

BOARD MEETING DATE: July 7, 2006

AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2006.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2006** and **May 2006 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2006 is 1, and the total number of appeals filed during the period of January 1 to May 31, 2006 is 6.













## Report of May 2006 Hearing Board Cases

| Case Name and Case No.   | Rules   | Reason for Petition   | District Position/<br>Hearing Board Action | Type and Length of Variance or Order  | Excess Emissions           |
|--|---|---|--|---|----------------------------|
| 1. City of Los Angeles, Hyperion Treatment Plant Case #1212-27 (B. Theis)              | 203(b)<br>431.1(c)(2)   | Unscrubbed digester gas will be flared during shutdown of wastewater treatment plant for preventive maintenance.  | Not Opposed/Granted                        | SV granted commencing 5/22/06 and continuing through 5/26/06, the FCD.  | SO <sub>x</sub> 51 lbs/day |
| 2. Magnolia Power Project, SCPPA Case #5601-1 (B. Theis)                               | 203(b)<br>2004(f)(1)<br>2012 Appendix A, Attach. C, Sec. B.2.a. and B.2.b.<br>2012(c)(2)(A)<br>3002(c)(1) | Extended outage of combined cycle generator for repairs precluded the completion of the RATA and NH <sub>3</sub> slip tests required before the end of the first quarter. | Not Opposed/Granted                        | SV granted commencing 5/9/06 and continuing through 7/15/06, the FCD.   | None                       |
| 3. Paramount Petroleum Corporation Case #2914-80 (A. Mednick)                          | 203(b)<br>2004(f)(1)<br>2011(c)(3)(A)<br>2012(c)(3)(A)  | Petitioner's CEMS failed and cannot comply with reporting requirements of Rules 2011 and 2012.  | Not Opposed/Granted                        | Ex Parte EV granted commencing 5/23/06 and continuing for 30 days or until the SV hearing, whichever comes first. | None                       |
| 4. Premier Industries, Inc. (dba Insulfoam) Case #5333-1 (A. Mednick)                  | 202(c)<br>1175(c)(2)<br>1175(c)(4)(B)<br>3002(c)(1)   | Status report on testing to develop data to demonstrate compliance feasibility.   | Not Opposed/Granted                        | MFCD/EXT granted commencing 5/19/06 and continuing through 12/8/06.   | ROG TBD                    |
| 5. SCAQMD vs. Arvinyl Metal Laminates Corp. Case #4474-2 (B. Theis)                    | 1168(c)(1)  | Supplier of compliant adhesive will discontinue production. Respondent cannot find satisfactory alternative for laminating operations.                                    | Stipulated/Issued                          | O/A issued commencing 5/9/06; the Hearing Board shall retain jurisdiction over this matter until 5/9/07.          |                            |
| 6. SCAQMD vs. Chevron Products Company Case #831-332 (Consent Calendar; No Appearance) | 203(b)<br>1173(d)(1)(E)<br>2004(f)(1)   | Respondent is operating gas fuel and pilot gas vent lines that are not equipped with double valves or are not otherwise sealed as required by Rule 1173.                  | Stipulated/Issued                          | O/A issued commencing 5/18/06; the Hearing Board shall retain jurisdiction over this matter until 7/31/06.        |                            |
| 7. SCAQMD vs. Hydro Systems Case #5563-3 (C. Engelhardt)                               | 203(a)  | Respondent manufactures fiberglass tubs and does not comply with BACT requirements for VOC control.   | Stipulated/Issued                          | O/A issued commencing 5/30/06; the Hearing Board shall retain jurisdiction over this matter until 1/15/07.        |                            |

| Case Name and Case No.   | Rules                              | Reason for Petition  | District Position/<br>Hearing Board Action | Type and Length of Variance or Order   | Excess Emissions   |
|--|------------------------------------|--|--|--|--|
| 8. SCAQMD vs. Kosei Maekawa, individually and dba Pollo a La Brasa Whittier; and Ivan Maekawa, individually and dba Pollo a La Brasa Whittier<br>Case #5603-1<br>(C. Engelhardt) | 402<br>H&S §41700                  | Respondent operates restaurant with wood burning ovens causing nuisance odors.   | Stipulated/Issued                          | O/A issued commencing 5/25/06; the Hearing Board shall retain jurisdiction over this matter until 2/1/08.                                      |  |
| 9. Signal Hill Petroleum West Unit/Gas Plant<br>Case #2166-11<br>(C. Engelhardt)   | 203(b)<br>2004(f)(1)               | Natural gas-fired turbine failed to return into compliance when restarted after shutdown for maintenance.  | Not Opposed/Granted                        | IV granted commencing on 5/9/06 and continuing through 7/26/06 or until the RV hearing currently scheduled for 6/15/06, whichever comes first. | NOx 90.3 lbs/day   |
| 10. Southern California Gas Company<br>Case #137-64<br>(C. Engelhardt)   | 203(b)<br>2004(f)(1)               | Central energy plant cannot be operated in tandem mode as designed. Petitioner has appealed permit but needs to operate pending resolution.                      | Not Opposed/Granted                        | RV granted commencing on 5/2/06 and continuing through 5/1/07, the FCD.  | None   |
| 11. Sukut Construction, Inc.<br>Case No. #5553-1<br>(A. Mednick)   | 403(d)(2)                          | Grading contractor cannot comply with dust control requirements.   | Opposed/Denied                             | RV denied.   |  |
| 12. Ultramar Inc. dba Valero Wilmington Refinery<br>Case #3845-66<br>(C. Engelhardt)   | 203(b)<br>1146(c)(5)<br>2004(f)(1) | Petitioner needs to shut down certain equipment to replace catalyst serving two hydrotreaters. This will result in excess sulfur in fuel gas and excess flaring. | Opposed/Granted                            | SV granted commencing 5/30/06 and continuing through 7/31/06, the FCD.   | PM 84.9 lbs/day<br>NOx 170.7 lbs/day<br>ROG 158.1 lbs/day<br>CO 928.7 lbs/day<br>SOx as SO2 17.4 lbs/day |
| 13. Westway Terminals Company<br>Case #5050-6<br>(C. Engelhardt)   | 463                                | Petitioner failed to replace seals in internal floating roof tank with secondary seal as required by Rule 1178.  | Opposed/Denied                             | Ex Parte EV denied.  |  |

### Acronyms

CO: Carbon Monoxide  
EV: Emergency Variance  
FCD: Final Compliance Date  
H&S: Health & Safety Code  
I/P: Increments of Progress  
IV: Interim Variance

MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance  
Mod. O/A: Modification of an Order for Abatement  
NH3: Ammonia  
NOx: Oxides of Nitrogen  
O/A: Order for Abatement  
PM: Particulate Matter  
RV: Regular Variance

SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
TOC: Total Organic Compounds  
VOC: Volatile Organic Compound