

BOARD MEETING DATE: July 13, 2007

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2007.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

rj

---

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2007** and **May 2007 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2007 is 2, and the total number of appeals filed during the period of January 1 to May 31, 2007 is 8.















## Report of May 2007 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. Black Hills Ontario, LLC Case No. 5640-2 (J. Panasiti)	203(b) 2004(f)(1) 2012(c)(2)(A) 3002(c)(1)	Petitioner shut down two CEMS serving two natural gas fired turbines to make needed upgrades to CEMS unit. Petitioner encountered problems and was unable to bring CEMS back on line within 96 hour limit in Rule 2012.	Not Opposed/Granted	Ex Parte EV granted commencing 5/4/07 and continuing for 30 days or until the EV currently scheduled for 5/9/07, whichever comes first.	None
2. Galaxy Oil Company Case No. 5592-2 (J. Panasiti)	203(a) 461(c)(2)(A)	Petitioner made major modification to vapor recovery system on the gasoline dispensing facility without obtaining permit. This resulted in requirement to install ISD. Permit invalid, system not certified, several NOVs issued for various Rule 461 violations.	Opposed/Denied	EX Parte EV denied.	
3. Galaxy Oil Company Case No. 5592-2 (B. Theis)	203(a) 461(c)(2)(A)	Petitioner made major modification to vapor recovery system on the gasoline dispensing facility without obtaining permit. This resulted in requirement to install ISD. Permit invalid, system not certified, several NOVs issued for various Rule 461 violations.	Opposed/Dismissed	EV dismissed for lack of good cause.	
4. Los Angeles County - Internal Services Department Civic Center CoGen Plant Case No. 3665-8 (C. Engelhardt)	203(b) 2004(f)(1) 3002(c)(1)	Unexpected breakdown of turbine required petitioner to use back up boiler in excess of fuel use limit to provide steam and chilled water to buildings in downtown Los Angeles.	Not Opposed/Granted	Ex Parte EV granted commencing 5/23/07 and continuing through 5/31/07, the FCD.	TBD
5. Paramount Petroleum Corporation Case No. 2914-88 (E. Sernel)	2012(c)(3)(A)	Petitioner installed new SCR and new CEMS. Upon startup, CEMS failed to send data to DAHS due to manufacturer's error in providing required interface converter.	Not Opposed/Granted	SV granted commencing 5/1/07 and continuing through 5/31/07, the FCD.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Premier Industries, Inc., dba Insulfoam LLC Case No. 5333-1 (Consent Calendar A. Mednick)	202(c) 1175(c)(2) 1175(c)(B)(4) 3002(c)(1)	Transfer of ownership required new owner to assume responsibility for compliance with variance previously issued to former owner.	Not Opposed/Granted	Mod. Of Variance granted commencing 5/8/07 and continuing through 7/11/07, the FCD.	ROG: TBD
7. SCAQMD vs. Alger Auto Body & Paint, Inc. Case No. 5637-1 (J. Panasiti)	109(c) 203(a) 1151 1171	Respondent operated paint spray booth without a permit, without keeping daily records of coatings and solvents and without making records available to District.	Not Stipulated/Issued	Mod. O/A issued commencing 5/3/07 and continuing through 4/11/10. The Hearing Board shall retain jurisdiction over this matter until 4/11/10.	
8. SCAQMD vs. Anthony D. Downing, individually and dba Kelly's Custom Paint & Body Case No. 5632-1 (J. Panasiti)	109(c) 203(a)	Respondent operated paint spray booth without permit to operate and failed to keep daily records of coatings and solvents as required.	Not Stipulated/Issued	Mod. O/A issued commencing 5/3/07 and continuing through 4/11/10. The Hearing Board shall retain jurisdiction over this matter until 4/11/10.	
9. SCAQMD vs. J.Pacific, Inc; Delta Dyeing and Finishing and James Kim an individual Case No. 5046-2 (C. Engelhardt)	203(b) 1146(d)(6)	Respondent operated various equipment with non compliant fuel and exceeded NOx and CO limits.	Not Stipulated/Issued	Mod. O/A issued commencing 5/29/07 and continuing through 1/31/08. The Hearing Board shall retain jurisdiction over this matter until 1/31/08.	
10. SCAQMD vs. KUA Industry, Inc., dba Rancho Duarte Golf Course Case No. 5612-1 (C. Engelhardt)	203(b) 1150.1	Respondent has failed to keep landfill gas collection system properly maintained and in good operating condition as required by permit.	Stipulated /Issued	Mod. O/A issued commencing 5/30/07 and continuing through 4/30/08. The Hearing Board shall retain jurisdiction over this matter until 4/30/08.	
11. SCAQMD vs. McShane Shenandoah Industrial LLC Case No. 5641-1 (S. Soule)	203(a) 1470(c)(2)(C)(iv)	District cannot issue permit for ICE required to drive firefighting equipment because ICE was rendered noncompliant due to discrepancy between State ATCM and District Rule 1470.	Stipulated/Issued	O/A issued commencing 5/8/07 and continuing through 8/15/07. The Hearing Board shall retain jurisdiction over this matter until 8/15/07.	

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. Perris Industrial LLC Case No. 5645-1 (S. Soule)	203(a) 1470(c)(2)(C)(iv)	District cannot issue permit for ICE required to drive firefighting equipment because ICE was rendered noncompliant due to discrepancy between State ATCM and District Rule 1470.	Stipulated/Issued	O/A issued commencing 5/29/07 and continuing through 8/15/07. The Hearing Board shall retain jurisdiction over this matter until 8/15/07.	
13. SCAQMD vs. Sy Saebae, individually and dba North Hollywood Auto Body Case No. 5618-2 (B. Theis)	109(c)(1) 203(b)	Respondent operated paint spray booth without a permit, without keeping daily records of coatings and solvents and without making records available to District.	Not Stipulated/Issued	Mod. O/A issued commencing 5/3/07 and continuing through 5/3/12. The Hearing Board shall retain jurisdiction over this matter until 5/3/12.	
14. Signal Hill Petroleum Inc. Case No. 2166-15 (B. Theis)	203(b) 2004(f)(1)	After maintenance, CO levels did not fall below permit limit within the time specified in the permit and have been fluctuating above and below that limit.	Not Opposed/Granted	RV granted commencing 5/9/07 and continuing through 9/1/07, the FCD.	CO: 22 lbs/day

### Key to Acronyms

ATCM: Air Toxics Control Measure  
 CEMS: Continuous Emissions Monitoring System  
 CO: Carbon Monoxide  
 DAHS: Data Acquisition and Handling System  
 EV: Emergency Variance  
 FCD: Final Compliance Date  
 ICE: Internal Combustion Engine  
 ISD: In-Station Diagnostic  
 MOD: O/A Modification of an Order for Abatement  
 NOV: Notice of Violation  
 NOx: Oxides of Nitrogen  
 O/A: Order for Abatement  
 ROG: Reactive Organic Gas  
 RV: Regular Variance  
 SCR: Selective Catalytic Reduction Unit  
 SV: Short Variance  
 TBD: To be determined