

BOARD MEETING DATE: June 5, 2026

AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2026.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Micah Ali  
Hearing Board Chair

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Attached are the following summaries: **April 2026 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested from April 1, 2026 through April 30, 2026**. A **Rule Index** with the applicable South Coast AQMD Rules and Regulations through **April 2026** is also attached.

There was one appeal during the period of April 1, 2026 to April 30, 2026.

## Report of April 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. City of Riverside, Water Quality Control Plant Case No. 5674-10 (N. Dwyer)	203(b)	A gas leak from a digester sight glass occurred during maintenance, preventing the plant from stopping excess hydrogen sulfide gas leaks.	Not Opposed/Granted	Ex Parte EV granted commencing 4/29/2026 and continuing for 30 days or until SV hearing scheduled for 5/12/2026	H2S: 0.008908 lbs./day
2. Maruchan, Inc. Case No. 6274-2 (D. Hsu)	203(b)	Commercial manufacturing fryers failed a mandatory air emissions compliance source test, requiring a temporary operational variance until adjustments could pass inspection.	Not Opposed/Granted	SV granted commencing 4/14/2026 and continuing through 7/14/2026	VOC: 6.46 lbs./day PM10: 4.18 lbs./day
3. South Coast AQMD vs. Browning-Ferris Industries of California, Inc. dba Sunshine Canyon Landfill Case No. 3448-18 (K. Manwaring)	402 H&S §41700	Status report given: Ongoing municipal landfill operational complications produced severe, recurring community odor violations and public nuisance complaints.	Stipulated/Modified	Stipulated Mod. O/A issued commencing 4/30/26 and continuing until compliance has been achieved.	N/A
4. South Coast AQMD vs. Fenico, LLC Case No. 6287-1 (J. Lee and N. Wong)	203(a) 1147(d)(5) 1147(d)(7) 1147(e)(2)(A)(i) 1147(h13)(A) 1402(d)(2) 1407.1(d)(1) 1407.1(d)(5)(C)	The facility failed to submit required permit limit modifications and missed deadlines to demonstrate compliant nitrogen oxide emissions through district-approved furnace testing.	Stipulated/Issued	Stipulated O/A issued. Commencing 4/22/2026; the Hearing Board shall retain jurisdiction until 10/30/2026.	N/A
5. Ultramar, Inc. Case No. 3845-113 (B. Tomosovic)	202(a) 203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c)(1) H&S §41701	A structural process unit disruption or plant equipment breakdown triggered an unexpected spike in carbon monoxide gas volumes that violated normal operational limits.	Not Opposed/Granted	Ex Parte EV & AOC granted commencing 4/22/2026 and continuing through 5/15/2026.	CO: 1,335 lbs. total Opacity: TBD

## Report of April 2026 Hearing Board Cases

### Acronyms

CO: Carbon Monoxide

EV: Emergency Variance

H<sub>2</sub>S: Hydrogen Sulfide

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

O/A: Order for Abatement

PM<sub>10</sub>: Particulate Matter 10

SR: Status Report

SV: Short Variance

TBD: To Be Determined

VOC: Volatile Organic Compound

**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
202(a)				1									1
203	1												1
203(b)	4	3	4	4									15
218.1(b)(4)(C)			1										1
401(b)(2)				1									1
402	1			1									2
407(a)				1									1
430				1									1
431.1	1												1
1135(d)(1)(B)		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
1153.1	1												1
1196(d)(1)			1										1
1303(a)(1)			1										1
1303(a)(2)			1										1
1402(d)(2)				1									1
1407.1(d)(1)				1									1
1407.1(d)(5)(C)													0
1703(a)(2)			1										1
1420	1												1
2004(f)(1)	1	1	3	1									6
2005(b)(1)(A)			1										1
3002	1												1
3002(c)(1)	1	2	2	1									6
CA H&S §41700				1									1
CA H&S §41701	1			1									2

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2026 HEARING BOARD CASES AS OF APRIL 30, 2026**

**REGULATION II – PERMITS**

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate

**REGULATION IV - PROHIBITIONS**

- Rule 401 Visible Emissions
- Rule 402 Nuisance
- Rule 407 Liquid and Gaseous Air Contaminants
- Rule 431.1 Sulfur Content of Gaseous Fuels

**REGULATION XI – SOURCE SPECIFIC STANDARDS**

- Rule 1135 Emissions of Oxides of Nitrogen from Electricity Generating Facilities
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1150 Excavation of Landfill Sites
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
- Rule 1196 Clean On-Road Heavy-Duty Public Fleet Vehicles

**REGULATION XIII – NEW SOURCE REVIEW**

- Rule 1303 Requirements

**REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

- Rule 1402 Control of Toxic Air Contaminants from Existing Sources
- Rule 1407.1 Control of Toxic Air Contaminant Emissions from Chromium Allow Melting Operations
- Rule 1420 Emissions Standard for Lead

**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

**REGULATION XXX – TITLE V PERMITS**

Rule 3002 Requirements

**CALIFORNIA HEALTH & SAFETY CODE**

§41700 Prohibited Discharges

§41701 Restricted Discharges