BOARD MEETING DATE: March 5, 2004   AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                 of January 1 through January 31, 2004.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

                              Edward Camarena
                              Chairman of Hearing Board
EC:rj
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Two summaries are attached: **Rules From Which Variances and Orders for
Abatement Were Requested in 2004** and **January 2004 Hearing Board Cases**.

The total number of appeals filed during the period January 1 to January 31, 2004 is 4.

Rules	2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions* Involving Rules														
109														0
201														0
202			1											1
202(a)		1												1
202(b)														0
202(c)														0
203														0
203(a)		1												1
203(b)		8												8
208														0
218														0
218(b)(2)														0
218(c)(1)(A)														0
221(b)														0
401														0
401(a)														0
401(b)														0
401(b)(1)		3												3
401(b)(1)(A)														0
401(b)(1)(B)														0
402														0
403(d)(1)														0
403(d)(2)														0
404														0
404(a)		2												2
404(b)														0
405														0
405(a)		2												2
405(b)														0
407(a)		1												1
407(a)(2)(A)														0
409														0
431.1(c)(1)														0
431.1(d)(1)														0
442														0
444														0
444(a)														0
444(c)														0
444(d)														0
461														0
461(c)(1)														0
461(c)(1)(A)														0
461(c)(1)(B)														0
461(c)(1)(C)														0
461(c)(1)(E)														0
461(c)(1)(F)(i)														0
461(c)(1)(F)(iv)														0
461(c)(1)(F)(v)														0
461(c)(1)(H)														0
461(c)(2)														0
461(c)(2)(A)														0
461(c)(2)(B)														0
461(c)(2)(C)														0
461(c)(3)(A)														0
461(c)(3)(D)(ii)														0
461(c)(3)(E)														0
461(c)(3)(M)														0
461(c)(4)(B)														0
461(c)(4)(B)(ii)														0
461(e)(1)														0
461(e)(2)														0
461(E)(2)(A)														0
461(e)(2)(B)(i)														0
461(e)(2)(C)														0

2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
461(e)(3)													0			
461(e)(4)													0			
461(e)(5)													0			
461(e)(7)													0			
462(c)(1)(A)(ii)													0			
462(c)(1)(E)													0			
462(c)(3)(B)													0			
462(c)(4)(B)(i)													0			
462(c)(7)(A)(ii)													0			
462(d)(1)(A)													0			
462(d)(1)(A)(ii)													0			
462(d)(1)(C)													0			
462(d)(1)(F)													0			
462(d)(2)(A)(i)													0			
462(e)(1)(E)													0			
462(e)(1)(E)(ii)													0			
462(e)(2)(A)(i)													0			
462(e)(4)													0			
462(h)(1)													0			
463(c)													0			
463(c)(1)(A)													0			
463(c)(1)(A)(I)-(iv)													0			
463(c)(1)(B)													0			
463(c)(1)(C)													0			
463(c)(1)(D)													0			
463(c)(1)(E)													0			
463(c)(2)													0			
463(c)(2)(B)													0			
463(c)(3)(B)													0			
463(c)(3)(C)													0			
463(d)(2)													0			
463(e)(3)(C)													0			
463(e)(4)													0			
464(b)(1)													0			
468													0			
468(a)													0			
468(b)													0			
475(b)													0			
1103													0			
1104(c)(1)													0			
1106(c)(1)													0			
1106.1(c)(1)													0			
1106.1(c)(1)(A)													0			
1107(c)(2)													0			
1107(c)(7)													0			
1107(d)													0			
1110.1													0			
1110.2													0			
1110.2(d)													0			
1110.2(d)(1)(B)													0			
1110.2(e)(1)(A)													0			
1113(c)(2)													0			
1118(d)(1)													0			
1118(d)(1)(2)													0			
1118(d)(1)(3)													0			
1118(d)(2)													0			
1118(d)(3)													0			
1118(d)(4)(B)													0			
1118(d)(5)(A)													0			
1118(d)(5)(B)													0			
1118(e)													0			
1118(f)													0			
1121													0			
1122(c)(2)(A)													0			
1122(c)(2)(E)													0			
1122(d)(1)(B)													0			
1122(d)(3)													0			
1122(e)(2)(A)													0			
1122(e)(2)(B)													0			
1122(e)(2)(C)													0			

2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1122(e)(2)(D)													0		
1122(e)(4)(A)													0		
1122(e)(4)(B)													0		
1122(g)(3)													0		
1124													0		
1124(c)(1)(A)													0		
1124(c)(1)(E)													0		
1124(c)(4)													0		
1125(c)(1)													0		
1128(c)(1)													0		
1128(c)(2)													0		
1130(c)													0		
1131.0													0		
1130(c)(4)													0		
1132(d)(2)													0		
1132(d)(3)													0		
1134(c)													0		
1134(c)(1)													0		
1134(d)													0		
1134(d)(1)													0		
1134(d)(2)(B)(ii)															
1134(f)													0		
1134(g)(2)													0		
1135(c)(3)													0		
1135(c)(3)(C)													0		
1135(c)(4)													0		
1135(c)(4)(D)													0		
1135(e)													0		
1137.0		1											1		
1145(b)(2)															
1145(c)(2)													0		
1145(c)(6)													0		
1145(h)(1)(E)													0		
1145(h)(1)(E)													0		
1146		1											1		
1146(c)(3)(A)													0		
1146(c)(4)													0		
1146.1													0		
1146.1(c)(1)		2											2		
1146.1(c)(2)(B)													0		
1146.1(c)(3)													0		
1146.1(e)(1)(B)													0		
1146.2													0		
1146.2(c)(1)													0		
1146.2(c)(3)													0		
1150.1													0		
1150.1(d)(1)(C)(i)													0		
1150.1(d)(4)													0		
1150.1(d)(5)													0		
1150.1(d)(6)													0		
1150.1(d)(7)													0		
1150.1(e)													0		
1150.1(e)(1)													0		
1150.1(e)(2)													0		
1150.1(e)(3)													0		
1150.1(e)(1)(C)													0		
1150.1(e)(2)(C)													0		
1150.1(e)(3)(C)													0		
1150.1(e)(6)(A)(I)													0		
1150.1(e)(6)(A)(ii)													0		
1150.1(f)(1)(A)(iii)(I)													0		
1150.1(f)(1)(H)(i)													0		
1151(c)(1)(B)													0		
1151(c)(8)													0		
1151(2)													0		
1151(5)													0		
1151(d)(1)													0		
1151(e)(1)													0		
1151(e)(2)													0		
1153.0													0		

2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1153(c)(1)(B)													0
1158													0
1158(d)(2)													0
1158(d)(5)													0
1158(d)(7)													0
1158(d)(7)(A)(ii)													0
1158(d)(8)													0
1164(c)(1)(B)													0
1164(c)(2)													0
1166(c)(2)													0
1168.0													0
1168(c)(1)													0
1168(c)(2)													0
1171(c)(1)													0
1171(c)(1)(A)(i)													0
1171(c)(1)(b)(i)													0
1171(c)(1)(i)													0
1171(c)(5)													0
1171(c)(5)(A)(i)													0
1173(c)													0
1173(d)(1)(c)													0
1173(d)(1)(D)(iii)													0
1173(f)(1)													0
1173(g)(1)													0
1175(c)(2)													0
1175(c)(4)(B)													0
1175(c)(4)(B)(ii)													0
1176(e)(1)													0
1176(e)(2)													0
1176(e)(2)(B)													0
1176(e)(3)(A)													0
1176(e)(6)													0
1178(d)(1)(B)(x)													0
1189(C)(1)													0
1189(c)(1)													0
1303													0
1303(a)(1)	1												1
1401(d)(1)													0
1401(d)(1)(A)													0
1401(d)(1)(B)													0
1405(d)(3)(C)													0
1407(d)													0
1407(d)(1)													0
1407(d)(2)													0
1407(d)(4)													0
1407(f)(1)													0
1415(d)(3)													0
1418(d)(2)(A)													0
1421													0
1421(d)													0
1421(d)(1)(C)													0
1421(d)(3)(A)													0
1425(d)(1)(A)													0
1469													0
1469(c)													0
1469(c)(2)													0
1469(d)(1)													0
1469(e)(1)													0
1469(e)(2)													0
1469(h)													0
1469(l)													0
1189(c)(3)													0
2004(b)(1)	1												1
2004(c)(1)(C)													0
2004(d)													0
2004(f)(1)	8												8
2004(k)													0
2009(b)(2)													0
2009(c)													0
2009(f)(1)													0

2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2009(f)(2)													0
2009.1													0
2009.1(c)													0
2009.1(f)(1)													0
2009.1(f)(2)													0
2009.1(f)(3)													0
2011 Appendix A													0
2011 Attachment C													0
2011(c)(2)													0
2011(c)(2)(A)													0
2011(c)(3)(A)													0
2011(e)(1)													0
2011(f)(3)													0
2011(g)													0
2011(k)													0
2011(k) Appen. A, Chap. 2, except E & Attach C													0
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4 and Appen. A, Chap. 2, Section C.2.a, c & d													0
2011(k) Appen. A, Chap. 2, Sections A.3.,a.-c.,e.g. and B.1.-4													0
2012 Appen. A, Attach. C, Sec. B.2													0
2012 Appen. A, Attach. C, Chap. 2, Sec. B													0
2012 Appen A													0
2012 Appen A, Chap. 2													0
2012 Appen A, Chap. 2, Sec. A													0
2012 Appen A. Chap. 2. Sec. A1.g.													0
2012 Appen A, Chap. 2, Sec. B													0
2012 Appen A, Chap. 2, Sec. E													0
2012(c)(2)													0
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)	1												1
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(e)(2)(B)	1												1
2012(g)(1)	1												1
2012(g)(3)													0
2012(h)(3)													0
2012(h)(4)													0
2012(h)(5)													0
2012(h)(6)	1												1
2012(i)	1												1
2012(j)(1)	1												1
1.0	1												1
2012(m)	1												1
2012(m) Appen. A, Chp 2, except Sections E & Attach C.													0
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)													1
2012(m) Appen. A., Chap 5, Para G, Table 5B and Att. D													1
3002(c)(1)	3												3
H&S 41700													0
H&S 41701	3												3

Report of January 2004 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. California Steel Industries, Inc. Case No. 4624-17 (A. Mednick)	203(b) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(g)(1) 2012(h)(6) 2012(i) 2012(m) 3002(c)(1)	Petitioner's furnace was reclassified to major source and was therefore required to install a CEMS. Petitioner intends to replace burners with smaller burners that would justify reclassification to a large source thereby relieving petitioner of CEMS requirement. Variance relief required while application for conversion to smaller burners is pending.	Opposed/Granted	RV granted commencing 1/8/04 and continuing through 5/15/04, the FCD.	None
2. ConocoPhillips Company Case No. 4900-62 (A. Shultz)	203(b) 401(b)(1) 404(a) 405(a) 2004(f)(1) H&S §41701	Leak in boiler heat exchanger abruptly increased leading to shutdown of FCCU. After repairs, FCCU cannot be restarted without violation of opacity standard.	Opposed/Granted	EV granted commencing 1/14/04 for 96 hours in a window of time between 1/14/04 and 3/31/04, the FCD.	Opacity: up to 80% PM: 1.3 tons/total variance period.
3. Freshtex California Case No. 5441-1 (B. Theis)	202 203(b) 1146	Petitioner took over existing operation and assumed boiler had permit and that applicable limit was 30 ppm NOx. Petitioner cannot meet 12 ppm NOx limit and must replace burner.	Opposed/ Denied	RV denied.	
4. Gulfstream Areospace Corporation Case No. 4327-1 (Consent Calendar)	203(a)	Petitioner cannot comply with one permit condition. District has agreed to amend permit condition. Extension of variance required while matter pending.	Not Opposed/Granted	MFCD/EXT granted commencing 1/15/04 and continuing through 1/31/05.	None
5. Lane Stanton Vance Lumber Company Case No. 5443-1 (C. Engelhardt)	401(b)(1) 1137 H&S §41701	Petitioner cannot comply with January 1, 2004 rule deadline for sawdust emission controls.	No Position/Dismissed	IV dismissed.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
6. Owens Corning Case No. 2105-6 (C. Engelhardt)	203(b) 1146.1(c)(1) 1303(a)(1) 2004(f)(1)	Heater can no longer be tuned to meet CO and NOx limits. Variance needed while application for new burner processed and burner replaced.	Not Opposed/Granted	Ex Parte granted commencing 1/8/04 and continuing for 30 days or until the EV hearing currently scheduled for 1/15/04, whichever comes first.	
7. Owens Corning Case No. 2105-6 (C. Engelhardt)	203(b) 1146.1(c)(1) 2004(f)(1) 2012(m), App. A, Ch. 5, Para G, Table 5B and Att. D	Heater can no longer be tuned to meet CO and NOx limits. Variance needed while application for new burner processed and burner replaced.	Not Opposed/Granted	IV granted commencing 1/15/04 and continuing for 90 days or until the SV currently scheduled for 2/10/04, whichever comes first.	CO: 226 lbs/day NOx: 11 lbs/day
8. Paramount Petroleum Corporation Case No. 2914-68 (A. Mednick)	202(a) 2004(f)(1)	Petitioner has been unable to determine source of excess VOC from state of the art control system for CO, NOx and NH$_3$ and needs additional time for testing.	Not Opposed/Granted	MFCD/EXT granted commencing 1/23/04 and continuing through 05/27/04.	VOC: 9lbs/day
9. SCAQMD vs. Liston Brick Company of Corona Case No. 4941-1 (B. Theis)	203(b) 2004(b)(1) 2004(f)(1) 2012(d)(2) 2012(e)(2)(B) 2012(j)(1) 2012(j)(2) 2012, App. A, Ch 3, Section (A)(6) 3002(c)(1)	Respondent had been operating for considerable time in violation of several rules, inspectors denied entry to inspect, etc.	Stipulated/Issued	O/A issued commencing 1/28/04 and continuing through 1/31/06.The Board shall retain jurisdiction over this matter until 1/31/06.	
10. SCAQMD vs. Northrop Grumman Space & Mission Systems Corporation Case No. 3534-15 (A. Mednick)	203(b) 2004(f)(1) 3002(c)(1)	Respondent is using toxic air contaminants in violation of permit conditions.	Stipulated/Issued	O/A issued commencing 1/13/04 and continuing through 3/31/04. The Hearing Board shall retain jurisdiction over this matter until 3/31/04.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
11. Ultramar, Inc., dba Valero Wilmington Refinery Case No. 3845-50 (E. Sernel).	203(b) 401(b)(1) 404(a) 405(a) 407(a) 2004(f)(1) H&S §41701	Regularly scheduled turnaround of FCCU may result in exceedances of various rules during shut down and start-up for inspection, maintenance and repair as needed of various components.	Not Opposed/Granted	SV granted commencing per notification specified in Condition No. 1 of the Hearing Board's Order and continuing for 90 days thereafter.	PM: 1.22 tons/day for 14 days. CO: 5.5 tons/day over startup period. Opacity: TBD

Key to Acronyms

EV: Emergency Variance
IV: Interim Variance
SV: Short Variance
RV: Regular Variance
H&S: Health & Safety Code
TBD: To be determined
FCD: Final Compliance Date
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
PM: Particulate Matter
VOC: Volatile Organic Compound
CO: Carbon Monoxide