

BOARD MEETING DATE: April 7, 2017

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2017.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DG

Two summaries are attached: **February 2017 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2017**. An Index of District Rules is also attached.

The total number of appeals filed during the period February 1 to February 28, 2017 is 1; and total number of appeals filed during the period of January 1 to February 28, 2017 is 1.

Report of February 2017 Hearing Board Cases

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Chevron Products Company Case No. 831-385 (N. Sanchez)	203(b) 2004(f)(1) 2011(c)(2) 3002(c)(1)	Total sulfur analyzer required under RECLAIM failed.	Not Opposed/Granted	EV granted commencing 2/9/17 and continuing through 3/1/17.	None
2. Johanson Dielectrics, Inc. Case No. 6010-2 (V. Tyagi)	203(b) 442 3002(c)(1)	Catalytic oxidizer experienced a sudden breakdown, which rendered the unit non-operational. Consequently, casting machines cannot be vented to required air pollution control equipment.	Not Opposed/Granted	Ex Parte EV granted commencing 2/23/17 and continuing through 3/14/17, or until the EV hearing currently scheduled for 2/28/17, whichever comes first.	VOC: 82 lbs/day
3. Johanson Dielectrics, Inc. Case No. 6010-2 (V. Tyagi)	203(b) 442 3002(c)(1)	Catalytic oxidizer experienced a sudden breakdown, which rendered the unit non-operational. Consequently, casting machines cannot be vented to required air pollution control equipment.	Not Opposed/Granted	EV granted commencing 2/28/17 and continuing through 3/14/17.	VOC: 82 lbs/day
4. Los Angeles City, Sanitation Bureau Hyperion Treatment Plant Case No. 1212-35 (M. Reichert)	202(a) 1147(c) 3002(c)(1)	Thermal oxidizer for treating waste gas failed to meet NOx limits during commissioning.	Not Opposed/Granted	IV granted commencing 2/2/17 and continuing for 90 days or until the RV hearing currently scheduled for 3/14/17, whichever comes first.	NOx: 13.2 lbs/day
5. S & S Service Station, Inc. dba Freeway Chevron Case No. 5288-2 (R. Fernandez Laity)	461(e)(3)	GDF failed vapor recovery test.	Not Opposed/Granted	Ex Parte EV granted commencing 2/8/17 and continuing for 30 days or until the EV hearing currently scheduled for 2/15/17, whichever comes first.	None

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. San Bernardino County, Fleet Management Department Case No. 6070-1 (N. Sanchez)	203(b)	Diesel-powered generators used in excess of annual permit limit due to weather caused power outages.	Not Opposed/Granted	IV granted commencing 2/9/17 and continuing for 90 days or until the RV hearing currently scheduled for 3/21/17, whichever comes first.	NOx: 0.5 lb/hr CO: 0.2 lb/hr RHC: 0.02 lb/hr PM: 0.03 lb/hr
7. SCAQMD vs. Aerocraft Heat Treating Co., Inc.; Anaplex Corp.; and Does 1-100 Case No. 6066-1 (W. Wong)	402 H&S §41700	Respondent seeks review of District enforcement of O/A condition.	Opposed/No Decision	The Board has no authority for Ex Parte Motion for Review of Implementation by the District of the Stipulated O/A as requested by Aerocraft on 2/17/17.	N/A
8. SCAQMD vs. Los Angeles County Probation Department; Camp Kilpatrick Treatment Plant; Dorothy Kirby Center Case No. 6025-2 (N. Feldman)	1470(c)(3)(C)(iii)	Operating noncompliant diesel-powered generators within 100 meters of a juvenile detention facility.	Stipulated/Issued	Mod. O/A issued commencing 2/21/17 and continuing through 6/30/17. The Hearing Board shall retain jurisdiction over this matter until 8/25/17.	N/A
10. SCAQMD vs. Torrance Refining Company LLC Case No. 6060-5 (D. Hsu & K. Manwaring)	402 H&S §41700	Upgrade power supply system to reduce outages resulting in flaring.	Stipulated/Issued	O/A issued commencing 2/16/17; the Hearing Board shall retain jurisdiction over this matter until compliance with the terms of this Order is achieved.	N/A
11. SCAQMD vs. Waste Management Recycling and Disposal Services of California, Inc. Case No. 3824-14 (N. Feldman)	203(a) 3002(a)	Respondent operating multiple green waste grinders without permit.	Stipulated/Issued	O/A issued commencing 2/2/17; the Hearing Board shall retain jurisdiction over this matter until 3/30/18.	N/A

Acronyms

CEMS: Continuous Emissions Monitoring System
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
GDF: Gasoline Dispensing Facility
H&S: Health & Safety Code
ICE: Internal Combustion Engine

IV: Interim Variance
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
Mod. O/A: Modification of Order for Abatement
NOx: Oxides of Nitrogen
O/A: Order for Abatement
RV: Regular Variance
Volatile Organic Compounds (VOC)

Rules from which Variances and Orders for Abatement were Requested in 2017														
	2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
# of HB Actions Involving Rules														
202(a)			1											1
203(a)		1	1											2
203(b)		6	4											10
402		2	2											4
442			2											2
461(e)(3)			1											1
1110.2		1												1
1110.2(d)(1)(B), Table II		1												1
1147		1												1
1147(c)			1											1
1176(e)(3)		1												1
1176(f)(3)		1												1
1470(c)(3)(C)(iii)			1											1
2004(f)(1)		6	1											7
2011(c)(2)			1											1
3002(a)			1											1
3002(c)(1)		3	4											7
H&S 41700		2	2											4

**DISTRICT RULES AND REGULATIONS INDEX
FOR FEBRUARY 2017 HEARING BOARD REPORT**

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 402 Nuisance
Rule 442 Usage of Solvents
Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
Rule 1147 NOx Reductions from Miscellaneous Sources
Rule 1176 Sumps and Wastewater Separators

REGULATION XIV – TOXICS

Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Ignition Engines

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements
Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (Sox) Emissions

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements
Rule 3003 Applications

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges