

BOARD MEETING DATE: September 5, 2025

AGENDA NO. 14

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of July 1 through July 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: **July 2025 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested from January 1, 2025 through July 31, 2025**. The applicable South Coast AQMD Rules through July are also attached.

There were no appeals filed during the period of July 1, 2025 to July 31, 2025.

Report of July 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. Eco Services Operations Corp Case No. 6258-2 (Consent Calendar)	203(b) 2004(f)(1) 2011(c)(2)(A) 2012(c)(2)(A) 3002(c)(1)	The SO2 and NOx analyzers unexpectedly failed calibration and became nonoperational.	Not Opposed/Granted	EV granted commencing 7/10/2025 and continuing through 8/1/2025.	TBD by 8/15/2025
2. Enery Holdings LLC Case No. 6248-3 (J. Jones)	2012(c)(3)(A)	Petitioner unable to transmit CEMS data, due to damaged transmission network caused by theft of AT&T copper wires.	Opposed/Dismissed	IV dismissed without prejudice	N/A
3. Enery Holdings LLC Case No. 6248-3 (J. Jones)	2012(c)(3)(A)	Petitioner unable to transmit CEMS data, due to damaged transmission network caused by theft of AT&T copper wires.	Not Opposed/Granted	RV granted commencing 7/31/2025 and continuing through 10/29/2025, the FCD.	None
4. Los Angeles Regional Interoperable Communications System Joint Power Authority (LA-RICS) Loop Canyon Facility Case No. 6234-6 (Consent Calendar)	203(b)	Petitioner needs to use their emergency generators, due to PSPS events by SCE, which caused Petitioner to approach its permitted annual 200-hour operating limit.	Not Opposed/Granted	RV granted commencing 7/30/2025 and continuing through 12/31/2025, the FCD.	CO: 14 lbs./day HC: 2.37 lbs./day NOx: 29.47 lbs./day PM: 2.47 lbs./day

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. LA-RICS Magic Mountain Link Case No. 6234-7 (Consent Calendar)	203(b)	Petitioner needs to use their emergency generators, due to PSPS events by SCE, which caused Petitioner to approach its permitted annual 200-hour operating limit.	Not Opposed/Granted	RV granted commencing 7/30/2025 and continuing through 12/31/2025, the FCD.	CO: 23.80 lbs./day HC: 1.37 lbs./day NOx: 26.09 lbs./day PM: 1.37 lbs./day
6. South Coast AQMD vs. Goldmine Metal Recycling Case No. 6273-1 (K. Roberts)	403(d)(1)(A) 403(d)(2) 403(d)(4)	Public complaints of excessive dust from Respondent's operations and confirmed repeated Rule 403 violations, resulting in NOVs.	Not Stipulated/Issued	O/A issued commencing 7/30/2025' the Hearing Board shall retain jurisdiction over this matter until 6/30/2026.	N/A
7. USA Waste of California, El Sobrante Landfill Case No. 5139-3 (Consent Calendar)	203(b) 3002(c)(1)	Petitioner remains in violation of the total sulfur/SOx limits and was unable to comply with the 8/5/2025 final compliance date.	Not Opposed/Granted	MFCD/EXT commencing 7/16/2025 and continuing through 8/5/2026 or until final action on permit application, whichever comes first.	SOx: 8.22 lbs./day
8. Walnut Creek Energy Case No. 6230-2 (Consent Calendar)	202(b) 2004(f)(1) 2005 3002(c)(1)	Petitioner cannot comply with new permit condition until its Title V permit is revised with a modified NOx start-up limit.	Not Opposed/Granted	MFCD/EXT commencing 7/15/2025 and continuing through 1/15/2026 or until permit modification is granted, whichever comes first.	NOx: TBD pursuant to Variance Condition No. 6.

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
9. Walnut Creek Energy Case No. 6230-7 (J. Lee)	203(b) 2004(f)(1) 3002(c)(1) 218(b)(2)	Petitioner experienced a facility-wide power outage and the CEMS battery was depleted, rendering Petitioner unable to transmit CEMS data.	Not Opposed/Granted	Ex Parte granted commencing 7/3/2025 and continuing for 30 days or until the SV hearing scheduled for 7/29/2025, whichever comes first.	None

Acronyms

CEMS: Continuous Emissions Monitoring System

CO: Carbon Monoxide

EV: Emergency Variance

FCD: Final Compliance Date

HC: Hydrocarbons

MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance

N/A: Not Applicable

NOx: Oxides of Nitrogen

O/A: Order for Abatement

PM: Particulate Matter

RV: Regular Variance

SOx: Oxides of Sulfur

SV: Short Variance

TBD: To Be Determined

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
202						1							1
202(b)							1						1
203				1		1							2
203(a)		1											1
203(b)	4	5	5	6	5	1	5						31
218(b)(2)							1						1
402			2	1		1							4
403(d)(1)(A)							1						1
403(d)(2)							1						1
403(d)(4)							1						1
415		1											1
415(f)						1							1
415(g)						1							1
431.1				1		1							2
461(c)(2)(B)			1										1
461(e)(5)													0
463(d)(3)				1									1
1100(d)(3)					1								1
1110.2(e)(10)					1								1
1128			1										1
1134	1												1
1134(d)(3)	1												1
1147			1										1
1148.1(d)(8)				2									2
1150				1		1							2
1173(m)(1)				2									2
1196(d)(1)													0
1426		1											1
1469		1											1
1469(h)(3)					1								1
1469(h)(4)(A)(iv)					1								1
1469(k)(6)					1								1
1470(c)(4)(A)					1								1
2004(f)	1												1
2004(f)(1)			1	2	1	1	3						8
2005							1						1
2011(c)(2)(A)							1						1
2012(c)(2)(A)							1						1
2012(c)(3)(A)							2						2
3002				1		1							2
3002(c)(1)	3		2	2	1	1	4						13
CA H&S §41700			2	1		1							4

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

REGULATION II – PERMITS

Rule 201	Permit to Construct
Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 218	Continuous Emission Monitoring

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 463	Organic Liquid Storage

REGULATION XI – SOURCE SPECIFIC STANDARDS

Rule 1100	Implementation Schedule for NO _x Facilities
Rule 1110.2	Emissions for Gaseous – and Liquid-Fueled Engines
Rule 1128	Paper, Fabric, and Film Coating Operations
Rule 1134	Emissions of Oxides of Nitrogen from Stationary Gas Turbines
Rule 1147	NO _x Reductions from Miscellaneous Sources
Rule 1148.1	Oil and Gas Production Wells
Rule 1150	Excavation of Landfill Sites

Rule 1173 Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants

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

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 2005 New Source Review for RECLAIM

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 & SAFETY CODE

§41700 Prohibited Discharges