BOARD MEETING DATE: November 2, 2007   AGENDA NO. 19

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                 of September 1 through September 30, 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 **September 2007 Hearing Board Cases**.

The total number of appeals filed during the period September 1 to September 30, 2007 is 0,
and the total number of appeals filed during the period of January 1 to September 30, 2007
is 10.

Rules from which Variances and Order for Abatements were Requested in 2007

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions*													
Involving													
Rules													
109													0
109(c)				2	2								4
109(c)(1)			1		1								2
201													0
201.1													0
202				1									1
202(a)													0
202(b)	1	1	1										3
202(c)					1								1
203						1							1
203(a)			3	3	6								12
203(b)	8	11	9	15	6	4		9	9				71
204	1		1										2
208													0
218													0
218.1													0
218.1(b)(1)(E)													0
218(d)(1)(B)													0
218(f)(2)													0
221(b)				1									1
301													0
301(8)							1						1
401													0
401(a)													0
401(b)													0
401(b)(1)		1	1	1				1					4
401(b)(1)(A)													0
401(b)(1)(B)									1				1
402			1				1	2					4
403(d)(1)													0
403(d)(1)(A)													0
403(d)(2)													0
404													0
404(a)		1		1									2
405													0
405(a)		1		1									2
405(b)													0
407(a)		1											1
407(a)(1)													0
407(a)(2)(A)													0
409		1	1										2
431.1(c)(2)													0
431.1(d)(1)													0
431.1(d)(1), Att A(1)									1				1
442													0
444													0
444(a)													0
444(c)													0
444(d)													0
461													0
461(c)(1)													0
461(c)(1)(A)													0
461(c)(1)(B)													0
461(c)(1)(C)													0
461(c)(1)(E)													0
461(c)(1)(F)(i)													0
461(c)(1)(F)(iv)													0
461(c)(1)(F)(v)													0
461(c)(1)(H)													0
461(c)(2)													0
461(c)(2)(A)				1	2		1						4
461(c)(2)(B)							1						1
461(c)(2)(C)		1											1
461(c)(3)(A)													0
461(c)(3)(B)													0

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(c)(3)(C)													0
461(c)(3)(D)(ii)													0
461(c)(3)(E)													0
461(c)(3)(H)													0
461(c)(3)(M)													0
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(d)(5)(A)													0
461(e)(1)													0
461(e)(2)													0
461(e)(2)(A)													0
461(e)(2)(A)(i)													0
461(e)(2)(B)(i)													0
461(e)(2)(C)													0
461(e)(3)													0
461(e)(3)(A)				1									1
461(e)(3)(C)(i)(I)													0
461(e)(3)(D)													0
461(e)(3)(E)													0
461(e)(7)(c)(v)													0
462(c)(3)(B)													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													1
463(c)													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)(2)(C)													0
463(c)(3)													0
463(c)(3)(A)													0
463(c)(3)(B)													0
463(c)(3)(C)		1				1							2
463(d)(2)													0
463(e)(3)(C)													0
463(e)(4)	1												1
464(b)													0
468													0
468(a)													0
468(b)													0
1102													0
1102(c)(2)													0
1102(c)(5)													0
1104(c)(1)													0
1105.1(d)(1)(A)(i)			1										1
1105.1(d)(1)(A)(iii)			1										1
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

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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
1110.2(e)(1)(B)(i)(III)													0
1110.2(e)(1)(B)(ii)													0
1110.2(f)													0
1110.2(f)(1)(A)													0
1110.2(f)(1)(E)													0
1113(c)(2)						1							1
1113(d)(3)						1							1
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(g)(1)				1									1
1118(g)(3)				9				1					10
1118(i)(5)(B)(i)				9									9
1118(j)(1)(A)(ii)				9									9
1118(j)(1)(B)(ii)				9									9
1118(j)(1)(C)								1					1
1121(h)													0
1121(h)(1)													0
1121(h)(2)													0
1121(h)(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)													0
1122(e)(4)(A)													0
1122(e)(4)(B)													0
1122(g)(3)													0
1122(j)													0
1124													0
1124(c)(1)(A)													0
1124(c)(1)(E)													0
1124(c)(4)													0
1125(c)(1)	1												1
1125(c)(1)(C)													0
1125(c)(2)		1											1
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

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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
1146													0
1146(c)(3)(A)													0
1146(c)(5)													0
1146(d)(6)				1	1		1						3
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
1148.1	1						1						2
1150.1					1								1
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				1	1								2
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					2
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(h)(2)													0
1171				1	1								2
1171(c)													0
1171(c)(1)													0

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1171(c)(1)(A)(i)													0
1171(c)(1)(b)(i)													0
1171(c)(4)													0
1171(c)(5)													0
1171(c)(5)(A)(i)													0
1171(c)(6)													0
1173.0							1						1
1173(c)													0
1173(d)(1)													0
1173(e)(1)				1									1
1173(f)(1)				1									1
1173(i)(1)				1									1
1175													0
1175(c)(2)	1				1	1	1						4
1175(c)(4)(B)					1		1						2
1175(c)(4)(B)(i)													0
1175(c)(4)(B)(ii)													0
1175(c)(4)(B)(ii)(I)													0
1175(c)(4)(B)(ii)(II)	1					1							2
1175(d)(4)(ii)(II)													0
1176							1						1
1176(e)													0
1176(e)(2)													0
1176(e)(2)(A)		1				1							2
1176(e)(2)(A)(ii)													0
1176(e)(6)(A)		1				1							2
1178(d)(1)(A)(xiii)													0
1178(d)(1)(A)(xiv)													0
1178(d)(1)(C)													0
1178(d)(3)(E)													0
1178(d)(4)(A)(i)													0
1189(c)(2)		1											1
1189(c)(3)		1											1
1195.0													
1195(d)(1)(D)													0
1303													0
1303(a)(1)				1			1						2
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(g)(2)													0
1469(h)													0

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1469(l)													0
1469(j)(4)(A)													0
1469(j)(4)(D)													0
1469(k)(3)(A)													0
1470			1										1
1470(c)(2)(C)(iv)				1	2								3
2004(b)(1)													0
2004(b)(4)													0
2004(c)(1)													0
2004(c)(1)(C)													0
2004(f)(1)	6	10	5	13	3	3	1	3	2				46
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
2011 Attachment C													0
2011(c)(2)													0
2011(c)(2)(A)										1				1
2011(c)(3)(A)										1				1
2011(e)(1)													0
2011(f)(3)													0
2011(g)													0
2011(g)(1)										1				1
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													0
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, Section B.2.a. & 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. 4.A.4													0
2012(c)(2)													0
2012(c)(2)(A)				1	1					1				3
2012(c)(2)(C)													0
2012(c)(3)													0
2012(c)(3)(A)				1	1					1				3
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)										1				1
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 Appen. A, Attach C, Sections B.2.a. & B.2.b.													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,													0
and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d													0

2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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			1										1
3002(c)(1)			4	1	3		1	5	7				21
3002(c)(2)		2											2
H&S 39152(b)													0
H&S 41510													0
H&S 41700			1					1	1				3
H&S 41701			1	1				1	2				5

Report of September 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. Air Products and Chemicals Inc. Case No. 4276-9 (B. Theis)	203(b) 2004(f)(1) 431.1(d)(1), Att A (1)	Total sulfur analyzer serving hydrogen production plant failed and must be taken out of service to complete repairs.	Not Opposed/Granted	Ex Parte EV granted commencing 9/26/07 and continuing through 10/2/07.	None
2. BP West Coast Products, LLC Case No. 5357-40 (Consent Calendar N. Feldman)	203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(3)(A) 2011(g)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(g)(1)	CEMS and RTU used to measure NOx at refinery will be shut down for approximately 48 hours when electrical power to the facility is shut off for preventive maintenance during plant turnaround.	Not Opposed/Granted	SV granted commencing on the date specified in the notice to be given pursuant to Condition No. 1 of the Order and shall continue for a period not exceeding 48-hours, to occur between 10/1/07 and 10/15/07.	None
3. City of Pasadena Case No. 2244-24 (S. Soule)	203(b) 3002(c)(1)	CO monitor failed, repair parts will take 3 weeks for delivery.	Not Opposed/Granted	Ex Parte EV granted commencing 9/14/07 and continuing for 30 days or until the SV hearing currently scheduled for 10/2/07, whichever comes first.	None
4. SCAQMD vs. Community Recycling & Resource Recovery, Inc. Case No. 5390-1 (E. Sernel)	402 H&S Code § 41700	Progress report on odor control program and modification of O/A for recycling operation.	Stipulated/Issued	Mod. O/A issued commencing 9/11/07 and continuing through 10/30/09. The Hearing Board shall retain jurisdiction over this matter until 10/30/09.	N/A
5. SCAQMD vs. Gregg Industries, Inc. Case No. 5591-1 (E. Sernel)	402 H&S Code § 41701	Status report on progress to abate nuisance odors.	Not Stipulated/No Action Taken	O/A to expire on 9/20/07.	N/A
6. Southern California Edison Case No. 1262-88 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	IV granted commencing 8/31/07 and continuing for 90 days or until the RV hearing currently scheduled for 10/16/07, whichever occurs first.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
7. Southern California Edison Case No. 1262-89 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	IV granted commencing 8/31/07 and continuing for 90 days or until the RV hearing currently scheduled for 10/16/07, whichever occurs first.	None
8. Southern California Edison Case No. 1262-90 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	Ex Parte EV granted commencing 9/7/07 and continuing for 30 days or until the IV hearing currently scheduled for 9/11/07, whichever comes first.	None
9. Southern California Edison Case No. 1262-90 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	IV granted commencing 9/7/07 and continuing for 90 days or until the RV hearing currently scheduled for 10/16/07, whichever occurs first.	None
10. Southern California Edison Case No. 1262-91 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	Ex Parte EV granted commencing 9/7/07 and continuing for 30 days or until the IV hearing currently scheduled for 9/11/07, whichever comes first.	None
11. Southern California Edison Case No. 1262-91 (N. Feldman)	203(b) 3002(c)(1)	Unexpected problems in commissioning new gas turbine driven electric generators, petitioner will exceed the number of startups per year specified in its permit.	Not Opposed/Granted	IV granted commencing 9/7/07 and continuing for 90 days or until the RV hearing currently scheduled for 10/16/07, whichever occurs first.	None
12. Universal City Studios, LLC Case No. 4935-5 (Consent Calendar N. Feldman)	401(b)(1)(B) H&S Code § 41701	Petitioner will exceed opacity limits through use of fog generating special effects device for Halloween theme event series.	Not Opposed/Granted	SV granted commencing 10/3/07 and continuing through 11/1/07.	Opacity: Up to 100% during event hours.

Acronyms

CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
H&S: Health & Safety Code
Mod. O/A: Modification of an Order for Abatement

N/A: Not Applicable
NOx: Oxides of Nitrogen
O/A: Order for Abatement
RTU: Remote Transmittal Unit
RV: Regular Variance
SV: Short Variance