

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 8

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2022.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Cynthia Verdugo-Peralta
Hearing Board Chair

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Two summaries are attached: **November 2022 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested in 2022**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of November 1 to November 30, 2022.

Report of November 2022 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. City of Riverside – Tequesquite Landfill Case No. 6157-2 (J. Jones & B. Tomasovic)	203(b) 1150.1(d)(1)(C)(i) 1150.1(d)(8)	Due to malfunctioning compressor, petitioner failed to perform the annual flare source test and submit results by the required deadline.	Not Opposed/Granted	RV granted commencing 11/2/22 and continuing through 7/2/23, the FCD.	TBD by 7/2/23
2. Jacksons Energy #6831 Case No. 6231-1 (E. Chavez)	203(b) 461	Due to unforeseen equipment failure and a lack of LADWP permit due to the consultant's lack of knowledge about South Coast AQMD rules and regulations.	Not Opposed/Granted	Ex Parte EV granted commencing 11/23/22 and continuing for 30 days or until the SV hearing scheduled for 12/22/22, whichever comes first.	None
3. Mt. San Jacinto Winter Park Authority DBA Palm Springs Aerial Tramway Case No. 5906-5 (S. Pruitt)	203(b)	Unforeseen failure of transformers, requiring emergency back-up ICEs, which would go over 200-hour annual limit.	Not Opposed/Granted	Ex Parte EV granted commencing 11/2/22 and continuing for 30 days or until the SV hearing scheduled for 11/30/22, whichever comes first.	VOC: 0.17 lb/hr. NOx: 3.56 lbs/hr. SOx: 0.004 lb/hr. CO: 0.78 lb/hr. PM: 1.007 lbs/hr. PM10: 0.07 lb/hr.
4. Mt. San Jacinto Winter Park Authority DBA Palm Springs Aerial Tramway Case No. 5906-5 (R. Mansell & B. Tomasovic)	203(b)	Allow emergency ICEs to operate until the 200-hour limit resets on 1/1/23.	Not Opposed/Granted	SV granted commencing 11/30/22 and continuing through 12/31/22.	VOC: 0.17 lb/hr. NOx: 3.56 lbs/hr. SOx: 0.004 lb/hr. CO: 0.78 lb/hr. PM: 1.007 lbs/hr. PM10: 0.07 lb/hr.
5. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-39 (E. Chavez & M. Reichert)	N/A	File and receive update and report regarding odor mitigation efforts for stipulated O/A.	Stipulated/No Action	The Hearing Board shall continue to retain jurisdiction over this matter until 3/24/23.	N/A

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
ICE: Internal Combustion Engine
Mod. O/A: Modification Order for Abatement

N/A: Not Applicable
NOx: Oxides of Nitrogen
PM: Particulate Matter
PM10: Particulate Matter ≤ 10 microns
RV: Regular Variance

SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2022

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(c)	1												1
203			1		1								2
203(b)	6	3	6	4	2	5	5	5	4	4	4		48
401(b)			2										2
401(b)(1)(B)								1					1
402					1				1				2
403(d)(1)(A)		1	1		1								3
403(d)(2)		1	1		1								3
403(d)(4)		1	1		1								3
415(f)									1				1
415(g)									1				1
431.1						1							1
461											1		1
461.1						1							1
461.1(g)(4)								1					1
461.1(k)(2)(G)								1					1
462(d)(1)		1											1
462(e)(1)(E)(i)(II)		1											1
463(c)								1					1
1100(e)(2)(B)										1			1
1133.1(d)(3)		1	1		1								3
1133.1(d)(4)		1	1		1								3
1133.1(e)		1	1		1								3
1142									1				1
1146(c)(1)(H)										1			1
1146.2(c)(2)						1							1
1147	1												1
1148.1(d)(8)								1					1
1150.1(d)(1)(C)(i)										1	1		2
1150.1(d)(8)										1	1		2
1153.1	1												1
1153.1(c)(1)								1					1
1173(d)(1)(B)								1					1

Rules from which Variances and Orders for Abatement were Requested in 2022

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1179.1						1							1
1189(e)(1)						1							1
1196					1								1
1196(d)(1)							2						2
1196(f)(8)(a)							1						1
1196(f)(10)							1						1
1469.1(d)	1			1									2
1470					1	1	1						3
1470(c)(4)(A)	1								1				2
2004(f)(1)	5		3	1	1	2	2	2	3	1			20
2011(c)(2)(A)	1												1
2011(c)(3)(A)	1												1
2011(e)(1)	1												1
2011(k)	1												1
2011, APP. A, Ch 2-A, Att. C	1												1
2012(c)(2)(A)	1		2			1	2	1					7
2012(c)(2)(C)							1	1					2
2012(c)(3)(A)	1		1										2
2012(d)(1)(A)(ii)								1					1
2012(g)(1)	1		2			1	1						5
2012(i)			1			1	1						3
2012(m)	1												1
2012, APP. A, Ch 2, §A.1			1			1	1						3
2012, App. A, Ch2, A.1.g								1					1
2012, APP. A, Ch 2. A.16	1												1
2012, APP. A, Ch 2-A, Att. C	1												1
2012, Table 1			1										1
2012, APP. A, Ch 2, Table 2-A			1										1
2012, Att. C, Sec B.1.a							1						1
3002(c)(1)	5		5	1	1	2	2	3	4	1			24
H&S Code §41700					1				1				2
H&S Code §41701			2					1					3

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
2022 HEARING BOARD CASES AS OF NOVEMBER 30, 2022**

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 402 Nuisance
Rule 403 Fugitive Dust
Rule 415 Odors from Rendering Facilities
Rule 431.1 Sulfur Content of Gaseous Fuels
Rule 461 Gasoline Transfer and Dispensing
Rule 461.1 Gasoline Transfer and Dispensing for Mobile Fueling Operations
Rule 462 Organic Liquid Loading
Rule 463 Organic Liquid Storage

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1100 Implementation Schedule for NO_x Facilities
Rule 1133.1 Chipping & Grinding Activities
Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters
Rule 1147 NO_x Reductions from Miscellaneous Sources
Rule 1148.1 Oil & Gas Production Wells
Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
Rule 1173 VOC Emissions from Leaks & Releases at Petroleum Facilities and Chemical Plants
Rule 1179.1 Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities
Rule 1189 Emissions from Hydrogen Plant Process Vents
Rule 1196 Clean On-road Heavy-Duty Fleet Vehicles

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- Rule 1469.1 Spraying Operations Using Coatings Containing Chromium
- Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

REGULATION XXX – TITLE V PERMITS

- Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

- §41700 Prohibited Discharges
- §41701 Restricted Discharges