BOARD MEETING DATE: March 4, 2005   AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                     of January 1 through January 31, 2005.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

                                        Edward Camarena
                                        Chairman of Hearing Board

EC:RJ

Two summaries are attached: **Rules From Which Variances and Orders for
Abatement Were Requested in 2005** and **January 2005 Hearing Board Cases**.

The total number of appeals filed during the period January 1 to January 31, 2005 is 1.

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
Rules from which Variances and Order for Abatements were Requested in 2005														
# of HB Actions*														
Involving														
Rules														
109														0
109(c)(1)														0
201														0
202		1												1
202(a)														0
202(b)														0
202(c)														0
203														0
203(a)		2												2
203(b)		10												10
208														0
218		1												1
218.1		1												1
218.1(b)(1)(E)														0
221(b)														0
401		2												2
401(a)														0
401(b)		1												1
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
402		1												1
403(d)(1)														0
403(d)(2)														0
404														0
404(a)														0
404(b)		1												1
405														0
405(a)		1												1
405(b)														0
407(a)														0
407(a)(1)														0
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)(i)														0

2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
461(e)(2)(B)(i)													0			
461(e)(2)(C)													0			
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)													0			
462(d)(1)													0			
462(d)(1)(A)													0			
462(d)(1)(A)(ii)													0			
462(d)(1)(C)													0			
462(d)(1)(E)(ii)													0			
462(d)(1)(F)													0			
462(d)(2)(A)(i)													0			
462(e)(1)													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)(3)													0			
463(c)(3)(A)													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			
1102(c)(2)													0			
1104(c)(1)													0			
1106(c)(1)													0			
1106.1(c)(1)													0			
1106.1(c)(1)(A)													0			
1107(c)(1)	1												1			
1107(c)(2)	1												1			
1107(d)													0			
1110.1													0			
1110.2													0			
1110.2(d)(1)													0			
1110.2(d)(1)(A)	2												2			
1110.2(d)(1)(B)	3												3			
1110.2(d)(1)(C)	2												2			
1110.2(e)(1)(A)													0			
1110.2(e)(1)(B)(i)(II)	2												2			
1110.2(e)(1)(B)(i)(III)	2												2			
1110.2(e)(1)(B)(ii)													0			
1110.2(f)(1)(A)	2												2			
1110.2(f)(1)(B)	2												2			
1110.2(f)(1)(E)													0			
1113(c)(2)													0			
1118(d)													0			
1118(d)(1)(2)													0			
1118(d)(1)(3)													0			

2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
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			
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													0			
1130(c)(1)													0			
1131													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)													0			
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			
1137(d)(2)													0			
1145(c)(2)													0			
1145(c)(6)													0			
1145(h)(1)(E)													0			
1145(h)(1)(E)													0			
1146													0			
1146(c)(3)(A)													0			
1146(c)(5)	1												1			
1146.1													0			
1146.1(c)(1)													0			
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)	1												1			
1150.1(d)(5)	1												1			
1150.1(d)(6)	1												1			
1150.1(d)(7)													0			
1150.1(e)													0			
1150.1(e)(1)													0			
1150.1(e)(2)													0			

2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
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			
1151(f)(1)													0			
1153.0													0			
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			
1166(c)(2)(F)													0			
1168													0			
1168(c)(1)													0			
1168(c)(2)													0			
1171													0			
1171(c)(1)	1												1			
1171(c)(1)(A)(i)													0			
1171(c)(1)(b)(i)													0			
1171(c)(4)	1												1			
1171(c)(5)													0			
1171(c)(5)(A)(i)													0			
1171(c)(6)													0			
1173(c)													0			
1173(d)(1)													0			
1173(d)(1)(D)													0			
1173(d)(1)(D)(iii)													0			
1173(f)(1)													0			
1173(g)(1)													0			
1175(c)(2)	1												1			
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(c)(4)(B)(ii)(II)	1												1			
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)													0			
1189(c)(1)													0			
1189(c)(3)													0			
1193(d)(1)(B)													0			
1303													0			
1303(a)(1)													0			
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			

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
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)(1)(G)														0		
1421(d)(3)(A)														0		
1421(e)(1)(A)(vii)														0		
1421(e)(3)(B)														0		
1421(h)(1)(A)														0		
1421(h)(1)(B)														0		
1421(h)(1)(C)														0		
1421(h)(1)(E)														0		
1421(h)(3)														0		
1421(i)(1)(C)														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(I)														0		
1189(c)(3)														0		
2004														0		
2004(b)(1)		1												1		
2004(b)(4)		1												1		
2004(c)(1)		1												1		
2004(c)(1)(C)		1												1		
2004(f)(1)		8												8		
2004(k)														0		
2009(b)(2)		1												1		
2009(c)														0		
2009(f)(1)														0		
2009(f)(2)		1												1		
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														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)														0		
2012(c)(2)(C)														0		
2012(c)(3)														0		
2012(c)(3)(A)		1												1		
2012(c)(3)(B)		1												1		
2012(c)(10)														0		

2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2012(d)(2)													0
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(e)(2)(B)													0
2012(g)(1)	1												1
2012(g)(3)													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, Appen. A, Chp 3, Sec (A)(6)													0
2012(m)													0
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)													0
2012(m) Appen. A., Chap 5, Para G, Table 5B and Att. D													0
3002(c)(1)													0
3002(c)(2)													0
H&S 41700													0
H&S 41701	2												2

Report of January 2005 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. 7-Eleven, Inc. Case #5496-1 (B. Theis)	202 203(a)	Petitioner seeks to construct and operate gasoline dispensing equipment while awaiting permit approval.	Opposed/Dismissed	IV dismissed.	
2. Air Products and Chemicals, Inc. Case #4276-7 (B. Theis)	203(b) 2004(b)(1) 2004(b)(4) 2004(c)(1) 2004(c)(1)(C) 2004(f)(1) 2012(c)(3)(A) 2012(c)(3)(B) 2012(g)(1)	RTUs serving CEMS at two facilities need replacement.	Not Opposed/Granted	RV granted commencing 1/20/05 and continuing through 6/17/05 for the Wilmington facility and 6/30/05 for the Carson facility, the FCD.	None
3. BP West Coast Products, LLC Case #5357-19 (B. Theis)	203(b) 2004(f)(1)	Storm water containing waste water was routed to reservoir where petitioner is required to continuously skim the surface for floating oil. Petitioner could not continuously skim because the skimming equipment had previously been removed.	Opposed/Denied	Ex Parte EV denied.	
4. Chevron USA, Inc. Case #831-324 (Consent Calendar; No Appearance)	203(b)	Petitioner must replace carbon in the vapor recovery system (VRS) and desires to continue operating while the carbon is replaced and other maintenance tasks are completed. Petitioner will use a permitted thermal oxidizer to control emissions during the carbon replacement/maintenance outage.	Not Opposed/Granted	SV granted shall be for 14-day period in a 30-day window of time commencing on 1/24/05 and continuing through 2/23/05, the FCD.	NO$_X$ 2.4 lbs/day CO 180 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
5. City of Burbank, Department of Public Works Case #1474-19 (C. Engelhardt)	1150.1(d)(4) 1150.1(d)(5) 1150.1(d)(6)	In order to place final cover pursuant to state requirements for closure and post closure maintenance, petitioner must temporarily disconnect landfill gas collection system.	Not Opposed/Granted	SV granted for 14 days in a window of time commencing 4/1/05 and continuing through 6/30/05, the FCD.	TOC 75.84 lbs/day
6. City of Pasadena Case #2244-16 (Consent Calendar; No Appearance)	2009(b)(2) 2009(f)(2)	Petitioner's new SCR systems failed initial tests. Additional time needed to upgrade SCR.	Not Opposed/Granted	MFCD/EXT granted commencing 1/20/05 and continuing through 7/31/05.	None
7. Equilon Enterprises, LLC Case #4982-55 (C. Engelhardt)	203(b) 2004(f)(1)	Installation of emergency shutoff valves in sulfur vent gas system requires temporarily diverting sulfur tank vent gas to incinerator.	Not Opposed/Granted	SV granted commencing 1/5/05 and continuing through 3/15/05, the FCD.	SO_X to be determined
8. Equilon Enterprises, LLC Case #4982-56 (A. Mednick)	203(b) 401 2004(f)(1) H&S §41701	Excessive rain caused transformer failure, resulting in wet gas compressor shutting down. Restart of FCCU may result in excess visible emissions.	Not Opposed/Granted	Ex Parte EV granted commencing 1/12/05 and continuing for 30 days or until the EV hearing currently scheduled for 1/18/05, whichever comes first.	Opacity up to 80%
9. ExxonMobil Oil Corporation Case #1183-389 (A. Mednick)	203(b) 2004(f)(1)	Two refinery heaters must be operated at minimum levels while a leak is repaired in stripper column. Heaters cannot maintain SCR at minimum temperature required by permit condition - cannot inject NH3 at low temperatures, thereby rendering SCR ineffective in controlling NOx.	Not Opposed/Granted	Ex Parte EV granted commencing 1/19/05 and continuing for 30 days or until the SV hearing currently scheduled for 2/3/05, whichever comes first.	NO_X to be determined
10. L-3 Communications, Power Magnetics Case #5497-1 (E. Sernel)	1107(c)(1) 1107(c)(2)	Petitioner accepted job order that requires use of noncompliant coating.	Not Opposed/Denied	Ex Parte EV denied.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
11. Life-Like Products, LLC Case #5465-1 (Consent Calendar; No Appearance)	203(b) 1175(c)(2) 1175(c)(4)(B)(ii)(II) 2004(f)(1)	Extension of variance requested due to unanticipated problems encountered in designing ducting and gas drying system to enable proper operation and testing of thermal oxidizer.	Not Opposed/Granted	MFCD/EXT granted commencing 2/1/05 and continuing through 3/31/05.	VOC 155 lbs/day
12. MM Lopez Canyon Energy LLC Case #4910-1 (B. Theis)	203(b) 218 218.1 1110.2(d)(1)(B)	CEMS NOx analyzer failed to calibrate properly. Petitioner unable to repair within 96-hour limit allowed.	Not Opposed/Granted	Ex Parte EV granted commencing 1/26/05 and continuing for 30 days or until the SV hearing currently scheduled for 2/8/05, whichever comes first.	None
13. Penrose Landfill Gas Conversion, LLC Case #5490-1 (A. Mednick)	1110.2(d)(1)(A) 1110.2(d)(1)(B) 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(II) 1110.2(e)(1)(B)(i)(III) 1110.2(f)(1)(A) 1110.2(f)(1)(B)	Petitioner requested to operate ICEs beyond January 1, 2005, while retrofit controls are being implemented.	Opposed/Granted	Mod./Variance granted commencing 1/5/05 and continuing through 8/31/05.	
14. SCAQMD vs. ConocoPhillips Company Case #4900-70 (C. Engelhardt)	203(b) 401(b) 404(b) 405(a) 2004(f)(1) H&S §41701	Petitioner needs to shut down North ESP in order to diagnose and correct higher than normal opacity.	Stipulated/Issued	O/A issued commencing 1/13/05 and continuing through the date when major FCCU turnaround is initiated. The Board shall retain jurisdiction over this matter until 11/30/05.	
15. SCAQMD vs. Frank's Auto Body & Paint Case #5473-1 (B. Theis)	402 1171(c)(1) 1171(c)(4)	O/A modified to change hours of operation limitation and to require continued effort to install approved odor control system.	Not Stipulated/Issued	Mod. O/A issued commencing 1/5/05 and continuing through 6/17/06. The Board shall retain jurisdiction over this matter until 6/17/06.	
16. SCAQMD vs. Royal Printex, Inc. and Jin Yang Huh, as an individual Case #5489-1 (C. Engelhardt)	203(a)	Respondent operates boiler that cannot be retrofitted to bring it into compliance.	Stipulated/Issued	O/A issued commencing 1/13/05 and continuing through 8/1/05. The Board shall retain jurisdiction over this matter until 11/30/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
17. SCAQMD vs. Texollini, Inc. Case #5463-1 (B. Theis)	401	Respondent found less expensive compliance option and requested modifications to permit same.	Not Stipulated/Issued	Mod. O/A issued commencing 1/20/05 and continuing through 1/20/06. The Board shall retain jurisdiction over this matter until 1/20/06.	
18. Toyon Landfill Gas Conversion, LLC Case #5491-1 (A. Mednick)	1110.2(d)(1)(A) 1110.2(d)(1)(B) 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(II) 1110.2(e)(1)(B)(i)(III) 1110.2(f)(1)(A) 1110.2(f)(1)(B)	Petitioner wants to operate ICEs beyond January 1, 2005, while retrofit controls are being implemented.	Opposed/Granted	Mod./Variance granted commencing 1/5/05 and continuing through 8/31/05.	
19. Ultramar, Inc. dba Valero Wilmington Refinery Case #3845-58 (B. Theis)	203(b) 1146(c)(5) 2004(f)(1)	Petitioner will be in violation when hydrotreaters and related equipment are shut down and restarted in order to replace and activate catalyst.	Not Opposed/Granted	SV granted commencing on 1/12/05 and continuing through 1/31/05, the FCD.	To be determined

Key to Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
H&S: Health & Safety Code
IV: Interim Variance
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
Mod. O/A: Modification of an Order for Abatement
Mod./Variance: Modification of a Variance
O/A: Order for Abatement
PM: Particulate Matter
RV: Regular Variance
SV: Short Variance
TBD: To be determined
TOC: Total Organic Compounds
VOC: Volatile Organic Compound