

BOARD MEETING DATE: January 5, 2024

AGENDA NO. 5

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 31, 2023.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Cynthia Verdugo-Peralta  
Hearing Board Chair

ft

---

Attached are the following two summaries: **November 2023 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested in 2023**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of November 1 to November 31, 2023.

## Report of November 2023 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Verizon Wireless Case No. 6139-7 (Consent Calendar)	203(b)	During a routine visit petitioner discovered, an issue w/the router communicating alarms for the facility, causing the generator to run intermittently until it ran out of fuel.	Not Opposed/Granted	RV granted commencing 11/2/23 and continuing through 12/31/23, the FCD.	NOx: 0.7 lb/hr CO: 0.17 lb/hr VOC: 0.02 lb/hr PM: 0.03 lb/hr
2. County of San Bernardino – Fleet Management Case No. 6070-11 (Consent Calendar)	203(b)	Southern California Edison outages caused loss of power resulting in the ICE to run beyond their annually allotted 200 hours.	Not Opposed/Granted	SV granted commencing 11/16/23 and continuing through 12/31/23.	NOx: 1.5 g/bhp-hr CO: 2.0 g/bhp-hr RHC: 1.5 g/bhp-hr
3. Shadow Wolf Energy, LLC Case No. 6244-1 (Consent Calendar)	203(b) 218.1 2004(f)(1) 2012(c)(2)(B) 3002(c)(1)	Petitioner will be unable to perform RATA test on turbine #2, by 09/30/23, due to blade problems, causing them to be out of compliance.	Not Opposed/Granted	RV granted commencing 11/16/23 and continuing through 6/1/24, the FCD.	None
4. Torrance Refining Company Case No. 6060-18 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	Requesting change to Variance and AOC Cond. 7, due to unexpected transport delay of necessary replacement equipment for Flare 65F-3 maintenance.	Not Opposed/Granted	Modification of a variance granted to modify Condition No. 7 of the SV & AOC granted on 9/19/23, to extend the Flare 65F-3 maintenance work to a consecutive 34-day period between 10/16/23 and 11/20/23.	None

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
5. Torrance Refining Company Case No. 6060-18 (S.Hanizavareh)	202(a) 203(b) 2004(f)(1) 2011 2012 3002(c)(1)	Requesting change to Variance and AOC Cond. 7, due to unexpected transport delay of necessary replacement equipment for Flare 65F-3 maintenance.	Not Opposed/Granted	Ex Parte EV and AOC granted commencing 11/30/23 and continuing through 12/30/23.	None

**Acronyms**

AOC: Alternative Operating Condition  
CO: Carbon Monoxide  
EV: Emergency Variance  
FCCU: Fluid Catalytic Cracking Unit  
FCD: Final Compliance Date  
ICE: Internal Combustion Engine  
NOx: Oxides of Nitrogen  
PM: Particulate Matter  
RATA: Relative Accuracy Test Audit  
RHC: Reactive Hydrocarbons  
RV: Regular Variance  
SV: Short Variance  
VOC: Volatile Organic Compound

**Rules from which Variances and Orders for Abatement were Requested in 2023**

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(a)								1			1		2
202(c)								1					1
203(b)	2	7	16	4	7	9	4	9	6	5	5		74
204									1				1
218(b)(2)			1			2							3
218.1										1	1		2
218.1(b)(4)(C)			1			2							3
401(b)(1)								2					2
402	1					1	1		1				4
407(a)								1					1
415(f)				1									1
415(g)				1									1
431.1(c)(2)					3								3
431.1(f)(1)(A)					2								2
461(e)(2)(A)(i)				1									1
461(e)(6)(C)										1			1
463(c)									1				1
463(c)(2)(B)		1											1
464(b)(1)(A)					1								1
464(b)(2)					1								1
464(b)(3)					1								1
1100									1				1
1100(e)(2)(A)	1	2											3
1100(e)(2)(B)			2										2
1100(e)(3)(A)			1										1
1110.2		1							1				2
1128							1						1
1146									1				1
1146(c)(1)			1				1						2
1146(c)(1)(I)			1										1
1146(c)(1)(J)	1	2											3
1146(e)(1)			2				1						3
1147							1						1
1148.1(d)(8)									1				1

**Rules from which Variances and Orders for Abatement were Requested in 2023**

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1150.1						1		1					2
1173(d)(1)(B)									1				1
1176(e)(1)					1								1
1176(e)(2)					1								1
1178(d)(3)(D)		1											1
1196					1								1
1196(d)									1				1
1196(d)(1)						1	1	1					3
1196(e)									1				1
1196(f)(8)(a)								1					1
1196(f)(10)								1					1
1303(a)(1)									1				1
1303(b)(1)						1		1					2
1302(b)(2)						1		1	1				3
1430(h)(14)								2					2
1470(c)(2)(C)(i)								1					1
1470(c)(4)A)	1						1						2
2004									1				1
2004(b)								1					1
2004(f)(1)		4	3	1	1	2	1	6	2	1	3		24
2005								1					1
2006								1					1
2011											1		1
2012									1		1		2
2012(c)(2)(B)										1	1		2
2012(d)(1)(a)(ii)								1					1
2012(d)(2)		1											1
3002(c)(1)		5	3	1	4	5	1	6	2	1	3		31
CA H&S Code 41700							1		1				2
CA H&S Code 41701								2					2

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2023 HEARING BOARD CASES AS OF NOVEMBER 31, 2023**

**REGULATION II – PERMITS**

Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 218	Continuous Emission Monitoring
Rule 218.1	Continuous Emission Monitoring Performance Specifications

**REGULATION IV – PROHIBITIONS**

Rule 401	Visible Emissions
Rule 402	Nuisance
Rule 407	Liquid and Gaseous Air Contaminants
Rule 415	Odors from Rendering Facilities
Rule 431.1	Sulfur Content of Gaseous Fuels
Rule 461	Gasoline Transfer and Dispensing
Rule 463	Organic Liquid Storage
Rule 464	Wastewater Separators

**REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

Rule 1100	Implementation Schedule for NO <sub>x</sub> Facilities
Rule 1110.2	Emissions from Gaseous- and Liquid-Fueled Engines
Rule 1128	Paper, Fabric, and Film Coating Operations
Rule 1146	Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1147	NO <sub>x</sub> Reductions from Miscellaneous Sources
Rule 1150.1	Control of Gaseous Emissions from Municipal Solid Waste Landfills
Rule 1176	VOC Emissions from Wastewater Systems
Rule 1178	Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
Rule 1196	Clean On-Road Heavy-Duty Public Fleet Vehicles

**REGULATION XIII – NEW SOURCE REVIEW**

Rule 1303 Requirements

**REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

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

**REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004 Requirements

Rule 2005 New Source Review for RECLAIM

Rule 2006 Permits

Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions

**REGULATION XXX – TITLE V PERMITS**

3002 – Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

§41700 Prohibited Discharges

§41701 Restricted Discharges