BOARD MEETING DATE: October 3, 2008 AGENDA NO. 19

REPORT: Hearing Board Report

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

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.


Edward Camarena
Chairman of Hearing Board

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

The total number of appeals filed during the period August 1 to August 31, 2008 is 0, and the total number of appeals filed during the period of January 1 to August 31, 2008 is 11.

# Rules from which Variances and Order for Abatements were Requested in 2008

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| # of HB Actions* | | | | | | | | | | | | | |
| *Involving* | | | | | | | | | | | | | |
| *Rules* | | | | | | | | | | | | | |
| 109 | | | | | 1 | | | | | | | | 1 |
| 109(c) | | | | | | | | | | | | | 0 |
| 109(c)(1) | | | | | | | | | | | | | 0 |
| *201* | | | | | | | | | | | | | 0 |
| *201.1* | | | | | | | | | | | | | 0 |
| 202 | 1 | | | | | | | | | | | | 1 |
| 202(a) | 1 | | | 5 | 2 | 1 | 2 | 1 | | | | | 12 |
| 202(b) | 1 | 1 | | 2 | | | | 2 | | | | | 6 |
| 202(c) | | | | | | | | | | | | | 0 |
| 203 | 2 | | | | | | | | | | | | 2 |
| 203(a) | | 1 | 2 | | 2 | 1 | | | | | | | 6 |
| 203(b) | 7 | 5 | 5 | 13 | 6 | 6 | 19 | 7 | | | | | 68 |
| 204 | 1 | | | | | | | | | | | | 1 |
| 208 | | | | | | | | | | | | | 0 |
| 218 | | | | | | | | | | | | | 0 |
| 218.1 | | | | | | | | | | | | | 0 |
| 218.1(b)(1)(E) | | | | | | | | | | | | | 0 |
| 218(b)(2) | 1 | | | | 1 | | | | | | | | 2 |
| 218(d)(1)(B) | | | | | | | | | | | | | 0 |
| 218(f)(2) | | | | | | | | | | | | | 0 |
| 221(b) | 1 | | | | | | | | | | | | 1 |
| 301 | | | | | | | | | | | | | 0 |
| 301(8) | | | | | | | | | | | | | 0 |
| 401 | 1 | | 1 | | | | | | | | | | 2 |
| 401(a) | | | | | | | | | | | | | 0 |
| 401(b) | | | | | | | | | | | | | 0 |
| 401(b)(1) | 1 | 1 | 1 | 3 | | 1 | 1 | | | | | | 8 |
| 401(b)(1)(A) | | | | | | | | | | | | | 0 |
| 401(b)(1)(B) | | | | | | | | | | | | | 0 |
| 402 | | | | | | 1 | | | | | | | 1 |
| 403(d)(1) | | | | | | | | | | | | | 0 |
| 403(d)(1)(A) | | | | | | | | | | | | | 0 |
| 403(d)(2) | | | | | | | | | | | | | 0 |
| 404 | | | | | | | | | | | | | 0 |
| 404(a) | | | | | | | | | | | | | 0 |
| 405 | | | | | | | | | | | | | 0 |
| 405(a) | | | | | | | | | | | | | 0 |
| 405(b) | | | | | | | | | | | | | 0 |
| 407(a) | 1 | 1 | | 1 | | | | 1 | | | | | 4 |
| 407(a)(1) | | | | | | | | | | | | | 0 |
| 407(a)(2)(A) | | | | | | | | | | | | | 0 |
| 410(d) | | | | 1 | | | | | | | | | 1 |
| 430(b)(3)(A)(iv) | | | | | | | 1 | | | | | | 1 |
| 431 | | | | | 1 | | | | | | | | 1 |
| 431.1(c)(2) | 1 | | | 1 | | | | | | | | | 2 |
| 431.1(c)(3)(C) | | | | 1 | | | | | | | | | 1 |
| 431.1(d)(1) | 1 | | | 1 | | | | | | | | | 2 |
| 431.1(d)(1), Att A(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) | | | | | | | | | | | | | 0 |
| 461(c)(1)(B) | 1 | | | | | | | | | | | | 1 |
| 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 |

| | 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 461(c)(2)(B) | | | | | | | | | | | | | | 0 |
| 461(c)(2)(C) | | | | | | | | | | | | | | 0 |
| 461(c)(3)(A) | | | | | | | | | | | | | | 0 |
| 461(c)(3)(B) | | | | | | | | | | | | | | 0 |
| 461(c)(3)(C) | | | | | | | | | | | | | | 0 |
| 461(c)(3)(D)(ii) | | | | | | | | | | | | | | 0 |
| 461(c)(3)(E) | | | | | | | | | | | | | | 0 |
| 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) | | | | | | | | | | | | | | 0 |
| 461(e)(1) | | | | | | | | | | | | | | 0 |
| 461(e)(2) | | | | | | | | | | | | | | 0 |
| 461(e)(2)(A) | | 1 | | | | | | | | | | | | 1 |
| 461(e)(2)(A)(i) | | | | | | | | | | | | | | 0 |
| 461(e)(2)(B)(i) | | 1 | | | | | | | | | | | | 1 |
| 461(e)(2)(C) | | | | | | | | | | | | | | 0 |
| 461(e)(3) | | 1 | | | | | | | | | | | | 1 |
| 461(e)(3)(A) | | | | | | | | | | | | | | 0 |
| 461(e)(3)(C)(i)(I) | | | | | | | | | | | | | | 0 |
| 461(e)(3)(D) | | | | | | | | | | | | | | 0 |
| 461(e)(3)(E) | | | | | | | | | | | | | | 0 |
| 461(e)(5) | | 1 | | | | | | | | | | | | 1 |
| 461(e)(7)(c)(v) | | | | | | | | | | | | | | 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)(i) | | | | | | | | | | | | | | 0 |
| 462(d)(1)(B) | | 1 | | | | | | | | | | | | 1 |
| 462(d)(1)(C) | | | | | | | | | | | | | | 0 |
| 462(d)(1)(E)(ii) | | | | | | | | | | | | | | 0 |
| 462(d)(1)(F) | | | | | | | | | | | | | | 0 |
| 462(d)(1)(G) | | | | | | | | | | | | | | |
| 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 | | | | | | | | | | | | | | 0 |
| 463(c) | | | | | | | | | | | | | | 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) | | | | | | | | 1 | | | | | | 1 |
| 463(c)(2)(C) | | | | | | | | 1 | | | | | | 1 |
| 463(c)(3) | | | | | | | | | | | | | | 0 |
| 463(c)(3)(A) | | | | | | | | | | | | | | 0 |
| 463(c)(3)(B) | | | | | | | | | | | | | | 0 |
| 463(c)(3)(C) | | | | | | | | | | | | | | 0 |
| 463(d)(2) | | | | | | | | 1 | | | | | | 1 |
| 463(e)(3)(C) | | | | | | | | | | | | | | 0 |
| 463(e)(4) | | | | | | | | | | | | | | 0 |
| 463(e)(5)(C) | | | | | | | | 1 | | | | | | 1 |
| 464(b) | | | | | | | | | | | | | | 0 |
| 468 | | | | | | | | | | | | | | 0 |
| 468(a) | | | | | | | | | | | | | | 0 |
| 468(b) | | | | | | 1 | | | | | | | | 1 |
| 1102 | | | | | | | | | | | | | | 0 |
| 1102(c)(2) | | | | | | | | | | | | | | 0 |
| 1102(c)(5) | | | | | | | | | | | | | | 0 |
| 1103(d)(2) | | | | | 1 | | | | | | | | | 1 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1105.1(d)(1)(A)(i) | | | | | | | | | | | | | 0 |
| 1105.1(d)(1)(A)(iii) | | | | | | | | | | | | | 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 | | | 1 | | | | 3 | 1 | | | | | 5 |
| 1110.2(d)(1) | | | | | | | | | | | | | 0 |
| 1110.2(d)(1)(A) | | | | | | | | | | | | | 0 |
| 1110.2(d)(1)(B) | | | | | | | | | | | | | 0 |
| 1110.2(d)(1)(C) | | | | | 1 | | 1 | | | | | | 2 |
| 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) | | | | | | | | | | | | | 0 |
| 1110.2(f)(1)(A) | | | | | | | | | | | | | 0 |
| 1110.2(f)(1)(E) | | | | | | | | | | | | | 0 |
| 1113(c)(2) | | | | | | | | | | | | | 0 |
| 1113(d)(3) | | | | | | | | | | | | | 0 |
| 1118(d)(1)(2) | | | | | | | | | | | | | 0 |
| 1118(d)(1)(2) | | | | | | | | | | | | | 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)(1) | | | | | | | | | | | | | 0 |
| 1118(g)(3) | | | | | | | 8 | | | | | | 8 |
| 1118(i)(5)(B)(i) | | | | | | | 9 | | | | | | 9 |
| 1118(j)(1)(A)(ii) | | | | | | | 9 | | | | | | 9 |
| 1118(j)(1)(B)(ii) | | | | | | | 9 | | | | | | 9 |
| 1118(j)(1)(C) | | | | | | | | | | | | | 0 |
| 1121(c)(2)(C) | | | | | | | | | | | | | 0 |
| 1121(c)(3) | | | | | | | | | | | | | 0 |
| 1121(c)(6) | | | | | | | | | | | | | 0 |
| 1121(c)(7) | | | | | | | | | | | | | 0 |
| 1121(c)(8) | | | | | | | | | | | | | 0 |
| 1121(e)(3) | | | | | | | | | | | | | 0 |
| 1121(h) | | | | | | | | | | | | | 0 |
| 1121(h)(1) | | | | | | | | | | | | | 0 |
| 1121(h)(2) | | | | | | | | | | | | | 0 |
| 1121(h)(3) | | | | | | | | | | | | | 0 |
| 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) | | | | | | | | | | | | | 0 |
| 1122(e)(4)(A) | | | | | | | | | | | | | 0 |
| 1122(e)(4)(B) | | | | | | | | | | | | | 0 |
| 1122(g)(3) | | | | | | | | | | | | | 0 |
| 1122(j) | | | | | | | | | | | | | 0 |
| 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 |
| 1125(c)(2) | | | | | | | | | | | | | 0 |
| 1128(c)(1) | | | | | | | | | | | | | 0 |
| 1128(c)(2) | | | | | | | | | | | | | 0 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1130 | | | | | | | | | | | | | 0 |
| 1130(c)(1) | | | | | | | | | | | | | 0 |
| 1130(c)(4) | | | | | | | | | | | | | 0 |
| 1131 | | | | | | | | | | | | | 0 |
| 1131(d) | | | | | | | | | | | | | 0 |
| 1132(d)(2) | | | | | | | | | | | | | 0 |
| 1132(d)(3) | | | | | | | | | | | | | 0 |
| 1133(d)(8) | | | | | | | | | | | | | 0 |
| 1133.2(d)(8) | | | | | | | | | | | | | 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)(B) | | | | | | 1 | | | | | | | 1 |
| 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 |
| 1145(c)(1) | | | | | | | | | | | | | 0 |
| 1145(c)(2) | | | | | | | | | | | | | 0 |
| 1145(g)(2) | | | | | | | | | | | | | 0 |
| 1145(h)(1)(E) | | | | | | | | | | | | | 0 |
| 1146 | | | | | | | | | | | | | 0 |
| 1146(c)(3)(A) | | | | | | | | | | | | | 0 |
| 1146(c)(5) | | | | | | | | | | | | | 0 |
| 1146(d)(6) | | | | | | | | | | | | | 0 |
| 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 | | | 1 | | 1 | | | | | | | | 2 |
| 1146.2(c)(1) | | | | | | | | | | | | | 0 |
| 1146.2(c)(3) | | | | | | | | | | | | | 0 |
| 1148.1 | | | | | | | | | | | | | 0 |
| 1150.1 | | | 2 | | | | | | | | | | 2 |
| 1150.1(d)(1)(C)(i) | | | 1 | | 2 | | 1 | | | | | | 4 |
| 1150.1(d)(4) | | | | | | 1 | | | | | | | 1 |
| 1150.1(d)(5) | | | | | | | | | | | | | 0 |
| 1150.1(d)(6) | | | 1 | | | 1 | | | | | | | 2 |
| 1150.1(d)(7) | | | | | | | | | | | | | 0 |
| 1150.1(e) | | | | | | | | | | | | | 0 |
| 1150.1(e)(1) | | | | | | 1 | | | | | | | 1 |
| 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)(B) | | | | | | 1 | | | | | | | 1 |
| 1150.1(e)(3)(C) | | | | | | 1 | | | | | | | 1 |
| 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 | | | | | | | | | | | | | 0 |
| 1151(c)(8) | | | | | | | | | | | | | 0 |
| 1151(2) | | | | | | | | | | | | | 0 |
| 1151(5) | | | | | | | | | | | | | 0 |
| 1151(d)(1) | | | | | | | | | | | | | 0 |
| 1151(e)(1) | | | | | | | | | | | | | 0 |
| 1151(e)(2) | | | | | | | | | | | | | 0 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1151(f)(1) | | | | | | | | | | | | | 0 |
| 1153(c)(1) | | | | | | | | | | | | | 0 |
| 1153(c)(1)(B) | | | | | | | | | | | | | 0 |
| 1158 | 1 | | | | | | | | | | | | 1 |
| 1158(d)(2) | 1 | | | 1 | | | | | | | | | 2 |
| 1158(d)(5) | | | | | | | | | | | | | 0 |
| 1158(d)(7) | | | | | | | | | | | | | 0 |
| 1158(d)(7)(A)(ii) | | | | | | | | | | | | | 0 |
| 1158(d)(10) | 1 | | | | | | | | | | | | 1 |
| 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(h)(2) | | | | | | | | | | | | | 0 |
| 1171 | | | | | | | | | | | | | 0 |
| 1171(c) | | | | | | | | | | | | | 0 |
| 1171(c)(1) | | | | | | | | | | | | | 0 |
| 1171(c)(1)(A)(i) | | | | | | | | | | | | | 0 |
| 1171(c)(1)(b)(i) | | | | | | | | | | | | | 0 |
| 1171(c)(4) | | | | | | | | | | | | | 0 |
| 1171(c)(5) | | | | | | | | | | | | | 0 |
| 1171(c)(5)(A)(i) | | | | | | | | | | | | | 0 |
| 1171(c)(6) | | | | | | | | | | | | | 0 |
| 1173 | | | | | | | | | | | | | 0 |
| 1173(c) | | | | | | | | | | | | | 0 |
| 1173(d) | | 1 | | | | | | | | | | | 1 |
| 1173(e)(1) | | | | | | | | | | | | | 0 |
| 1173(f)(1) | | | | | | | | | | | | | 0 |
| 1173(g) | | 1 | | | | | | | | | | | 1 |
| 1175 | 1 | | | | | | | | | | | | 1 |
| 1175(c)(2) | 1 | | | | | | | | | | | | 1 |
| 1175(c)(4)(B) | 1 | | | | | | | | | | | | 1 |
| 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) | | | | | | | | | | | | | 0 |
| 1175(d)(4)(ii)(II) | | | | | | | | | | | | | 0 |
| 1176 | | | | | | | | | | | | | 0 |
| 1176(e) | | | | | | | | | | | | | 0 |
| 1176(e)(2) | | | | | | | | | | | | | 0 |
| 1176(e)(2)(A) | | | | | | | | | | | | | 0 |
| 1176(e)(2)(A)(ii) | | | | | | | | | | | | | 0 |
| 1176(e)(6)(A) | | | | | | | | | | | | | 0 |
| 1178(d)(1)(A)(xiii) | | | | | | | | | | | | | 0 |
| 1178(d)(1)(A)(xiv) | | | | | | | | | | | | | 0 |
| 1178(d)(1)(C) | | | | | | | | | | | | | 0 |
| 1178(d)(3)(C) | | | | | | | 1 | | | | | | 1 |
| 1178(d)(3)(D) | | | | | | | 1 | | | | | | 1 |
| 1178(d)(3)(E) | | | | | | | 1 | | | | | | 1 |
| 1178(d)(4)(A)(i) | | | | | | | | | | | | | 0 |
| 1186.1 | 1 | | 1 | | | | | | | | | | 2 |
| 1189(c)(2) | | | | | | | | | | | | | 0 |
| 1189(c)(3) | | | | | | | | | | | | | 0 |
| 1195.0 | | | | | | | | | | | | | 0 |
| 1195(d)(1)(D) | | | | | | | | | | | | | 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 |
| 1407(f)(1) | | | | | | | | | | | | | 0 |
| 1415(d)(3) | | | | | | | | | | | | | 0 |
| 1418(d)(2)(A) | | | | | | | | | | | | | 0 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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 | | | | | | | | 1 | | | | | 1 |
| 1469(c) | | | | | | | | | | | | | 0 |
| 1469(c)(8) | | | | | | | | | | | | | 0 |
| 1469(d)(5) | | | | | | | | | | | | | 0 |
| 1469(e)(1) | | | | | | | | | | | | | 0 |
| 1469(e)(2) | | | | | | | | | | | | | 0 |
| 1469(g)(2) | | | | | | | | | | | | | 0 |
| 1469(h) | | | | | | | | | | | | | 0 |
| 1469(I) | | | | | | | | | | | | | 0 |
| 1469(j)(4)(A) | | | | | | | | | | | | | 0 |
| 1469(j)(4)(D) | | | | | | | | | | | | | 0 |
| 1469(k)(3)(A) | | | | | | | | | | | | | 0 |
| 1470 | | | | | | | | | | | | | 0 |
| 1470(c)(2)(C)(iv) | | | | | | | | | | | | | 0 |
| 2004(b)(1) | | | | | | | | | | | | | 0 |
| 2004(b)(4) | | | | | | | | | | | | | 0 |
| 2004(c)(1) | | | | | | | | | | | | | 0 |
| 2004(c)(1)(C) | | | | | | | | | | | | | 0 |
| 2004(f)(1) | 3 | 3 | 2 | 10 | 3 | 3 | 12 | 4 | | | | | 40 |
| 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) | | | | | | | | | | | | | 0 |
| 2011(c)(2)(A) | | | | | | | | | | | | | 0 |
| 2011(c)(3)(A) | | | | | | | | | | | | | 0 |
| 2011(e)(1) | | | | | | | | | | | | | 0 |
| 2011(f)(3) | | | | | | | | | | | | | 0 |
| 2011(g) | | | | | | | | | | | | | 0 |
| 2011(g)(1) | | | | | | | | | | | | | 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 | | | | | | | | | | | | | |
| 2012 Appen. A, Attach. C, Section B.2.a. & 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. 4.A.4 | | | | | | | | | | | | | 0 |
| 2012(c)(2) | | | | | | | | | | | | | 0 |
| 2012(c)(2)(A) | | 1 | | | 1 | | | | | | | | 2 |
| 2012(c)(2)(B) | | 1 | | | | | | | | | | | 1 |
| 2012(c)(3) | | | | | | | | | | | | | 0 |

| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2012(c)(3)(A) | | | | | | | | | | | | | 0 |
| 2012(c)(3)(B) | | | | | | | | | | | | | 0 |
| 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) | | | | | | | | | | | | | 0 |
| 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, Protocol (Appen. A) Chap. 2, Part A.1.a | | 1 | | | | | | | | | | | 1 |
| 2012, Protocol (Appen. A) Chap. 2, Part B.4 | | 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 | | | | | | | | | | | | | 0 |
| 3002(c) | | | | | 2 | | | | | | | | 2 |
| 3002(c)(1) | 1 | 2 | 1 | 4 | 3 | 2 | 5 | 2 | | | | | 20 |
| 3002(c)(2) | | | | | | | | | | | | | 0 |
| Regulation II | | | | | | | 1 | | | | | | 1 |
| Regulation IX | | | | | | | | 1 | | | | | 1 |
| Regulation X | | | 1 | | | | | | | | | | 1 |
| Regulation XI | | | | | | | 1 | | | | | | 1 |
| Regulation XIII | | | | | | | 1 | | | | | | 1 |
| H&S 39152(b) | | | | | | | | | | | | | 0 |
| H&S 41510 | | | | | | | | | | | | | 0 |
| H&S 41700 | | | | | | | | | | | | | 0 |
| H&S 41701 | | | | 3 | | 1 | 1 | | | | | | 5 |

# Report of August 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. Air Liquide Large Industries U.S., LP Case #5705-1 (Engelhardt) | 203(b) 407(a) 2004(f)(1) 3002(c)(1) | Valve malfunctions have caused exceedances of the three-hour CO limit. | Not Opposed/ Dismissed | IV dismissed for lack of good cause. RV originally scheduled for 10/7/08 has been taken off calendar. | N/A |
| 2. Inland Empire Energy Center, LLC Case #5695-3 (C. Engelhardt) | 202(a) 2004(f)(1) 3002(c)(1) | During commissioning of two combined cycle units, petitioner discovered stratification of $NO_x$ emissions in its exhaust stack rendering the CEMS readings unreliable. | Not Opposed/Granted | IV granted commencing 8/7/08 and continuing for 90 days or until the SV hearing currently scheduled for 9/9/08, whichever comes first. | $NO_x$: Up to 226 lbs/total variance period; NH3: Up to 696 lbs/ total variance period |
| 3. Lunday-Thagard Company Case #2033-17 (C. Engelhardt) | 202(b) 203(b) 2004(f)(1) | Petitioner is exceeding the monthly throughput limits on the storage tanks resulting in an excess of VOC emissions. | Not Opposed/Granted | MFCD/EXT granted commencing 8/12/08 and continuing through 11/30/08, the FCD. | VOC: 1 lb/day |
| 4. Providence Holy Cross Medical Center Case #5701-1 (C. Engelhard) | 203(a) | Permits have expired. New permits require BACT for $NO_x$. Petitioner needs time to order and install low $NO_x$ burners on the boiler. | Not Opposed/Denied | RV denied for failure to demonstrate that it was beyond petitioner's reasonable control. | N/A |
| 5. SCAQMD vs. Jesús Perez, individually and dba Dynamic Plating and Oscar Salas, as an individual Case #5703-1 (C. Engelhardt) | 203(a) 1469 | Plating shop is operating without valid permits to operate. | Not Stipulated/Issued | O/A issued commencing 8/19/08 and continuing through 8/30/09. The Hearing Board shall retain jurisdiction over this matter until 8/30/09. | N/A |
| 6. SCAQMD vs. Northview Dairy Case #5702-2 (J. Panasiti) | 203(b) 1110.2 | Respondent operates two ICE's and failed to meet the compliance deadline of June 30, 2008. | Stipulated/Issued | O/A issued commencing 8/19/08 and continuing through 12/15/08. The Hearing Board shall retain jurisdiction over this matter until 12/15/08. | N/A |
| 7. SCAQMD vs. Paramount Petroleum Corporation Case #2914-90 (Consent Calendar Item) (J. Panasiti) | Regulation IX | Respondent's emissions from various refinery gas streams are not vented to the incinerator as required by Reg IX and New Source Performance Standards. | Stipulated/Issued | O/A issued commencing 8/26/08 and continuing through 5/31/09. The Hearing Board shall retain jurisdiction over this matter until 5/31/09. | N/A |

| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
|---|---|---|---|---|---|
| 8. SCAQMD vs. Paramount Petroleum Corporation Case #2914-91 (Consent Calendar Item) (J. Panasiti) | 202(b) 203(b) 2004(f)(1) | Respondent's Clean Fuel Project valves are not leakless type required by the permit condition. | Stipulated/Issued | O/A issued commencing 8/26/08 and continuing through 5/31/09. The Hearing Board shall retain jurisdiction over this matter until 5/31/09. | N/A |
| 9. SCAQMD vs. Warren E & P, Inc. Case #5649-2 (E. Sernel) | 203(b) | Respondent is operating six microturbines in conjunction with a flare. Microturbines are exceeding the heat input rate limits. | Stipulated/Issued | O/A issued commencing 8/14/08 and continuing through 7/1/09. The Hearing Board shall retain jurisdiction over this matter until 7/1/09. | N/A |

### *Acronyms*

BACT: Best Available Control Technology
CEMS: Continuous Emissions Monitoring System
CO:  Carbon Monoxide
EV:  Emergency Variance
EVR:  Enhanced Vapor Recovery
FCD:  Final Compliance Date
ICE:  Internal Combustion Engine
IV:  Interim Variance
MFCD/EXT:  Modification Final Compliance Date/Extension
MOD. O/A:  Modification Order for Abatement
N/A: Not Applicable
NH3:  Ammonia
NMOC: Non-Methane Organic Compounds
NOx: Oxides of Nitrogen
O/A:  Order for Abatement
RV:  Regular Variance
SCR:  Selective Catalytic Reduction Unit
SV:  Short Variance
VOC:  Volatile Organic Compound
TBD:  T o be determined