BOARD MEETING DATE: February 2, 2007   AGENDA NO. 22

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                 of December 1 through December 31, 2006.

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 2006** and **December 2006 Hearing Board Cases**.

The total number of appeals filed during the period December 1 to December 31, 2006 is 1,
and the total number of appeals filed during the period of January 1 to December 31, 2006
is 9.

Rules from which Variances and Order for Abatements were Requested in 2006

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions*													
Involving													
Rules													
109			1						1				2
109(c)													0
109(c)(1)													0
201							1						1
201.1													0
202													0
202(a)	1	3		2		1		2	2			1	12
202(b)							1		1				2
202(c)		1			1						1		3
203													0
203(a)	1	3	3	1	1		1	1	1		2		14
203(b)	16	6	12	9	7	8	11	7	13	7	5	8	109
208													0
218													0
218.1													0
218.1(b)(1)(E)													0
218(d)(1)(B)													0
218(f)(2)													0
221(b)													0
301													0
401		1					1						2
401(a)													0
401(b)							1						1
401(b)(1)	1			1					2			1	5
401(b)(1)(A)													0
401(b)(1)(B)							1			1			2
402	1			2	1	1	2				1		8
403(d)(1)													0
403(d)(1)(A)	1						1						2
403(d)(2)					1								1
404							1						1
404(a)	1						1		1				3
405							1						1
405(a)	1						1		1				3
405(b)													0
407(a)	1						1		1			1	4
407(a)(1)													0
407(a)(2)(A)													0
409					1		2		1				4
431.1(c)(2)													0
431.1(d)(1)													0
442													0
444													0
444(a)													0
444(c)													0
444(d)													0
461												1	1
461(c)(1)													0
461(c)(1)(A)	3	1	1										5
461(c)(1)(B)	3	1	1			1		1					7
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)						1	1	1					3
461(c)(2)(B)						1	1						2
461(c)(2)(C)						1	1						2
461(c)(3)(A)		1	1			1							3
461(c)(3)(B)						1							1
461(c)(3)(C)													0
461(c)(3)(D)(ii)													0
461(c)(3)(E)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(c)(3)(H)													0
461(c)(3)(M)						1							1
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(d)(5)(A)						1							1
461(e)(1)													0
461(e)(2)													0
461(e)(2)(A)	3	1	1										5
461(e)(2)(A)(i)													0
461(e)(2)(B)(i)	3	1	1										5
461(e)(2)(C)													0
461(e)(3)	3	1	2										6
461(e)(3)(A)		1	1										2
461(e)(3)(C)(i)(I)			1										1
461(e)(3)(D)			1										1
461(e)(3)(E)			1										1
461(e)(7)(c)(v)			1										1
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)		1											1
462(d)(1)(A)(i)								1					1
462(d)(1)(C)		1											1
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)		1											1
462(e)(1)(E)(ii)													0
462(e)(2)(A)(i)													0
462(e)(4)													0
462(h)(1)		1											1
463					1								1
463(c)							1						1
463(c)(1)(A)(I)-(iv)													0
463(c)(1)(B)													0
463(c)(1)(C)													0
463(c)(1)(D)							1						1
463(c)(1)(E)													0
463(c)(2)													0
463(c)(2)(C)						1					1		2
463(c)(3)				1									1
463(c)(3)(A)													0
463(c)(3)(B)													0
463(c)(3)(C)		1									1	1	3
463(d)(2)						1	1						2
463(e)(3)(C)													0
463(e)(4)													0
464(b)													0
468													0
468(a)													0
468(b)													0
1102													0
1102(c)(2)													0
1102(c)(5)		1											1
1104(c)(1)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(1)													0
1107(c)(2)													0
1107(d)													0
1110.1													0
1110.2													0
1110.2(d)(1)													0
1110.2(d)(1)(A)													0
1110.2(d)(1)(B)									2	2	1		5
1110.2(d)(1)(C)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1110.2(e)(1)(A)													0
1110.2(e)(1)(B)(i)(II)													0
1110.2(e)(1)(B)(i)(III)													0
1110.2(e)(1)(B)(ii)													0
1110.2(f)							1						1
1110.2(f)(1)(A)						1							1
1110.2(f)(1)(E)													0
1113(c)(2)													0
1115(c)(3)													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(g)(8)												1	1
1121													0
1121(c)(2)(C)											4		4
1121(c)(3)											4		4
1121(c)(6)											4		4
1121(e)(3)											4		4
1121(h)											4		4
1121(h)(1)											4		4
1121(h)(2)											4		4
1121(h)(3)											4		4
1122(c)(2)(A)													0
1122(c)(2)(E)													0
1122(d)(1)(A)													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)(3)		1											1
1122(e)(4)(A)													0
1122(e)(4)(B)													0
1122(g)(3)													0
1122(j)			1										1
1124													0
1124(c)(1)(A)													0
1124(c)(1)(E)													0
1124(c)(4)													0
1125(c)(1)													0
1125(c)(1)(C)													0
1128(c)(1)													0
1128(c)(2)													0
1130													0
1130(c)(1)													0
1130(c)(4)													0
1131													0
1131(d)													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
1136													0
1136(c)(1)(A)(i)													0
1137(d)(2)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1145(c)(1)													0
1145(c)(2)													0
1145(c)(6)													0
1145(h)(1)(E)													0
1146													0
1146(c)(3)(A)													0
1146(c)(5)					1								1
1146(d)(6)											1		1
1146.1													0
1146.1(a)(2)													0
1146.1(a)(8)													0
1146.1(b)													0
1146.1(c)(1)													0
1146.1(c)(2)(B)													0
1146.1(c)(3)													0
1146.1(e)													0
1146.1(e)(1)(B)													0
1146.2													0
1146.2(c)(1)													0
1146.2(c)(3)													0
1150.1										1			1
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)			1										1
1150.1(e)(2)			1										1
1150.1(e)(3)			1										1
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(c)(1)													0
1153(c)(1)(B)													0
1158													0
1158(d)(2)	1								1				2
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)					1								1
1168(h)(2)				1									1
1171													0
1171(c)													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

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1173(d)(1)													0
1173(d)(1)(D)													0
1173(d)(1)(D)(iii)													0
1173(d)(1)(E)					1								1
1175			1							1			2
1175(c)(2)		1		1	1						1		4
1175(c)(4)(B)		1			1						1		3
1175(c)(4)(B)(i)	1												1
1175(c)(4)(B)(ii)													0
1175(c)(4)(B)(ii)(I)													0
1175(c)(4)(B)(ii)(II)				1									1
1175(d)(4)(ii)(II)													1
1176(e)													0
1176(e)(2)													0
1176(e)(2)(A)											1	1	2
1176(e)(2)(A)(ii)				1									1
1176(e)(6)(A)												1	1
1178(d)(1)(A)(xiii)							1						1
1178(d)(1)(A)(xiv)							1						1
1178(d)(1)(C)							1						1
1178(d)(3)(E)						1							1
1178(d)(4)(A)(i)												1	1
1189(c)(3)													0
1193(d)(1)(B)													0
1195(d)(1)(D)								1				1	2
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
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)(8)													0
1469(d)(5)													0
1469(e)(1)													0
1469(e)(2)													0
1469(g)(2)						1							1
1469(h)													0
1469(I)													0
1469(j)(4)(A)		1											1
1469(j)(4)(D)		1											1
1469(k)(3)(A)		1											1
1189(c)(3)													0
2004(b)(1)													0
2004(b)(4)													0
2004(c)(1)													0
2004(c)(1)(C)													0
2004(f)(1)	5	4	8	5	6	3	8	4	8	4	3	5	63

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2004(k)													0
2009(b)(2)													0
2009(c)													0
2009(f)(1)													0
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)			1										1
2011(c)(2)(A)									1				1
2011(c)(3)(A)				1									1
2011(e)(1)			1										1
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													0
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, Section B.2.a. & b.			1										1
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. 4.A.4											1		1
2012(c)(2)			1										1
2012(c)(2)(A)			1	1									2
2012(c)(2)(C)													0
2012(c)(3)													0
2012(c)(3)(A)		1			1								2
2012(c)(3)(B)		1											1
2012(c)(10)													0
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 Appen. A, Attach C, Sections B.2.a. & B.2.b.					1								1
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,													0
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)													0
3002(c)(1)	1	4	2		2		2	1			1	1	14
3002(c)(2)			2										2
H&S 39152(b)													0
H&S 41510													0
H&S 41700				2	1	1	1				1		6
H&S 41701	1			1			3		2	1		1	9

Report of December 2006 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. AERA Energy LLC Case #4636-13 (J. Panasiti)	203(b) 463(c)(3)(C) 1176(e)(2)(A) 1176(e)(6)(A) 2004(f)(1)	There is insufficient gas being supplied by well to maintain pilot for VRS rendering VRS inoperable.	No Position/Granted	IV granted commencing 12/7/06 and continuing for 90 days or until the RV hearing currently scheduled for 1/30/07, whichever comes first.	VOC: Less than .023 lb/day
2. DCOR LLC Case #5089-15 (A. Mednick)	203(b) 1110.2(d)(1)(B) 2004(f)(1)	Diesel engine on oil production platform failed source test for total gaseous non-methane organics.	Not Opposed/Granted	RV granted commencing 12/14/06 and continuing through 7/10/07, the FCD.	VOC: 0.9 lb/month
3. Equilon Enterprises LLC dba Shell Oil Products US Case #4982-73 (J. Panasiti)	203(b) 1178(d)(4)(A)(i) 2004(f)(1)	Petitioner cannot meet 1/1/07 compliance date for control of vapors from certain organic liquid storage tanks.	Opposed/Granted	SV granted commencing 12/21/06 and continuing through 1/31/07, the FCD.	VOC: 3.46 lbs/day
4. Golden State Water Company Case #5557-2 (C. Engelhardt)	203(b)	Municipal water supply agency needs to exceed pump throughput limits in permit.	Not Opposed/Granted	SV granted commencing 12/21/06 and continuing through 1/25/07, the FCD.	PCE: .00044 lb/hr TCE: .00029 lb/hr
5. Honeywell International, Inc. Case #5624-1 (B. Theis)	203(b) 2004(f)(1) 2012, Appendix A, Chapter 4.A.4 3002(c)(1)	Petitioner needs to use non-permitted fuel in combustor to test turbo pump for military aircraft.	Opposed/Dismissed	IV dismissed without prejudice for lack of good cause.	
6. Mizkan Americas, Inc. Case #5411-6 (C. Engelhardt)	202(a) 203(b)	Petitioner seeks to continue vinegar production while it shuts down scrubber for unanticipated maintenance.	Not Opposed/Granted	Ex Parte EV granted commencing 12/15/06 and continuing for 30 days or until the EV hearing currently scheduled for 1/9/07, whichever comes first.	VOC: TBD
7. Paramount Petroleum Corporation Case #2914-84 (J. Panasiti)	1118(g)(8)	Petitioner cannot meet 1/1/07 compliance date for automatic sampling of flare events.	Opposed/Denied	SV denied.	
8. SCAQMD vs. City of Los Angeles Bureau of Sanitation Case #1212-29 (B. Theis)	203(b)	Changes in the sulfur content of the landfill gas due to aging of the landfill caused petitioner to exceed permit limits.	Stipulated/Issued	O/A issued commencing 12/6/06; the Hearing Board shall retain jurisdiction over this matter until 12/6/07.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
9. Student Transportation of America Case #5613-1 (E. Sernel)	1195(d)(1)(D)	Petitioner awaiting approval of funding for purchase of compliant buses.	Not Opposed/Granted	RV granted commencing on the date specified in the notice to be given to the District pursuant to Condition No. 1 and shall continue through 9/30/07, the FCD.	NOx: 74 lbs/day
10. The Guffey Group, The Depot #4 Case #4996-1 (B. Theis)	461	Petitioner failed to maintain required records, is operating equipment not specified in permit and failed to install/maintain Phase II VRS per specs.	Opposed/Granted	Ex Parte EV granted commencing 12/7/06 and continuing for 30 days or until the EV hearing currently scheduled for 12/14/06, whichever comes first.	VOC: TBD
11. Ultramar Inc., dba Valero Wilmington Refinery Case #3845-67 (J. Panasiti)	203(b) 401(b)(1) 407(a) 2004(f)(1) H&S §41701	State mandated three-year inspection and maintenance of boiler will result in shutdown of numerous units. Violations may occur during shutdown and startup of equipment.	Not Opposed/Granted	SV granted commencing on the date specified in the notice given pursuant to Condition No. 1 and shall occur between 1/5/07 and 2/4/07, the FCD for all purposes except as to the obligation to retire RTCs as required in Condition No. 12, which shall be met no later than 3/6/07.	If petitioner does not receive its extension from CA Division of Industrial Safety: PM: 201.6 lbs/total NOx: 778.5 lbs/total ROG: 721.2 lbs/total CO: 4,235.8 lbs/total SOx: 149.2 lbs/total If petitioner receive its extension from CA Division of Industrial Safety: PM: 30.2 lbs/total NOx: 88.1 lbs/total ROG: 81.6 lbs/total CO: 479.5 lbs/total SOx: 4.8 lbs/total

Acronyms

CO: Carbon Monoxide
ESP: Electrostatic Precipitator
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
H&S: Health & Safety Code
I/P: Increments of Progress
IV: Interim Variance

MOD. O/A: Modification of an Order for Abatement
NH3: Ammonia
NOx: Oxides of Nitrogen
O/A: Order for Abatement
PM: Particulate Matter
RV: Regular Variance
SOx: Oxides of Sulfur
SV: Short Variance

TBD: To be determined
TOC: Total Organic Compounds
VOC: Volatile Organic Compound
VRS: Vapor Recovery System
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance