

BOARD MEETING DATE: May 2, 2025

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2025.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Micah Ali
Hearing Board Chair

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Attached are the following summaries: **March 2025 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested from March 1, 2025 through March 31, 2025.** The applicable South Coast AQMD Rules for March 2025 are also attached.

There was one appeal filed during the period of March 1, 2025 to March 31, 2025.

Report of March 2025 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. Circle K Stores, Inc. Case No. 6270-1 (E. Chavez)	203(b) 461(c)(2)(B)	Sudden failure of VST membrane, which was tested during Rule 461 10-day performance test due to dispenser replacement. Test results revealed issues with hydrocarbon sensor.	Not Opposed/Granted	Ex Parte granted, commencing on 3/26/25 and continuing for 30 days or until the SV hearing scheduled for 4/23/25, whichever comes first. <i>[4/23/25 SV hearing was subsequently taken off calendar as compliance was achieved]</i>	None
2. Equilon Enterprises LLC dba Shell Oil Products US Case No. 4982-137 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner was in violation of District Rules and Conditions for which require that all vent gases from tanks D330 and D763 be vented to afterburner C764. Afterburner C764 will be taken out of service for maintenance, and vent gases from tanks 7011 and/or 7012 (D330 and D763) will be routed to a permitted portable thermal oxidizer.	Not Opposed/Granted	SV granted commencing on 3/24/2025 and continuing until 6/22/2025.	None, pending the results of the source test

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
3. IPS Corporation Case No. 6269-1 (Consent Calendar)	203(b) 3002(c)(1)	To allow time to replace ceramic media in the RTO while it remains in operation to control VOCs from the Equipment at the Facility. Petitioner's petition also seeks time to conduct a source test on the RTO. The Proposed Work will enhance the performance of the RTO to achieve the 99 percent VOC destruction efficiency set forth in the permit.	Not Opposed/Granted	SV granted commencing on 3/25/2025 and continuing through 4/30/2025.	VOC: 0.5 lbs./day
4. Los Angeles Regional Interoperable Communication System Joint Powers Authority Case No. 6234-5 (J. Jones)	203(b)	Southern California Edison implemented Public Safety Power Shutdowns across several counties in Southern California. Petitioner approached the 200-hours per calendar year limit of their permits and needed to use emergency generators.	Not Opposed/Granted	IV granted commencing on 3/11/25 and continuing for 90 days or until the RV hearing scheduled for 4/23/25, whichever comes first.	TBD by the RV hearing on 4/23/25

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
5. South Coast AQMD vs. Browning-Ferris Industries of California dba Sunshine Canyon Landfill Case No. 3448-18 (D. Hsu & N. Sanchez)	402 H&S §41700	The Hearing Board convened to issue a stipulated order for abatement upon the terms and conditions set forth in a stipulated Findings and Decision without making a finding that Respondent is in violation of a South Coast AQMD rule or regulation.	Stipulated/Issued	OA issued commencing 3/19/25. End date TBD at the status hearing scheduled for 9/3/25.	N/A
6. South Coast AQMD vs. Flexfirm Holdings LLC Case No. 6239-1 (J. Jones & N. Sanchez)	203(b) 402 1128 1147 H&S §41700	The South Coast AQMD received odor complaints from the community in surrounding areas near Flexfirm Holdings alleging the Facility as the source of the odor.	No Action	The hearing was continued to 5/20/25.	N/A

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
7. United States Navy, Naval Weapons Station Seal Beach Case No. 4518-11 (Consent Calendar)	203(b)	The Petitioner applied for the variance since the four permitted ICEs that would engage in the "Black Start Exercises" (BSE) are subject to monthly maintenance & testing operating limits. Since the BSE hours would be counted against the maintenance & timing limits, they would likely exceed the permitted monthly hours, leading to the potential violations.	Not Opposed/Granted	SV granted commencing on 4/1/2025 and continuing until 6/30/2025.	None

Acronyms

ICE = Internal Combustion Engine
IV: Interim Variance
H&S: Health & Safety Code
N/A: Not Applicable
OA: Order for Abatement
RTO: Regenerative Thermal Oxidizer

RV: Regular Variance
SV: Short Variance
TBD: To Be Determined
VOC: Volatile Organic Compound

Rules from which Variances and Orders for Abatement were Requested in 2025

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
201		1											1
203(a)		1											1
203(b)	4	5	5										14
402			2										2
415		1											1
461(c)(2)(B)			1										1
1128			1										1
1134	1												1
1134(d)(3)	1												1
1147			1										1
1426		1											1
1469		1											1
2004(f)	1												1
2004(f)(1)			1										1
3002(c)(1)	3		2										5
CA H&S §41700			2										2

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2025 HEARING BOARD CASES AS OF MARCH 31, 2025**

REGULATION II – PERMITS

Rule 201 Permit to Construct

Rule 203 Permit to Operate

REGULATION IV - PROHIBITIONS

Rule 402 Nuisance

Rule 415 Odors from Rendering Facilities

Rule 461 Gasoline Transfer and Dispensing

REGULATION XI – SOURCE SPECIFIC STANDARDS

Rule 1128 Paper, Fabric, and Film Coating Operations

Rule 1134 Emissions of Oxides of Nitrogen from Stationary Gas Turbines

Rule 1147 NOx Reductions from Miscellaneous Sources

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1426 Emissions from Metal Finishing Operations

Rule 1469 Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

REGULATION XXX – TITLE V PERMITS

3002 – Requirements

CALIFORNIA HEALTH & SAFETY CODE

§41700 Prohibited Discharges