

BOARD MEETING DATE: October 5, 2012

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2012.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DP

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2012** and **August 2012 Hearing Board Cases**.

The total number of appeals filed during the period August 1 to August 31, 2012 is 0; and total number of appeals filed during the period of January 1 to August 31, 2012 is 4.

Rules from which Variances and Order for Abatements were Requested in 2012

| | 2012 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|----------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|
| 1171 | | | | | | | | | | | | | | 0 |
| 1171(c) | | | | | | | | | | | | | | 0 |
| 1171(c)(1) | | | | | | | | | | | | | | 0 |
| 1171(c)(1)(A)(i) | | | | | | | | | | | | | | 0 |
| 1171(c)(1)(b)(i) | | | | | | | | | | | | | | 0 |
| 1171(c)(4) | | | | | | | | | | | | | | 0 |
| 1171(c)(5) | | | | | | | | | | | | | | 0 |
| 1171(c)(5)(A)(i) | | | | | | | | | | | | | | 0 |
| 1171(c)(6) | | | | | | | | | | | | | | 0 |
| 1173 | | | | | | | | | | | | | | 0 |
| 1173(c) | | | | | | | | | | | | | | 0 |
| 1173(d) | | | | | | | | | | | | | | 0 |
| 1173(e)(1) | | | | | | | | | | | | | | 0 |
| 1173(f)(1) | | | | | | | | | | | | | | 0 |
| 1173(g) | | | | | | | | | | | | | | 0 |
| 1175 | | | | | | | | | | | | | | 0 |
| 1175(c)(2) | | | | | | | | | | | | | | 0 |
| 1175(c)(4)(B) | | | | | | | | | | | | | | 0 |
| 1175(c)(4)(B)(i) | | | | | | | | | | | | | | 0 |
| 1175(c)(4)(B)(ii) | | | | | | | | | | | | | | 0 |
| 1175(c)(4)(B)(ii)(I) | | | | | | | | | | | | | | 0 |
| 1175(b)(1) (C) | | | | | | | | | | | | | | 0 |
| 1175(d)(4)(ii)(II) | | | | | | | | | | | | | | 0 |
| 1176 | | | | | | | | | | | | | | 0 |
| 1176(e) | | | | | | | | | | | | | | 0 |
| 1176(e)(1) | | | | | | | | | | | | | | 0 |
| 1176(e)(2) | | | | | | | | | | | | | | 0 |
| 1176(e)(2)(A) | | | | | | | | | | | | | | 0 |
| 1176(e)(2)(A)(ii) | | | | | | | | | | | | | | 0 |
| 1176(e)(2)(B)(v) | | | | | | | | | | | | | | 0 |
| 1178(d)(1)(A)(xiii) | | | | | | | | | | | | | | 0 |
| 1178(d)(1)(A)(xiv) | | | | | | | | | | | | | | 0 |
| 1178(d)(1)(B) | | | | | | | | | | | | | | 0 |
| 1176(f)(3) | | | | | | | | | | | | | | 0 |
| 1178(d)(1)(C) | | | | | | | | | | | | | | 0 |
| 1178(d)(3)(C) | | | | | | | | | | | | | | 0 |
| 1178(d)(3)(D) | | | | | | | | | | | | | | 0 |
| 1178(d)(3)(E) | | | | | | | | | | | | | | 0 |
| 1178(d)(4)(A)(i) | | | | | | | | | | | | | | 0 |
| 1178(g) | | | | | | | | | | | | | | 0 |
| 1186.1 | | | | | | | | | | | | | | 0 |
| 1186.1 | | | | | | | | | | | | | | 0 |
| 1189(c)(3) | | | | | | | | | | | | | | 0 |
| 1195 | | | | | | | | | | | | | | 0 |
| 1195(d)(1)(D) | | | | | | | | | | | | | | 0 |
| 1303 | | | | | | | | | | | | | | 0 |
| 1303(a)(1) | | | | | | | | | | | | | | 0 |

Report of August 2012 Hearing Board Cases

| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
|---|--------------------------------|--|--|--|---|
| 1. Department of Commerce (NOAA) National Weather Service of San Diego Case #5882-1 (M. Reichert) | 203(b) | Petitioner has exceeded the 200 hour annual operating limit for emergency generator. | Not Opposed/Granted | RV granted commencing 8/8/12 and continuing through 12/31/12, the FCD. | VOC: 12.3 lbs/day NO _x : 12 lbs/day CO: 16.5 lbs/day PM: 3 lbs/day |
| 2. Eastern Municipal Water District Case #4937-52 (N. Sanchez) | 202(a) 203(b) | Headworks of waste water treatment plant must continue to operate while malfunctioning odor scrubber is offline for repairs. | Not Opposed/Granted | IV granted for 90 days or until the SV hearing currently scheduled for 9/20/12. | H ₂ S: TBD in conjunction with the calculation of excess emission fees pursuant to Condition No. 5. |
| 3. La Canada Union, Inc. Case #5893-1 (K. Manwaring) | 203(b) 461(e)(5) | Blockage in VRS at the GDF. | Not Opposed/Granted | Ex Parte EV granted commencing 8/9/12 and continuing for 30 days or until the SV hearing currently scheduled for 9/6/12, whichever comes first. | VOC: TBD by 8/24/12 |
| 4. Los Angeles County Sheriff's Department Case #4270-3A (J. Voge) | 203(a) 203(b) 3002(c)(1) | Installation of PM filters for two emergency generators at Pitches Detention Center were delayed because of vendor design problems. | Not Opposed/Granted | RV granted commencing 8/28/12 and continuing through 11/30/12, the FCD. | PM ₁₀ : 0.247 lb/per hour per generator |
| 5. SCAQMD vs. Golden State Concrete Pumping, Inc. Case #5884-1 (N. Sanchez) | 203(a) | Respondent is operating five portable concrete pump ICES without valid P/O or CARB registration. | Not Stipulated/Issued | O/A issued commencing 8/30/12 and continuing through 9/1/13. The Hearing Board shall retain jurisdiction over this matter until 9/1/13. | N/A |
| 6. SCAQMD vs. KBS Investments, Inc., dba Victory 76 Case #5886-1 (N. Sanchez) | 461(c)(2) 461(e)(1) | Petitioner operating a GDF without valid CARB certification. | Not Stipulated/Issued | O/A issued commencing 8/29/12 and continuing through 1/1/13. The Hearing Board shall retain jurisdiction over this matter until 1/1/13. | N/A |
| 7. SCAQMD vs. S & S Service Station, Inc., dba Freeway Chevron Case #5288-1 (N. Sanchez) | 461(c)(2) 461(e)(1) | Petitioner is operating a GDF without valid CARB certification. | Stipulated/Issued | O/A issued commencing 8/29/12 and continuing through 1/1/13. The Hearing Board shall retain jurisdiction over this matter until 1/1/13. | N/A |

Acronyms

CARB: California Air Resources Board
CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
GDF: Gasoline Dispensing Facility
H₂S: Hydrogen Sulfide
H&S: Health & Safety Code
ICE: Internal Combustion Engine
IV: Interim Variance
NO_x: Oxides of Nitrogen
N/A: Not Applicable
O/A: Order for Abatement
PM: Particulate Matter
P/O: Permit to Operate
RV: Regular Variance
SCR: Selective Catalytic Reduction
TBD: To be determined
VOC: Volatile Organic Compound
VRS: Vapor Recovery System