

BOARD MEETING DATE: July 9, 2010

AGENDA NO. 20

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2010.

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 2010** and **May 2010 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2010 is 1; and total number of appeals filed during the period of January 1 to May 31, 2010 is 10.

Report of May 2010 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. Bicent (California) Malburg, LLC Case #5727-3 (J. Panasiti)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must conduct more start ups and shut downs of the power generating equipment than that allowed by the permit to complete the required maintenance and repairs.	Not Opposed/Granted	SV granted commencing on the date notice is to be given to the District pursuant to Condition No. 4, and shall be for 5 noncontiguous days in a window-of-time to occur between 5/5/10 and 6/1/10, the FCD.	CO: 191.12 lbs/day NO _x : 132.28 lbs/day
2. Conocophillips Company Case #4900-88 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	The outboard bearings failed on the flue gas desulfurization unit for petitioner's boiler No. 8. Due to the previous shut down of another boiler for maintenance, boiler No. 8 was the primary source of steam for the refinery. Petitioner sought a variance to allow operation of boiler No. 8 to continue without the flue gas recirculation until other sources of steam could be returned to service.	Not Opposed/Granted	Ex Parte EV granted commencing 5/5/10 and continuing through 5/13/10.	NO _x : TBD by 5/20/10
3. New Basis, Inc. Case #5777-1 (J. Panasiti)	203(b) 3002(c)(1)	Petitioner sought a variance to allow the operation of a permanent enclosure unit with door open and filter sections removed to facilitate airflow through the unit.	Opposed/Denied	Ex Parte EV denied.	N/A
4. SCAQMD vs. Linn Western Operating Inc. Case #5711-6 (Consent Calendar Item) (T. Barrera)	203(b) 2004(f)(1) 2012 3002(c)(1)	Breakdowns and catalyst degradation have caused respondent to exceed the monthly flaring limit in the O/A.	Stipulated/Issued	Mod. O/A issued. The Hearing Board shall retain jurisdiction over this matter until 11/30/10.	N/A

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
5. SCAQMD vs. Quality Car Care Products, Inc. Case #5766-4 (Consent Calendar Item) (J. Panasiti)	203(b)	Incompatibility of the carbon adsorber system with VOC emission stream led to a fire. Petitioner and District stipulated to an O/A requiring petitioner to design and install a new VOC emission control system.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 6/1/11.	N/A
6. Trigen-LA Energy Case #3447-71 (J. Panasiti)	203(b) 1110.2(d) 1110.2(d)(1)(B)(ii) 2004(f)(1) 3002(c)(1)	Petitioner sought to extend the variance period and modify the increments of progress to allow for the installation and testing of a new electric chiller. Petitioner also sought a modification to allow the operation of the engine for testing.	Not Opposed/Granted	MFCD/EXT granted commencing 5/27/10 and continuing through 1/30/11, the FCD.	VOC: 555 lbs over a 300 hour operation during variance period. 1.849 per hour.

Acronyms

CEMS: Continuous Emissions Monitoring System
CFR: Code of Federal Regulations
CO: Carbon Monoxide
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
HC: Hydrocarbons
ICE: Internal Combustion Engine
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 Order for Abatement
N/A : Not Applicable
NH3: Ammonia
NOV: Notice of Violation
NOx: Oxides of Nitrogen
O/A: Order for Abatement
PM: Particulate Matter
RV: Regular Variance
SCR: Selective Catalytic Reduction
SO2: Sulfur Dioxide
SOx: Oxides of Sulfur

SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compounds