



South Coast Air Quality Management District

21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov



BOARD MEETING DATE: June 6, 2003

AGENDA NO. 18

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2003.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

EC:SM

Two summaries are attached: **Rules from Which Variances and Orders for Abatement Were Requested in 2003 and April 2003 Hearing Board Cases.**

The total number of appeals filed during the period of April 1 to April 30, 2003 is 1, and the total number of appeals filed during the period of January 1 to April 30, 2003 is 4.

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	2003	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Action		
1122(e)(2)(A)														0			
1122(e)(2)(B)														0			
1122(e)(2)(C)														0			
1122(e)(2)(D)														0			
1122(e)(4)(A)														0			
1122(e)(4)(B)														0			
1122(g)(3)		2			2									4			
1124														0			
1124(c)(1)(A)														0			
1124(c)(1)(E)														0			
1124(c)(4)														0			
1128(c)(1)														0			
1128(c)(2)														0			
1130(c)														0			
1131.0		1												1			
1130(g)(4)														0			
1132(d)(2)				1										1			
1132(d)(3)		1	1											2			
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)		1												1			
1135(c)(3)(C)														0			
1135(c)(4)		1												1			
1135(c)(4)(D)														0			
1135(e)														0			
1145(b)(2)														0			
1145(c)(2)														0			
1145(c)(6)														0			
1145(h)(1)(E)														0			
1145(h)(1)(E)														0			
1146														0			
1146(c)(3)(A)				1										1			
1146.1														0			
1146.1(c)(1)														0			
1146.1(c)(2)(B)														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)		1												1			
1150.1(d)(5)		1												1			
1150.1(d)(6)		1												1			
1150.1(d)(7)		1												1			
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			

The following information is provided for your reference:

1. All data points are subject to a 5% margin of error.

2. The results are based on a sample size of 100.

3. The data was collected over a period of 30 days.

4. The average value for the entire dataset is 12.5.

5. The standard deviation is 2.5.

6. The maximum value recorded is 15.0.

7. The minimum value recorded is 10.0.

8. The distribution is approximately normal.

9. The correlation coefficient is 0.85.

10. The regression line equation is $y = 0.85x + 1.25$.



Report of April 2003 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. All American Asphalt Case #2147-9 (E. Sernel)	202(a)	Petitioner requests relief from the condition requiring the storage of recycled asphalt in a permanent enclosure.	Opposed/Denied	SV denied. The Board was unable to make the finding that it was beyond the reasonable control of petitioner to be in compliance with District rules.	
2. Caddock Electronic, Inc. Case #5351 (A. Mednick)		Petitioner seeks redetermination of excess emission fees.	Granted/Not Opposed	Determination of Excess Emission fees granted based on the language in Rules 301(b)(26) and 303(d) & (f). The minimum daily excess emission fee applies once per day for each facility, not once per day for each permitted unit.	PERC: 2.6 lbs/day for Facility #027701 PERC: 9 lbs/day for Facility #034764 VOC: 1.5 lbs/day total for both facilities
3. ExxonMobil Oil Corporation Case #1183-366 (J. Panasiti)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2011(k) [including App. A, Ch. 2 (except E & Attach C) 2012(c)(2) 2012(g)(1) 2012(m) [including App. A, Ch. 2 (except Section E & Attach C]	Petitioner needs to bypass SCR while continuing to operate the two furnaces it serves in order to replace the aging catalyst.	Opposed/Granted	SV granted commencing 4/22/03 and continuing through 4/28/03, the FCD.	NO _x : TBD
4. ExxonMobil Oil Corporation Case #1183-367 (A. Mednick)	203(b) 2004(f)(1) 463(c)	Compressor associated with vapor recovery system serving 51,000 BBL butane storage tank failed. Butane may be vented to atmosphere while compressor is down for repairs.	Not Opposed/Granted	Exparte granted commencing 4/16/03 and continuing for 30 days or until the EV hearing currently scheduled for 4/22/03, whichever comes first.	VOC: TBD
5. Leon's Unocal Leon Markosian Case #5388-1 (N. Feldman)	461(c)(1)(B)	Petitioner using gasoline vapor recovery system with non-certified components.	Not Opposed/Granted	Exparte granted commencing 4/16/03 and continuing for 30 days or until the EV hearing currently scheduled for 4/22/03, whichever occurs first.	VOC: TBD

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Lunday-Thagard Company Case #2033-7 (C. Engelhardt)	203(b) 2004(f)(1) 463(c)(3) 1303(a)(1)	Petrochem heater serves as an air pollution control device. Tubes within the firebox have plugged. Heater must be shut down for tube cleaning.	Not Opposed/Granted	Exparte granted commencing 4/30/03 and continuing for 30 days or until the SV hearing currently schedule for 5/21/03.	VOC: 84 lbs/day
7. Rim of the World Unified School District Case #5366-1 (B. Theis)	203(a) 461(c)(1)(B) 461(c)(2)(A)	Petitioner operates non-certified vaulted gasoline storage tank. Requests time to obtain certification or replace with CARB certified system.	Not Opposed/Granted	RV granted commencing 4/17/03 and continuing through 6/26/03, the FCD.	VOC: 11 lbs/mo.
8. SCAQMD vs. Ano Plate, Inc. Case #5372-1 (C. Engelhardt)	203(b)	Contrary to permit conditions, respondent conducts sparging in dye solutions containing hexavalent chromium.	Not Stipulated/Issued	O/A issued commencing 4/22/03. Hearing Board shall retain jurisdiction over this matter until 12/31/03.	
9. SCAQMD vs. Blair's Metal Polishing, Inc. Case #5365-1 (C. Engelhardt)	1122(g)(3)	Respondent uses perchloroethylene in a degreaser contrary to requirements of Rule 1122.	Stipulated/Issued	O/A issued commencing 4/22/03. The Hearing Board shall retain jurisdiction over this matter until 1/31/04.	
10. SCAQMD vs. Amir Imankhan, individually and dba L.A. Leather Cleaners, Inc. Case #5376-1 (B. Theis)	203(a)	Respondent is operating a dry cleaning machine without a permit to operate and needs to replace or update the machine.	Stipulated/Issued	O/A issued commencing 4/1/03. The Hearing Board shall retain jurisdiction over this matter until 4/1/04.	
11. SCAQMD vs. Kelly Li, individually, and dba MXS Dry Cleaners Case #5375-1 (B. Theis)	203(a)	Respondent is operating a dry cleaning machine without a permit to operate and needs to replace or update the machine.	Stipulated/Issued	O/A issued commencing 4/1/03. The Hearing Board shall retain jurisdiction over this matter until 4/1/04.	
12. SCAQMD vs. Optical Components, Inc. Case #5379-2 (C. Engelhardt)	1122(g)(3)	Respondent uses perchloroethylene in a degreaser contrary to Rule 1122.	Stipulated/Issued	O/A issued commencing 4/29/03. The Hearing Board shall retain jurisdiction over this matter until 8/31/03.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
13. SCAQMD vs. Pacific Clay Products, Inc. Case #4632-6 (C. Engelhardt)	202(a) 2004(f)(1)	Respondent will install five new ICE's/generators to operate kiln. Permit prohibits operation of the five ICE's/generators unless they are exhausted to the kiln to control emissions. Contrary to permit conditions, respondent must temporarily operate the ICE/generators without connecting to the kiln in order to fine tune the ICEs.	Stipulated/Issued	O/A issued commencing 4/1/03. The Hearing Board shall retain jurisdiction over this matter until 6/30/03.	
14. Sempra Energy Solutions/Central Plants, Inc. Case #3447-68 (A. Mendick)	202(a) 203(b) 2004(f)(1)	Petitioner refurbished Boiler No. 3 and needs to operate it for tuning. During this time, Boiler Nos. 4 and 5 must continue to operate. Permit conditions prohibit all three boilers operating simultaneously.	Not Opposed/Granted	SV granted commencing upon start up of Boiler No. 3 and shall continue for sixty-nine days from the date of initial start up of Boiler No. 3.	NOx: TBD CO: TBD PM: TBD
15. Sempra Energy Solutions/Central Plants, Inc. Case #3447-69 (Consent Calendar)	202(a) 203(b) 2004(f)(1)	Petitioner needs to operate Boiler Nos. 4 and 5 while tuning and bringing newly refurbished Boiler No. 3 online. Permit conditions prohibit all three boilers operating simultaneously.	Not Opposed/Granted	SV granted commencing upon start up of Boiler No. 3 and shall continue for sixty-nine days from the date of initial start up of Boiler No. 3.	NOx: TBD CO: TBD PM: TBD
16. SCAQMD vs. Snow Summit, Inc. Case #4657-1 (A. Mednick)	203(a)	The District seeks an abatement order to require the operation of compliant compressors and generators.	Stipulated/Issued	O/A issued commencing 4/30/03. The Hearing Board shall retain jurisdiction over this matter until 12/15/03.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
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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
- MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
- NMOC: Non-Methane Organic Compound