

BOARD MEETING DATE: September 6, 2024

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of July 1 through July 31, 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Micah Ali
Hearing Board Chair

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Attached are the following summaries: **July 2024 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested from January 1, 2024 through July 31, 2024.** The applicable South Coast AQMD Rules for 2024 are also attached.

There were no appeals filed during the period of July 1, 2024 to July 31, 2024.

Report of July 2024 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. Beta Offshore Operating, LLC Case No. 5855-7 (Consent Calendar)	203(b) 1100(d)(1)(B) 1110.2(d), 1110.2(e)(2), 1110.2(e)(4), 1110.2(e)(10), 1110.2(f)(1)(C) 1110.2(F)(1)(D) 1134(d)(3), 1134(e)(2) 1134(e)(3), 2004(f)(1) 2012 3002(c)(1)	Beta's equipment continues to be out of compliance because of the interruption in operations triggered by the third-party anchor dragging and pipeline rupture.	Not Opposed/Granted	Modified Variance Condition #5 to allow an additional 60 days (to 8/29/24) for retrofitting the first Centaur turbine; and an additional 30 days (9/29/24) for retrofitting the second Centaur turbine.	None
2. Bowerman Power LFG, LLC Case No. 6088-2 (K. Roberts and S. Shaw)	203(b) 2004(f)(1) 3002(c)(1)	High Inlet Sulfur levels contributed to the high PM emissions.	Not Opposed/Granted	IV granted commencing 7/18/24 and continuing until the RV hearing currently scheduled for 8/29/24.	PM: 36 lbs/day
3. County of Los Angeles – Internal Services Department Case No. 6127-7 (N. Dwyer and E. Torres-Callejas)	203(b) 1420(f)(1)	The variance was sought as a result of a site generator running from May 13, 2024 – May 21, 2024 due to a planned outage/infrastructure upgrade by Edison.	Not Opposed/Granted	RV granted commencing 7/9/24 and continuing through 12/31/24.	HC: 4.39 lbs/day NOx: 183.36 lbs/day CO: 17.97 lbs/day PM: 2.99 lbs/day

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
4. EMD Specialty Materials, LLC Case No. 6260-1 (N. Dwyer and E. Torres-Callejas)	203(b) 1147(d)(1)(a) 3002(c)(1)	A regular variance was sought to provide relief from NOx emission limits during the period for which the defective burner was being operated prior to it being replaced.	Not Opposed/Granted	IV granted commencing 7/9/24 and continuing until the RV hearing currently scheduled for 8/13/24.	NOx: 1.3 lbs./day
5. South Coast AQMD vs. Baker Commodities, Inc. Case No. 6223-1 (D. Hsu and N. Dwyer)	415(f) 415(g) 2004(f)(1) 3002(c)(1)	Respondent requested to modify the June 21, 2023 Modified Order for Abatement ("First Modified Order for Abatement") to allow the facility to operate as a collection center for the receipt and short-term storage of raw rendering material within a Permanent Total Enclosure before transportation of the material offsite to a licensed rendering or processing facility	Not Stipulated/Issued	Second Modified O/A issued commencing 7/2/24 and continuing until the Status Report/Mod O/A hearing currently scheduled for 10/24/24.	N/A
6. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-40 (E. Chavez)	402 H&S §41700	Respondent requested a variance relative to the use of primary clarifiers, specifically the D battery, at the Hyperion Water Reclamation Plant.	Stipulated/Modified	Status Report given, Mod. O/A issued commencing 7/31/24 and continuing to 1/3/25. The Hearing Board shall retain jurisdiction over this matter until 1/3/25.	N/A

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
7. Thermal Solutions Manufacturing, Inc. Case No. 6255-3 (Consent Calendar)	203(b) 1420(f)(1)	The petitioner sought a regular variance because the Lead Pot Furnace was source tested and results indicated the device was emitting lead at a rate exceeding the applicable Rule 1420 lead emission standard.	Not Opposed/Granted	RV granted commencing 7/9/24 and continuing through 5/20/25.	Lead: 0.00189 lb/day
8. 3M Healthcare US OPCO, LLC Case No. 6256-2 (J. Lee)	203(b) 1147	The petitioner sought a Stipulated Order for Abatement to require respondent to demonstrate compliance with rules and regulations and expedited submission of permit applications and source test protocols(s).	Stipulated/Issued	OA issued commencing 7/31/24 and continuing through 1/17/25. The Hearing Board shall retain jurisdiction over this matter until 1/17/25 or until Respondent has fully complied with the terms of this Order, whichever occurs later.	N/A

Acronyms

CO: Carbon Monoxide

HC: Hydrocarbons

IV: Interim Variance

Mod. O/A: Modification Order for Abatement

N/A: Not Applicable

NOx: Oxides of Nitrogen

OA: Order for Abatement

RV: Regular Variance

SV: Short Variance

Rules from which Variances and Orders for Abatement were Requested in 2024

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(b)					1								1
203(b)	7	8	8	6	5	2	6						42
204					1								1
218(b)(2)						1							1
218.1(b)(4)(c)						1							1
402	2		1	1	1		1						6
415(f)							1						1
415(g)							1						1
431.1(c)(2)	1	1		1									3
463(c)					1								1
464(b)(1)(A)				1									1
464(b)(2)				1									1
464(b)(3)				1									1
1100(d)(1)(B)							1						1
1105.1(e)(2)(A)	1	1	1										3
1105.1(e)(2)(E)	1	1											2
1110.2(d)							1						1
1110.2(e)(2)							1						1
1110.2(e)(4)							1						1
1110.2(e)(10)							1						1
1110.2(f)(1)(C)							1						1
1110.2(F)(1)(D)							1						1
1124(c)(1)		1											1
1124(c)(4)		1											1
1128					1								1
1134(d)(3)	1						1						2
1134(e)(2)							1						1
1134(e)(3)							1						1
1134(e)(2)(C)	1												1
1134(e)(2)(C)(iii)			2										2
1146(c)(1)		1											1
1146(e)(1)		1											1
1147					1		1						2

Rules from which Variances and Orders for Abatement were Requested in 2024

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1147(d)(1)(a)							1						1
1147(h)(13)(A)				1	1								2
1148.1(d)(8)					1								1
1150(b)(2)			1	1									2
1150.1(e)(2)(A)			1										1
1150.1(e)(2)(E)			1										1
1150.1(f)(2)(A)	1												1
1173(d)(1)(B)					1								1
1173(g)(1)			1										1
1176(e)(1)				1									1
1176(e)(2)				1									1
1196(d)(1)						1							1
1303(a)(1)					1								1
1303(a)(2)					1								1
1420(f)(1)					1		2						3
1470(c)(4)(A)	1												1
2004(f)(1)	5	5	4	3	3	2	3						25
2005					1								1
2012							1						1
2012(c)(3)(A)					1								1
3002(c)				1	1								2
3002(c)(1)	7	7	4	3	2	2	4						29
CA H&S Code 41700	1		1	1	1		1						5

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2024 HEARING BOARD CASES AS OF JULY 31, 2024**

REGULATION II – PERMITS

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 204 Permit Conditions

REGULATION IV – PROHIBITIONS

- Rule 402 Nuisance
- Rule 415 Odors from Rendering Facilities
- Rule 431.1 Sulfur Content of Gaseous Fuels
- Rule 463 Organic Liquid Storage
- Rule 464 Wastewater Separators

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- Rule 1100 Implementation Schedule for NO_x Facilities
- Rule 1105.1 Reduction of PM₁₀ and Ammonia Emissions from Fluid Catalytic Cracking Units
- Rule 1110.2 Emissions from Stationary Internal Combustion Engines
- Rule 1124 Aerospace Assembly and Component Manufacturing Operations.
- Rule 1128 Paper, Fabric, and Film Coating Operations
- Rule 1134 Emissions of Oxides of Nitrogen from Stationary Gas Turbines
- Rule 1146 Emissions of Oxides of Nitrogen (NO_x) from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters
- Rule 1147 NO_x Reductions from Miscellaneous Sources
- Rule 1148.1 Oil and Gas Production Wells
- Rule 1150 Excavation of Landfill Sites
- Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills
- Rule 1173 Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
- Rule 1176 VOC Emissions from Wastewater Systems
- 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 1420 Emissions Standard for Lead

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 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX – TITLE V PERMITS

3002 – Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges