

BOARD MEETING DATE: March 3, 2006

AGENDA NO. 13

REPORT: Hearing Board Report

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

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 2006 and January 2006 Hearing Board Cases.**

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



	2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
461(c)(3)(H)														0		
461(c)(3)(M)														0		
461(c)(4)(B)														0		
461(c)(4)(B)(ii)														0		
461(e)(1)														0		
461(e)(2)														0		
461(e)(2)(A)			3											3		
461(e)(2)(A)(i)														0		
461(e)(2)(B)(i)			3											3		
461(e)(2)(C)														0		
461(e)(3)			3											3		
461(e)(3)(A)														0		
461(e)(5)														0		
461(e)(7)														0		
462(c)(1)(A)(ii)														0		
462(c)(1)(E)														0		
462(c)(3)(B)														0		
463(c)(3)(C)														0		
462(c)(4)(B)(i)														0		
462(c)(7)(A)(ii)														0		
462(d)														0		
462(d)(1)														0		
462(d)(1)(A)														0		
462(d)(1)(A)(i)														0		
462(d)(1)(C)														0		
462(d)(1)(E)(ii)														0		
462(d)(1)(F)														0		
462(d)(2)(A)(i)														0		
462(e)(1)														0		
462(e)(1)(E)														0		
462(e)(1)(E)(ii)														0		
462(e)(2)(A)(i)														0		
462(e)(4)														0		
462(h)(1)														0		
463(c)														0		
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)(3)														0		
463(c)(3)(A)														0		
463(c)(3)(B)														0		
463(c)(3)(C)														0		
463(d)(2)														0		
463(e)(3)(C)														0		
463(e)(4)														0		
464(b)														0		
468														0		
468(a)														0		
468(b)														0		
1102														0		
1102(c)(2)														0		
1104(c)(1)														0		
1106(c)(1)														0		
1106.1(c)(1)														0		
1106.1(c)(1)(A)														0		
1107(c)(1)														0		
1107(c)(2)														0		
1107(d)														0		
1110.1														0		
1110.2														0		
1110.2(d)(1)														0		
1110.2(d)(1)(A)														0		
1110.2(d)(1)(B)														0		
1110.2(d)(1)(C)														0		
1110.2(e)(1)(A)														0		
1110.2(e)(1)(B)(i)(II)														0		

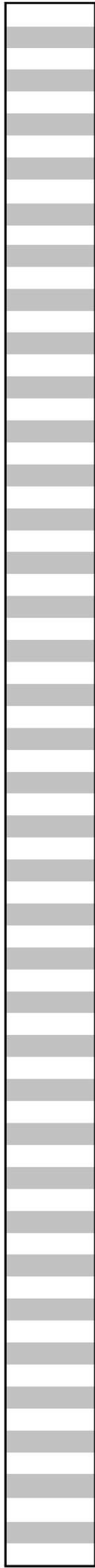
	2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1110.2(e)(1)(B)(i)(III)														0		
1110.2(e)(1)(B)(ii)														0		
1110.2(f)(1)(A)														0		
1110.2(f)(1)(B)														0		
1110.2(f)(1)(E)														0		
1113(c)(2)														0		
1115(c)(3)														0		
1118(d)(1)(2)														0		
1118(d)(1)(3)														0		
1118(d)(2)														0		
1118(d)(3)														0		
1118(d)(4)(B)														0		
1118(d)(5)(A)														0		
1118(d)(5)(B)														0		
1118(e)														0		
1118(f)														0		
1121														0		
1121(c)(2)(C)														0		
1121(c)(3)														0		
1121(c)(6)														0		
1121(e)(3)														0		
1122(c)(2)(A)														0		
1122(c)(2)(E)														0		
1122(d)(1)(A)														0		
1122(d)(1)(B)														0		
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)(3)			1											1		
1122(e)(4)(A)														0		
1122(e)(4)(B)														0		
1122(g)(3)														0		
1122(k)(1)(D)														0		
1124														0		
1124(c)(1)(A)														0		
1124(c)(1)(E)														0		
1124(c)(4)														0		
1125(c)(1)														0		
1125(c)(1)(C)														0		
1128(c)(1)														0		
1128(c)(2)														0		
1130														0		
1130(c)(1)														0		
1130(c)(4)														0		
1131														0		
1131(d)														0		
1132(d)(2)														0		
1132(d)(3)														0		
1134(c)														0		
1134(c)(1)														0		
1134(d)														0		
1134(d)(1)														0		
1134(d)(2)(B)(ii)														0		
1134(f)														0		
1134(g)(2)														0		
1135(c)(3)														0		
1135(c)(3)(C)														0		
1135(c)(4)														0		
1135(c)(4)(D)														0		
1136														0		
1136(c)(1)(A)(i)														0		
1137(d)(2)														0		
1145(c)(1)														0		
1145(c)(2)														0		
1145(c)(6)														0		
1145(h)(1)(E)														0		
1145(h)(1)(E)														0		
1146														0		

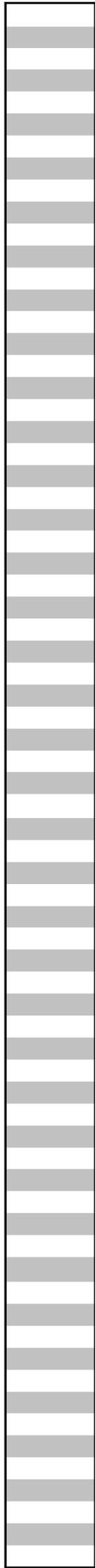
	2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1146(c)(3)(A)														0		
1146(c)(5)														0		
1146.1														0		
1146.1(a)(2)														0		
1146.1(a)(8)														0		
1146.1(b)														0		
1146.1(c)(1)														0		
1146.1(c)(2)(B)														0		
1146.1(c)(3)														0		
1146.1(e)														0		
1146.1(e)(1)(B)														0		
1146.2														0		
1146.2(c)(1)														0		
1146.2(c)(3)														0		
1150.1														0		
1150.1(d)(1)(C)(i)														0		
1150.1(d)(4)														0		
1150.1(d)(5)														0		
1150.1(d)(6)														0		
1150.1(d)(7)														0		
1150.1(e)														0		
1150.1(e)(1)														0		
1150.1(e)(2)														0		
1150.1(e)(3)														0		
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		
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		
1151(f)(1)														0		
1153(c)(1)														0		
1153(c)(1)(B)														0		
1158														0		
1158(d)(2)			1											1		
1158(d)(5)														0		
1158(d)(7)														0		
1158(d)(7)(A)(ii)														0		
1158(d)(8)														0		
1164(c)(1)(B)														0		
1164(c)(2)														0		
1166(c)(2)														0		
1166(c)(2)(F)														0		
1168														0		
1168(c)(1)														0		
1168(c)(2)														0		
1171														0		
1171(c)														0		
1171(c)(1)			1											1		
1171(c)(1)(A)(i)														0		
1171(c)(1)(b)(i)														0		
1171(c)(4)			1											1		
1171(c)(5)														0		
1171(c)(5)(A)(i)														0		
1171(c)(6)														0		
1173(c)														0		
1173(d)(1)														0		
1173(d)(1)(D)														0		
1173(d)(1)(D)(iii)														0		
1173(f)(1)														0		
1175														0		
1175(c)(2)														0		

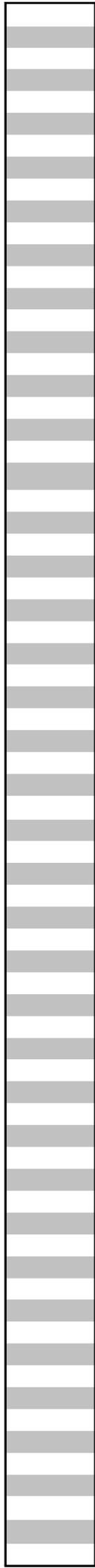
	2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1175(c)(4)(B)														0		
1175(c)(4)(B)(i)		1												1		
1175(c)(4)(B)(ii)														0		
1175(c)(4)(B)(ii)(I)														0		
1175(c)(4)(B)(ii)(II)														0		
1176(e)														0		
1176(e)(2)														0		
1176(e)(2)(B)														0		
1176(e)(3)(A)														0		
1176(e)(6)														0		
1178(d)(1)(B)														0		
1189(c)(1)														0		
1189(c)(3)														0		
1193(d)(1)(B)														0		
1303														0		
1303(a)(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														0		
1421(d)														0		
1421(d)(1)(C)														0		
1421(d)(1)(G)														0		
1421(d)(3)(A)														0		
1421(e)(1)(A)(vii)														0		
1421(e)(3)(B)														0		
1421(h)(1)(A)														0		
1421(h)(1)(B)														0		
1421(h)(1)(C)														0		
1421(h)(1)(E)														0		
1421(h)(3)														0		
1421(i)(1)(C)														0		
1425(d)(1)(A)														0		
1469														0		
1469(c)														0		
1469(c)(8)														0		
1469(d)(5)														0		
1469(e)(1)														0		
1469(e)(2)														0		
1469(h)														0		
1469(l)														0		
1469(j)(4)(A)														0		
1469(j)(4)(D)														0		
1469(k)(3)(A)														0		
1189(c)(3)														0		
2004														0		
2004(b)(1)														0		
2004(b)(4)														0		
2004(c)(1)														0		
2004(c)(1)(C)														0		
2004(f)(1)														5		
2004(k)														0		
2009(b)(2)														0		
2009(c)														0		
2009(f)(1)														0		
2009(f)(2)														0		
2009.1														0		
2009.1(c)														0		
2009.1(f)(1)														0		
2009.1(f)(2)														0		
2009.1(f)(3)														0		
2011 Appendix A														0		

	2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
2011 Attachment C														0		
2011(c)(2)														0		
2011(c)(2)(A)														0		
2011(c)(3)(A)														0		
2011(e)(1)														0		
2011(f)(3)														0		
2011(g)														0		
2011(k)														0		
2011(k) Appen. A, Chap. 2, except E & Attach C														0		
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4 and Appen. A, Chap. 2, Section C.2.a, c & d														0		
2011(k) Appen. A, Chap. 2, Sections A.3.,a.-c.,e.g. and B.1.-4														0		
2012 Appen. A, Attach. C														0		
2012 Appen. A, Attach. C, Chap. 2, Sec. B														0		
2012 Appen A														0		
2012 Appen A, Chap. 2														0		
2012 Appen A, Chap. 2, Sec. A														0		
2012 Appen A, Chap. 2, Sec. A1.g.														0		
2012 Appen A, Chap. 2, Sec. B														0		
2012 Appen A, Chap. 2, Sec. E														0		
2012(c)(2)														0		
2012(c)(2)(A)														0		
2012(c)(2)(C)														0		
2012(c)(3)														0		
2012(c)(3)(A)														0		
2012(c)(3)(B)														0		
2012(c)(10)														0		
2012(d)(2)														0		
2012(d)(2)(A)														0		
2012(d)(2)(D)														0		
2012(e)(2)(B)														0		
2012(g)(1)														0		
2012(g)(3)														0		
2012(h)(3)														0		
2012(h)(4)														0		
2012(h)(5)														0		
2012(h)(6)														0		
2012(i)														0		
2012(j)(1)														0		
2012(j)(2)														0		
2012, Appen. A, Chp 3, Sec (A)(6)														0		
2012(m)														0		
2012(m) Appen. A, Chp 2, except Sections E & Attach C.														0		
2012(m) Appen. A, Attach. C														0		
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														0		
2012(m) Appen A, Chap 3, Section (A)(6)														0		
2012(m) Appen. A., Chap 5, Para G, Table 5B and Att. D														0		
3002(c)														0		
3002(c)(1)			1											1		
3002(c)(2)														0		
H&S 39152(b)														0		
H&S 41510														0		
H&S 41700														0		
H&S 41701			1											1		

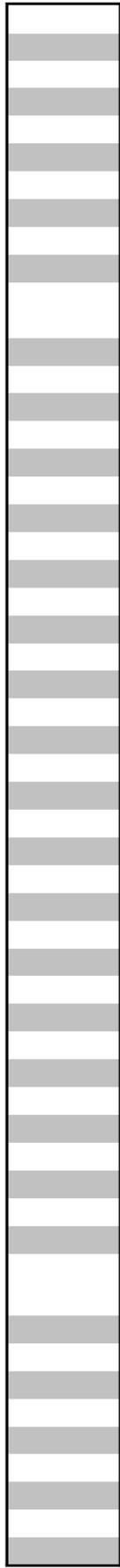












## Report of January 2006 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Chevron Products Company Case No. 831-328 (B. Theis)	203(b) 2004(f)(1)	Petitioner cannot comply with technology-forcing condition for new hydrogen plant. Compliance options being evaluated.	Not Opposed/Granted	RV granted commencing 1/26/06 and continuing through 6/1/07, the FCD.	VOC: up to 5 lbs/day
2. ExxonMobil Oil Corporation Case No. 1183-397 (B. Theis)	203(b) 401(b)(1) 404(a) 405(a) 407(a) 2004(f)(1) H&S Code §41701	Petitioner must shut down FCC to repair damage to its expander. SCR will be bypassed during process.	Not Opposed/Granted	SV granted for four separate periods up to 72 hours each commencing on the date and time specified in the notice given to the District pursuant to Condition No. 1 for two shutdowns of the FCCU and two startups of the FCCU in a window-of-time between 1/15/06 and 4/15/06, the FCD.	CO: TBD Opacity: TBD NOx: TBD PM: TBD
3. Group O/A Rule 461 EVR – Class 1 Case No. 5516-2 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(1)(A) 461(e)(1)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group Mod. O/A issued commencing 1/31/06 and continuing through 3/1/06. The Hearing Board shall retain jurisdiction over this matter until 3/1/06.	
4. Group O/A Rule 461 EVR – Class 1 Case No. 5516-5 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A Rule 461 EVR Class 1 issued commencing 1/26/06 and continuing through 5/1/06. The Hearing Board shall retain jurisdiction over this matter until 5/1/06.	
5. Group O/A Rule 461 EVR – Class 2 Case No. 5517-5 (A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A Rule 461 EVR Class 2 issued commencing 1/26/06 and continuing through 3/15/06. The Hearing Board shall retain jurisdiction over this matter until 3/15/06.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Ikea Home Furnishings Case No. 5583-1 (E. Sernel)	203(b)	Electrical failure caused petitioner to emergency ICE beyond hours allowed in permit condition.	Opposed/Denied	Ex Parte denied.	
7. Ikea Home Furnishings Case No. 5583-1 (E. Sernel)	203(b)	Electrical failure caused petitioner to operate emergency ICE beyond hours allowed in permit condition.	Not Opposed/Granted	IV granted commencing 1/19/06 and continuing for 90 days or until the RV hearing currently scheduled for 3/29/06.	CO: .66 lb/hr. PM: .14 lb/hr NOx: 6.23 lb/hr VOC: .33 lb/hr
8. Litton Systems, Inc. Navigation Systems Division Case No. 4622-2 (J. Panasiti)	202(a) 203(b) 1122(e)(3)	Petitioner failed to comply with January 1, 2006 compliance deadline for degreaser.	No Position/Denied	RV denied.	
9. Pacific Terminal LLC Case No. 5578-1 (J. Panasiti)	203(b) 2004(f)(1)	One of several gas-oil storage tanks developed leak causing petitioner to transfer its contents to another tank thereby exceeding that tank's monthly throughput limit.	Not Opposed/Granted	IV granted commencing 1/5/06 and continuing for 90 days or until the RV hearing currently scheduled for 2/22/06, whichever comes first.	VOC: .99 lb/day
10. SCAQMD vs. Frank's Auto Body & Paint Case No. 5473-1 (B. Theis)	402 1171(c)(1) 1171(c)(4)	Status report and modification of O/A for auto refinishing facility that has been the source of nuisance odors.	Not Stipulated/Issued	Modification of O/A issued commencing 1/17/06 and continuing through 6/17/06. The Hearing Board shall retain jurisdiction over this matter until 6/17/06.	
11. SCAQMD vs. Fred Lewis, individually and dba Citywide Auto Repair; Patrick Lewis, individually and dba Citywide Auto Body Repair Case No. 5518-2 (C. Engelhardt)	203(a)	Respondent operating paint spray booth without permit and failed to maintain records. Respondent also failed to correct problems after being served with notices. In response to prior O/A, respondent's check for permit fee was returned for insufficient funds.	Not Stipulated/Issued	O/A issued commencing 1/5/06 and continuing through 8/1/06. The Hearing Board shall retain jurisdiction over this matter until 8/1/06.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
12. SCAQMD vs. Golden Cheese Company of California aka Dairy Farmers of America Case No. 5259-3 (N. Feldman)	203(b)	Respondent operates cheese/whey production facility that exceeds limit on material processed.	Stipulated/Issued	O/A issued commencing 1/12/06 and continuing through 6/30/06. The Hearing Board shall retain jurisdiction over this matter until 6/30/06.	
13. Shmaze Custom Coatings Case No. 5581-1 (A. Mednick)	203(b) 401	Opacity limit violation occurred and expected to recur as petitioner makes changeover to new air pollution control system.	Not Opposed/Granted	Ex Parte granted commencing 1/10/06 and continuing for 30 days or until the IV hearing currently scheduled for 1/17/06, whichever comes first.	Opacity: TBD
14. Signal Hill Petroleum West Unit/Gas Plant Case No. 2166-10 (C. Engelhardt)	203(b) 2004(f)(1)	Previously compliant natural gas fired turbine exceeded NOx limit after undergoing routine maintenance.	Not Opposed/Granted	Ex Parte granted commencing 1/19/06 and continuing for 30 days or until the IV hearing scheduled for 1/31/06, whichever comes first.	NOx: 18.06 lb/day
15. Signal Hill Petroleum West Unit/Gas Plant Case No. 2166-10 (C. Engelhardt)	203(b) 2004(f)(1)	Previously compliant natural gas fired turbine exceeded NOx limit after undergoing routine maintenance.	Not Opposed/Dismissed	IV dismissed without prejudice for lack of good cause.	
16. Storopack, Inc. Case No. 5569-1 (B. Theis)	203(b) 1175(c)(4)(B)(i) 3002(c)(1)	Expanded polystyrene foam manufacturer cannot demonstrate compliance with emission limits.	Opposed/Denied	RV denied.	
17. Sulex, Incorporated Case No. 5561-1 (E. Sernel)	203(b) 403(d)(1)(A) 1158(d)(2)	Existing variance allowed petitioner to store prilled sulfur in structure that is not totally enclosed while awaiting ship to transport sulfur. Delay in ship arrival required extension of final compliance date.	Not Opposed/Granted	RV granted commencing 1/26/06 and continuing through 3/3/06, the FCD.	Sulfur Dust: TBD

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
18. Wimatex Textiles Case No. 5381-2 (A. Mednick)	203(b)	Fire damaged air pollution control equipment. Petitioner needs to continue operation during repairs.	Not Opposed/Granted	<p>SV granted with respect to Condition Nos. 1 &amp; 5 of P/O F48867 and F48868 shall commence upon the date specified in the notice given to the Hearing Board and the District pursuant to Condition No. 4(a) and shall continue for 90 days thereafter and shall end no later than 7/1/06, the FCD.</p> <p>If petitioner provides the notice specified in Condition No. 4(b) of this variance order, then there will be a variance from the air pollution control system P/O No. F48866 with respect to Rule 203(b) Condition 1 &amp; 2 of P/O/ No. F48866 that shall commence upon the date specified in the notice for the restart of the control equipment pending completion of the necessary repairs and shall continue until the equipment is shut down as specified in Condition No. 4(c). but in no event for more than 90 days.</p>	

**Key to Acronyms**

- CO: Carbon Monoxide
- EV: Emergency Variance
- FCD: Final Compliance Date
- H&S: Health & Safety Code
- IV: Interim Variance
- Mod. O/A: Modification of an Order for Abatement
- O/A: Order for Abatement
- PM: Particulate Matter
- RV: Regular Variance
- SV: Short Variance
- TBD: To be determined
- VOC: Volatile Organic Compound