

BOARD MEETING DATE: July 11, 2008

AGENDA NO. 25

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2008.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2008** and **May 2008 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2008 is 1, and the total number of appeals filed during the period of January 1 to May 31, 2008 is 9.

Report of May 2008 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. Canoga Hotel Corporation Case No. 5693-1 (J. Panasiti)	1146.2	Petitioner sought variance to continue operating boiler in violation of emissions standards in Rule 1146.2	Opposed/Denied	Ex Parte EV denied.	N/A
2. City of Los Angeles Hyperion Treatment Plant Case No. 1212-30 (E. Sernel)	203(b) 431.1(c)(2) 431.1(c)(3)(C)	Petitioner seeks to continue operating sewage treatment plant, and flare gases with an increased concentration of sulfur compound while it repairs the emissions control system.	Not Opposed/Granted	SV granted commencing on the date specified in the notice given pursuant to Condition No. 1 of the Order. The variance shall be for eight (8) days to occur between 7/13/08 and 8/30/08, inclusive.	SOx: 51 lbs/day
3. City of Pasadena Water & Power Case No. 2244-25 (N. Feldman)	203(b) 218(b)(2) 2012(c)(2)(A) 3002(c)(1)	Petitioner seeks to continue operating gas turbine while it repairs a malfunctioning continuous emissions monitoring system.	Not Opposed/Granted	Ex Parte EV granted commencing 5/16/08 and continuing for 30 days or until 6/15/08.	None
4. Inland Empire Energy Center, LLC Case No. 5695-1 (C. Engelhardt)	202(a) 2004(f)(1) 3002(c)	Petitioner seeks additional commissioning time to complete repairs of SCR and complete testing and tuning.	Opposed/Denied	Ex Parte EV denied.	N/A
5. Inland Empire Energy Center, LLC Case No. 5695-1 (C. Engelhardt)	202(a) 2004(f)(1) 3002(c)	Petitioner seeks additional commissioning time to complete repairs of SCR and complete testing and tuning.	Not Opposed/Granted	IV granted commencing upon the date notice is given pursuant to Condition No. 1 of the Order for a period of 96 non-consecutive hours and continuing through 8/26/08 or until the SV hearing currently scheduled for 6/12/08, whichever comes first.	NOx: 90.2 lbs/ total NH3: 49 lbs/total
6. James Hardie Building Products Inc. Case No. 5694-1 (N. Feldman)	203(b)	Petitioner seeks to operate auxiliary boiler in lieu of operating main boiler, while main boiler is repaired. Petitioner seeks to run the auxiliary boiler for longer than the monthly limit allowed in its permit, due to the time needed to complete repairs to the main boiler.	Not opposed/Granted	Ex Parte EV granted commencing 5/15/08 and continuing for 30 days or until the IV hearing currently scheduled for 5/28/08, whichever comes first.	NOx: TBD by 5/30/08

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
7. SCAQMD vs. Andres Vela, individually and dba Andres Vela Refinish Case No. 5688-1 (T. Berrera)	109 203(a)	SCAQMD seeks enforcement order requiring respondent to cease operating spray paint booth until respondent obtains a permit.	Not Stipulates/Issued	O/A issued and stayed until close of business for SCAQMD on 6/3/08 respondent to file application and pay permit fees or respondent's business shall be shut down until the application is filed and the permit fees paid in full.	N/A
8. SCAQMD vs. Eastern Municipal Water District Case No. 4937-17 (E. Sernel)	203(a)	Respondent seeks to modify existing order to allow one portable engine to continue operating until July 30, 2008, so that respondent can continue providing water and sewage services while it completes a pump station upgrade.	Stipulated/Issued	Mod. O/A issued commencing 5/29/08 and continuing through 5/31/08. The Hearing Board shall retain jurisdiction over this matter until 8/31/09.	N/A
9. SCAQMD vs. Lunday-Thagard Company Case No. 2033-10A (Consent Calendar) (C. Engelhardt)	203(b) 431.1 2004(f)(1)	SCAQMD seeks imposition of stipulated order requiring respondent to complete work necessary to bring various pieces of refinery equipment into compliance with District rules.	Stipulated/Issued	Mod. O/A issued commencing 5/28/08 and continuing through 9/30/08. The Hearing Board shall retain jurisdiction over this matter until 9/30/08.	N/A
10. SCAQMD v. Penrose Landfill Gas Conversion, LLC Case No. 5490-4 (E. Sernel)	203(b) 1110.2(d)(1)(C) 1150.1(d)(1)(C)(i) 3002(c)(1)	SCAQMD seeks enforcement order requiring respondent to complete source testing and limit operation of engines to repair, maintenance and testing until compliance is achieved.	Stipulated/Issued	O/A issued commencing 5/20/08 and continuing through 7/18/08. The Hearing Board shall retain jurisdiction over this matter until 7/18/08.	N/A
11. Waste Management Disposal & Recycling Services, Inc. Case No. 3824-9 (E. Sernel)	203(b) 1150.1(d)(1)(C)(i) 3002(c)(1)	Petitioner seeks to postpone source test on an engine that is not currently operating, until such time as petitioner is able to repair the engine and return it to operating condition.	Not Opposed/Granted	RV granted commencing 6/1/08 and continuing through 4/30/09, the FCD.	NOx: TBD SOx: TBD CO: TBD PM: TBD VOC: TBD On date written source test results submitted to District but in no event later than 4/30/09.

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Key to Acronyms

- CO: Carbon Monoxide
- EV: Emergency Variance
- FCD: Final Compliance Date
- MOD: O/A Modification of an Order for Abatement
- N/A: Not Applicable
- NH3: Ammonia
- NOx: Oxides of Nitrogen
- O/A: Order for Abatement
- PM: Particulate Matter
- RV: Regular Variance
- SCR: Selective Catalytic Reduction Unit
- SOx: Oxides of Sulfur
- SV: Short Variance
- TBD: To be determined