

BOARD MEETING DATE: November 7, 2014

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of September 1 through September 30, 2014.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

SM

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2014** and **September 2014 Hearing Board Cases**.

The total number of appeals filed during the period September 1 to September 30, 2014 is 0; and total number of appeals filed during the period of January 1 to September 30, 2014 is 5.

Rules from which Variances and Order for Abatements were Requested in 2014

	2014	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
2012 Appen A, Chap. 2, Sec. B														0
2012, Appen. A, Protocol 2012, Chap. 2, B.5.														0
2012, Appen A, Chap. 2, B.5.a														0
2012, Appen A, Chap. 2, B.10														0
2012, Appen A, Chap. 2, B.11														0
2012, Appen A, Chap. 2, B.12														0
2012, Appen A, Chap. 2, B.17														0
2012, Appen A, Chap.2, B.18														0
2012, Appen A, Chap.2, B.20														0
2012, Chapter 2, E.2.b.i.														0
2012, Chapter 2, E.2.b.ii.														0
2012 Appen A, Chap. 4.A.4														0
2012(B)(5)(e)								1						1
2012(c)(2)(A)										1				1
2012(c)(2)(B)														0
2012(c)(3)														0
2012(c)(3)(A)										1				1
2012(c)(3)(B)														0
2012(c)(10)														0
2012(d)(2)														0
2012(d)(2)(A)														0
2012(d)(2)(D)														0
2012(f)(2)(A)														0
2012(g)(1)										1				1
2012(g)(3)														0
2012(g)(7)														0
2012(h)(3)														0
2012(h)(4)														0
2012(h)(5)														0
2012(h)(6)														0
2012(i)														0
2012(j)(1)														0
2012(j)(2)														0
2012, Protocol (Appen. A) Chap. 2, Part A.1.a														0
2012, Protocol (Appen. A) Chap. 2, Part B.4														0
2012, Protocol, (Appen A) Chap. 2, Part B.5.e														0
2012 Chapter 2, B.5.f														0
2012(m)										1				1
2012(m) Table 2012-1, and Appen. A, Chp 2, & Attachment C										1				1
2012(m) Appen. A, Attach. C														0
2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e.g, and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d														0
2012(m) Appen. A, Chap 3, Section (A)(6)														0
2012(m) Appen. A, Chap 5, Para G, Table 5B and Att. D														0
3002														0
3002(a)														0
3002(c)		1		1			1							3

Report of September 2014 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. Burlington Engineering, Inc. Case No. 5998-1 (N. Feldman)	1147(c)(1)	Modification of existing variance needed to clarify that both burn off furnace and afterburners are included in the variance.	Not Opposed/Granted	RV granted commencing 9/30/14 and continuing through 9/30/15, the FCD.	None
2. California Amforge Corporation Case No. 5945-1 (N. Feldman)	1147(c)(1)	Petitioner cannot comply with the NO _x limit for its unique forging furnace.	Not Opposed/Granted	MFCD/EXT granted commencing 9/9/14 and continuing through 11/23/15.	NO _x : .095 lb/day
3. Chevron Products Company Case No. 831-373 (N. Feldman)	203(b) 2004(f)(1) 3002(c)(1)	Caustic scrubbers that strip sulfur containing compounds from hot tanks must be taken out of service for repairs.	Not Opposed/Granted	SV granted commencing upon notice to be given pursuant to Condition No. 1, and shall be for 14 consecutive days, and shall end no later than 12/31/14.	None
4. ExxonMobil Oil Corporation Case No. 1183-487 (R. Fernandez)	202(a) 203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(3)(A) 2011(e)(1) 2011(k) 2011, Table 2011-1, Appendix A, Chapter 2, Attachment C 2012(c)(2)(A) 2012(c)(3)(A) 2012(g)(1) 2012(m) 2012, Table 2012-1, Appendix A, Chapter 2, Attachment C 3002(c)(1)	Semi-annual SO _x , NO _x , CEMS RATA tests cannot be conducted because the maintenance of the Crude unit caused the CHD unit to be shut down.	Not Opposed/Granted	Ex Parte EV granted commencing 9/30/14 and continuing for 30 days or until the EV hearing currently scheduled for 10/8/14, whichever comes first.	None
5. SCAQMD vs. ACD, LLC Case No. 6003-1 (K. Manwaring)	203(a)	Respondent is operating two unpermitted 300 hp diesel engines.	Stipulated/Issued	O/A issued commencing 9/25/14 and continuing through 9/25/15. The Hearing Board retains jurisdiction over this matter until 9/24/15.	N/A

6. SCAQMD vs. E/M Coating Services Case No. 6002-1 (N. Sanchez)	203(b) 1124(c)(4)(A) 1147(c)(10) 3002(c)(1)	Source tests show Respondent has failed to demonstrate compliance with VOC limit of Rule 1124.	Stipulated/Issued	O/A issued commencing 9/25/14 and continuing through 1/30/15. The Hearing Board retains jurisdiction over this matter until 1/30/15.	N/A
7. Tamco Case No. 5972-1 (W Wong)		Petitioner alleged that Executive Officer improperly denied SO _x allocation when issuing a Title V permit.	Opposed/Upheld	The Board upheld the Executive Officer's decision that the District did act appropriately in issuing Title V permits to the petitioner.	N/A
8. Universal City Studios, LLC Case No. 4935-12 (Consent Calendar; No Appearance)	401(b)(1)(B) H&S Code Section 41701	Petitioner will exceed the opacity limit when using a fog machine to create a spooky atmosphere as part of its Halloween show.	Not Opposed/Granted	SV granted for 26 events commencing 9/14/14 and continuing through 11/3/14.	Opacity: TBD by 10/1/14

Acronyms

CEMS: Continuous Emissions Monitoring System

CHD: Catalytic Hydrodesulfurization

EV: Emergency Variance

FCD: Final Compliance Date

H&S: Health & Safety Code

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

NO_x: Oxides of Nitrogen

O/A: Order for Abatement

RATA: Relative Accuracy Test Audit

RV: Regular Variance

SO_x: Oxide of Sulfur

SV: Short Variance

TBD: To be determined

VOC: Volatile Organic Compounds