO: 10 lbs/day
6. City of Burbank, Burbank Water & Power Case #1474-20 (C. Engelhardt)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must operate the turbine to diagnose the reason why the equipment failed to meet the NH <sub>3</sub> slip limitations and to test the system for reliability purposes.	No Position/Dismissed	IV dismissed without prejudice for lack of good cause. SV hearing is currently scheduled for 4/7/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Equilon Enterprises, LLC Case #4982-59 (C. Engelhardt)	203(b) 2004(f)(1)	Petitioner must divert sulfur vent gas from the incinerator in order to install safety emergency shutoff valves.	No Position/Granted	SV granted 3/22/05 for up to 48 hours, which need not be consecutive, and commencing upon the dates and times specified in the notice given to the District pursuant to Condition No. 1 of this Order. The variance shall occur between 3/22/05 and 4/15/05.	SO <sub>x</sub> : TBD
8. Falcon Foam, a Division of Atlas Roofing Corporation Case #3529-8 (C. Engelhardt)	203(b) 1175(c)(2) 1175(c)(4)(B)(i) 1175(c)(4)(B)(ii)(I) 2004(f)(1)	Respondent needs additional time to evaluate compliance methods and to gather data regarding compliance feasibility.	Not Stipulated/Issued	Mod. O/A issued. The Hearing Board shall retain jurisdiction over this matter until 11/30/05.	
9. Life-Like Products, LLC Case #5465-1 Consent Calendar Item (N. Feldman)	203(b) 2004(f)(1) 1175(c)(2) 1175(c)(4)(B)(ii)(II)	Extension of the variance is requested because of unanticipated problems encountered with the design of the ducting and gas drying system necessary for the proper operation and testing of the thermal oxidizer. Petitioner is waiting for approval of the source testing protocol.	Not Opposed/Granted	MFCD/EXT granted commencing 3/31/05 and continuing through 11/30/05, the FCD.	VOC: 155 lbs/day
10. Los Angeles Department of Water and Power Case #1263-57 (C. Engelhardt)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner is waiting for the issuance of a change in permit conditions to authorize more start-up and shutdown time to comply with CO and NO <sub>x</sub> limits.	Not Opposed/Granted	RV granted commencing 3/16/05 and continuing through 5/30/05, the FCD.	NO <sub>x</sub> , CO, VOC, PM <sub>10</sub> , SO <sub>2</sub> : TBD

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
11. Mizkan Americas, Inc. Case #5411-5 (B. Theis)	202(a) 203(b)	Petitioner seeks to continue operating while waiting for repair parts for the scrubber.	Not Opposed/Granted	Ex Parte granted commencing 3/23/05 and continuing for 30 days or until the EV hearing currently scheduled for 4/6/05, whichever comes first.	TBD
12. SCAQMD vs. First Class Cleaners, Inc., dba First Class Cleaners Case #5507-1 (B. Theis)	203(b)	Respondent does not comply with the perchloroethylene usage limit.	Not Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 3/17/06.	
13. SCAQMD vs. Frank's Auto Body & Paint Case #5473-1 (B Theis)	402 1171(c)(1) 1171(c)(4)	Respondent requires additional time to obtain the remaining city approvals for the installation of odor control equipment.	Not Stipulated/Modified	Mod. O/A modified. The Hearing Board shall retain jurisdiction over this matter until 6/17/06. Board scheduled a Mod. O/A for 3/29/05.	
14. SCAQMD vs. Frank's Auto Body & Paint Case #5473-1 (B. Theis)	402 1171(c)(1) 1171(c)(4)	Respondent needs additional time to obtain city and fire department approvals for the installation of an emission control system.	Not Stipulated/Modified	Mod. O/A modified. The Hearing Board shall retain jurisdiction over this matter until 6/17/06. Board scheduled a Mod. O/A for 6/29/05.	
15. SCAQMD vs. Sekisui Ta Industries, LLC Case #5502-1 (E. Sernel)	203(b) 109 1128	Respondent exceeds the mass VOC emission limit conditions and must conduct research and testing to achieve compliance.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 3/15/06.	
16. SCAQMD vs. Sina A&A, Inc. dba Garey 76 #1 Case #5505-2 (B. Theis)	461	Respondent is operating gasoline vapor recovery equipment with vapor return lines that are not constructed of fixed piping and are not CARB certified.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 3/16/06.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
17. SCAQMD vs. Stock Building Supply of California, Inc. Case #5459-1 (C. Engelhardt)	402 1137(d)(2)	O/A is modified to extend the compliance date because of the change in design of the supporting structure for the dust collection system to meet city code.	Stipulated/Issued	Mod. O/A issued. The Hearing Board shall retain jurisdiction over this matter until 7/15/05.	
18. Signal Hill Petroleum, Inc. Case #2166-7 (E. Sernel)	203(b) 2004(f)(1)	NO <sub>x</sub> emissions from the gas fired turbine have increased. Petitioner must operate the turbine in order to diagnose and test.	Not Opposed/Granted	IV granted commencing 3/31/05 and continuing for 90 days or until RV currently scheduled for 5/3/05, whichever comes first.	NO <sub>x</sub> : 38 lbs/day for 8 days
19. Southern California Gas Company's Aliso Canyon Natural Gas Storage Facility Case #137-56 (B. Theis)	2004(f)(1) 203(b)	Petitioner is waiting for the issuance of a new permit by the District.	Not Opposed/Granted	MFCD/EXT granted commencing 4/3/05 and continuing through 4/2/06, the FCD.	None
20. Waste Management Recycling and Disposal Services of California, Inc. Case #3824-8 (C. Engelhardt)	221(b) 1150.1(d)(4)	Landfill gas in subsurface probes exceeds the rule limit. Petitioner is unable to correct the exceedances within the timeframes specified in Rule 1150.1.	Opposed/Granted in part	IV granted commencing forthwith and continuing for 90 days or until the RV hearing currently scheduled for 4/19/05, whichever comes first, for Probe Nos. S-9S-R, S-9MI-R, and S-9M2-R.  The variance is dismissed without prejudice for Lack of Good Cause for Probe No. W-14S.	None

### Key to Acronyms

EV: Emergency Variance  
IV: Interim Variance  
SV: Short Variance  
RV: Regular Variance  
H&S: Health & Safety Code  
TBD: To be determined

FCD: Final Compliance Date  
O/A: Order for Abatement  
MOD O/A Modification of an Order for Abatement  
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance  
NMOC: Non-Methane Organic Compound  
I/P: Increments of Progress