BOARD MEETING DATE: December 4, 2026 AGENDA NO. 8

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of October 1 through October 31, 2026.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Micah Ali
Hearing Board Chair

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Attached are the following summaries: **October 2026 Hearing Board Cases,** and **Rules From Which Variances and Orders for Abatement Were Requested from October 1, 2026 through October 31, 2026**. A **Rule Index** with the applicable South Coast AQMD Rules and Regulations for **October 2026** are also attached.

There were no appeals filed during the period of October 1, 2026 to October 31, 2026.

Report of October 2026 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. Anheuser-Busch, LLC. Case No. 5960-2 (K. Manwaring)	203(b) 2004(f)(1) 2012 (c)(3)(A) 3002(c)(1)	The petitioner requested an ex parte variance because two digesters and natural gas boilers at its Van Nuys facility could not meet standard operating and emissions monitoring requirements.	Not Opposed/Granted	Ex parte variance granted commencing 10/09/2026 and continuing through 11/08/2026 or until the IV hearing scheduled for 11/5/2026, whichever comes first.	None
2. Enery Holdings LLC Case No. 6248-4 (J. Jones)	2012(c)(3)(A)	After thieves severed its copper line and left AT&T unable to restore required emissions monitoring service, the petitioner requested a Modification and Extension of an existing variance.	Not Opposed/Granted	MFCD/EXT granted commencing 10/27/2026 and continuing through 10/29/2027.	None
3. South Coast AQMD vs. C&O Manufacturing, Inc. Case No. 6298-1 (M. Reichert)	203(a)	South Coast AQMD requested an Order for Abatement because the respondent ran three laser cutters without permits.	Not Stipulated/Issued	O/A issued. Respondent ordered to cease operating laser cutters immediately or in the alternative, submit permit applications and required application fees no later than 10/15/2026.	N/A
4. South Coast AQMD vs. Chiquita Canyon, LLC Case No. 6177-4 (K. Roberts, M. Reichert, R Mansell)	203 402 431.1 1150 3002 HS §41700	Following South Coast AQMD's original petition for an Order for Abatement, both parties convened to modify the active order concerning ongoing public nuisance odors and air quality issues at the respondent's landfill. SR/Mod. O/A scheduled for 3/17/2027.	Stipulated/Issued	Mod O/A issued commencing 10/28/2026. The Hearing Board shall retain jurisdiction for over this matter until 10/31/2027.	N/A

5. South Coast AQMD vs. County of San Bernardino Case No. 6174-1 (Consent Calendar)	1196(d)(1) 1196(f)(8)(a) 1196(f)(10)	The proceeding addressed a scheduled status report and a proposed modification to the Order for Abatement governing the respondent's non-compliant heavy-duty fleet.	Stipulated/Issued	Mod O/A issued commencing 10/07/2026. The Hearing Board shall retrain jurisdiction over this matter until 01/31/2028.	N/A
6. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-39 (Consent Calendar)	3002(c)(1)	A status report review took place regarding an active Order for Abatement covering flare equipment compliance at the respondent's treatment facility. SR/Mod. O/A scheduled for 10/13/2027.	No Action	The Stipulated Mod. O/A issued on 6/1/2023 shall remain in effect; no further modifications required. The Hearing Board shall retain jurisdiction over this matter until and including 30 days after Respondent has achieved final compliance.	N/A
7. STERIS, Inc. Case No. 6297-1 (Consent Calendar)	203(b) 1405(d)(1)(C) 1405(d)(1)(E)(iii)	Following a failed source test for ethylene oxide removal efficiency on its catalytic oxidizer, the petitioner applied for an RV.	Not Opposed/Granted	RV granted commencing 10/20/2026 and continuing through 03/31/2027 or until Petitioner comes into compliance with South Coast AQMD Rules, whichever comes first.	TBD
8. USA Waste of California – El Sobrante Landfill Case No. 5139-8 (Consent Calendar)	203(b) 431.1(c)(2) 3002(c)	The petitioner requested an IV because high dimethyl sulfide levels in its landfill gas prevented Flare #3 and Flare #4 from meeting the 150 parts per million by volume sulfur limit while a new sulfur treatment system awaits permitting and installation.	Not Stipulated/Granted	IV granted commencing 10/01/2026 and continuing for 90 days or until the RV hearing scheduled for 12/17/2026.	TBD

Report of October 2026 Hearing Board Cases

Acronyms

IV: Interim Variance
MFCD/EXT: Modification and Extension
Mod. O/A: Modification of Order for Abatement
N/A: Not Applicable
O/A: Order for Abatement
RV: Regular Variance
SR: Status Report
TBD: To be determined

Rules from which Variances and Orders for Abatement were Requested in 2026

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
109(c)(1)								1					1
201								1					1
202(a)				1			1	1					3
203	1					1				1			3
203(a)					2		1	2		1			6
203(b)	4	3	4	4	6	5	8	1	3	3			41
204									1				1
218.1(b)(4)(C)			1										1
219(d)(5)(H)					1								1
401(b)(1)							1	1					2
401(b)(2)				1									1
402	1			1		1		1		1			5
407(a)				1			1	1					3
415(e)									1				1
430				1									1
431.1	1					1				1			3
431.1(c)(2)										1			1
1110.2(c)(19)					1								1
1135(d)(1)(B)		1											1
1147(d)					1								1
1147(d)(5)				1									1
1147(d)(7)				1									1
1147(e)(2)(A)(i)				1									1
1147(h13)(A)				1									1
1150	1					1				1			3
1153.1	1												1
1155(d)(3)									1				1
1155(d)(10)									1				1
1189(e)(1)					1								1
1196(d)									1				1
1196(d)(1)			1				1			1			3
1196(e)									1				1
1196(f)(8)(a)										1			1
1196(f)(10)										1			1
1303(a)(1)			1										1
1303(a)(2)			1										1
1304(a)(4)						1							1
1402(d)(2)				1									1
1405(d)(1)(C)										1			1
1405(d)(1)(E)(iii)										1			1
1407.1(d)(1)				1									1
1407.1(d)(5)(C)													0
1420	1												1
1469(k)(2)(C)						1							1
1469(w)(2)(B)						1							1

Rules from which Variances and Orders for Abatement were Requested in 2026													
Rules	**Jan**	**Feb**	**Mar**	**April**	**May**	**June**	**July**	**Aug**	**Sept**	**Oct**	**Nov**	**Dec**	**Total Actions**
1469(x)(1)						1							1
1470(c)(4)(A)					1								1
1703(a)(2)			1										1
2004(f)(1)	1	1	3	1	2	2	3	1	1	1			16
2005(b)(1)(A)			1										1
2012(c)(3)(A)										2			2
3002	1					1				1			3
3002(c)										1			1
3002(c)(1)	1	2	2	1	1	3	3	1		2			16
CA H&S §41700				1		1		1		1			4
CA H&S §41701	1			1									2

SOUTH COAST AQMD RULES AND REGULATIONS INDEX
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REGULATION IV - PROHIBITIONS

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Rule 407 Liquid and Gaseous Air Contaminants

Rule 415 Odors from Rendering Facilities

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REGULATION XI – SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous - and Liquid-Fueled Engines

Rule 1135 Emissions of Oxides of Nitrogen from Electricity Generating Facilities

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Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

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Rule 1196 Clean On-Road Heavy-Duty Public Fleet Vehicles

SOUTH COAST AQMD RULES AND REGULATIONS INDEX
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Rule 1303 Requirements

Rule 1304 Exemptions

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1402 Control of Toxic Air Contaminants from Existing Sources

Rule 1405 Control of Ethylene Oxide Emissions from Sterilization and Related Operations

Rule 1407.1 Control of Toxic Air Contaminant Emissions from Chromium Allow Melting Operations

Rule 1420 Emissions Standard for Lead

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 XVII – PREVENTION OF SIGNIFICANT DETERIORATION (PSD)

Rule 1703 PSD Analysis

REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

Rule 2005 New Source Review for RECLAIM

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX – TITLE V PERMITS

Rule 3002 Requirements

CALIFORNIA HEALTH & SAFETY CODE

§41700 Prohibited Discharges

§41701 Restricted Discharges