



South Coast Air Quality Management District

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BOARD MEETING DATE: April 2, 2004

AGENDA NO. 18

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 29, 2004.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

EC:RJ

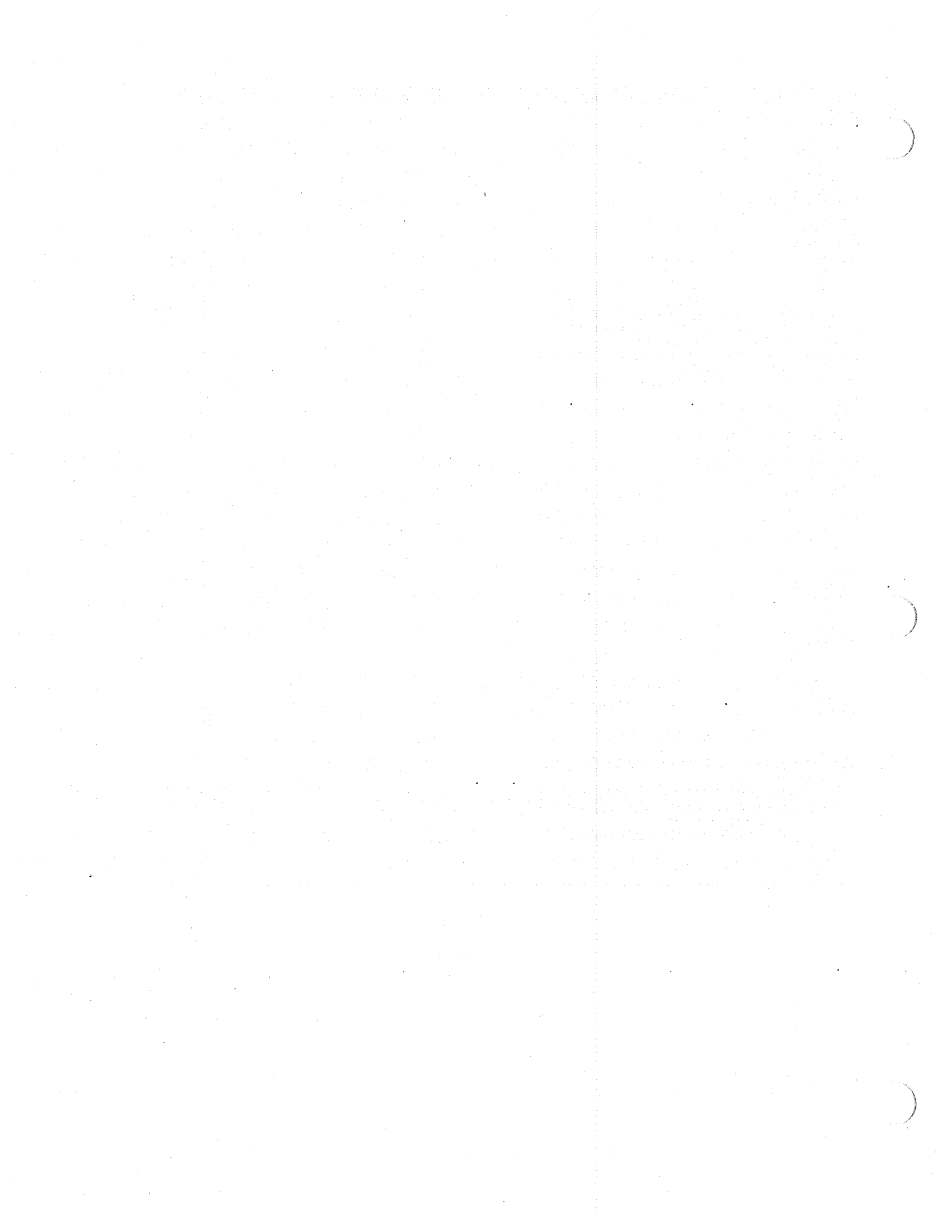
Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2004** and **February 2004 Hearing Board Cases**.

The total number of appeals filed during the period February 1 to February 29, 2004 is 1, and the total number of appeals filed during the period of January 1 to February 29, 2004 is 5.

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	2004	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
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)													2	2		
2011(c)(2)(A)														0		
2011(c)(3)(A)														0		
2011(e)(1)													2	2		
2011(f)(3)														0		
2011(g)														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 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, Sec. B.2														0		
2012 Appen. A, Attach. C, Chap. 2, Sec. 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. 2, Sec. E														0		
2012(c)(2)													2	2		
2012(c)(2)(A)													1	1		
2012(c)(2)(B)														0		
2012(c)(3)														0		
2012(c)(3)(A)													1	1		
2012(c)(3)(B)														0		
2012(c)(10)														0		
2012(d)(2)													1	1		
2012(d)(2)(A)														0		
2012(d)(2)(D)														0		
2012(e)(2)(B)													1	1		
2012(g)(1)													1	2		
2012(g)(3)														0		
2012(h)(3)														0		
2012(h)(4)														0		
2012(h)(5)														0		
2012(h)(6)													1	1		
2012(i)													1	1		
2012(j)(1)													1	1		
1.0													1	1		
2012(m)													1	1		
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. 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)														1		
2012(m) Appen. A., Chap 5, Para G, Table 5B and Att. D														1		
3002(c)(1)													3	1		
H&S 41700														0		
H&S 41701													3	1		



Report of February 2004 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. BP West Coast Products, LLC Case #5357-11 (B. Theis)	203(b) 2004(f)(1)	Petitioner must temporarily store VOCs in tank that is not permitted to accept materials with excess vapor pressure due to plugging of line to tank that can accept such materials.	Opposed/Granted	Ex parte variance granted commencing 2/20/04 and continuing through 2/27/04 or until the EV hearing currently scheduled for 2/24/04, whichever comes first.	None
2. Chevron Products Company Case #831-320 (B. Theis)	203(b)	Anchor bolts unexpectedly sheared off of compressor serving air pollution control system. Petitioner seeks to continue fuel loading while using a temporary emission control system.	Not Opposed/Granted	Ex parte variance granted commencing 2/24/04 and continuing through 2/26/04, the FCD.	CO 4.2 lbs/day NOx 6 lbs/day VOC 9.4 lbs/day
3. Equilon Enterprises, LLC Case #4982-39 (Consent Calendar)	203(b) 401(b)(1) 2004(f)(1)	Petitioner must shut down ESP in order to install equipment to monitor current and voltage, and seeks to operate FCCU with one ESP out of service contrary to permit conditions.	Not Opposed/Granted	SV granted commencing on the date specified in the notice to be given pursuant to Condition No. 5 and shall terminate 48 hours thereafter. The 48 hours shall occur between February 12, 2004 and February 26, 2004.	Opacity up to 80%
4. ExxonMobil Oil Corporation Case #1183-377 (C. Engelhardt)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2012(c)(2) 2012(g)(1)	Petitioner must bypass emission control SCR while it shuts down a heater for emergency repair.	Not Opposed/Granted	Ex parte variance granted commencing 2/20/04 and continuing for 30 days or until the EV hearing currently scheduled for 2/24/04, whichever comes first.	NOx to be determined
4. ExxonMobil Oil Corporation Case #1183-377 (C. Engelhardt)	203(b) 2004(f)(1) 2011(c)(2) 2011(e)(1) 2012(c)(2) 2012(g)(1)	Petitioner must bypass emission control SCR while it shuts down a heater for emergency repair.	Not Opposed/Granted	EV granted commencing 2/24/04 and continuing through 3/3/04, the FCD.	NOx 125.4 lbs/total SO ₂ 557.1 lbs/total CO 8.36 lbs/total PM 222.8 lbs/total HC 2.5 lbs/total
5. La Puente Petroleum Case #5456-1 (E. Sernel)	203(b) 461(e)(2)(A)(i)	Gasoline dispensing facility failed pressure decay test and seeks to continue operating while repairs are made.	Not Opposed/Granted	Ex parte variance granted commencing 2/25/04 and continuing for 30 days or until the EV hearing currently scheduled for 3/2/04, whichever comes first.	ROG 3 lbs/day

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6. OLS Energy-Chino Case #3149-9 (B. Theis)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must operate standby boilers beyond time limit imposed by permit conditions because SCE must perform maintenance on interconnect substation.	Not Opposed/Granted	SV granted commencing 2/18/04 and continuing through 5/18/04, the FCD.	CO 104 lbs/day NOx 462 lbs/day PM10 32 lbs/day SOx 28 lbs/day VOC 35 lbs/day
7. SCAQMD vs. City of Banning Case #5444-1 (C. Engelhardt)	203(a)	City installed equipment without permit to construct and has been operating same without a permit to operate. Equipment cannot be issued permit because flare does not meet BACT requirements.	Stipulated/Issued	O/A issued commencing 2/3/04 and continuing through 10/29/04. The Board shall retain jurisdiction over this matter until 10/29/04.	
8. SCAQMD vs. Community Recycling & Resource Recovery, Inc. Case #5390-1 (E. Sernel)	402 H&S §41701	Status report on O/A requiring control of dust and odor from recycling operation.	Stipulated/Issued	Mod. O/A issued commencing 2/26/04 and continuing through 3/31/05. The Board shall retain jurisdiction over this matter until 3/31/05.	
9. SCAQMD vs. Freshtex California Case #5441-2 (A. Shultz)	202(a)	Respondent operates a boiler emitting NOx in excess of permit limit.	Not Stipulated/Issued	O/A issued commencing 2/19/04 and continuing through 4/19/04. The Board shall retain jurisdiction over this matter until 4/19/04.	
10. SCAQMD vs. Hampton Distribution Companies dba Lane Stanton Vance Lumber Company and Custom Mills Case #5443-2 (C. Engelhardt)	1137	Respondent operates two woodworking facilities that emit visible emissions from cyclones and must install baghouse.	Stipulated/Issued	O/A issued commencing 2/25/04 and continuing through 11/1/04. The Board shall retain jurisdiction over this matter until 11/15/04.	
11. SCAQMD vs. Richard Hurtado, individually and dba Priority Auto Body & Collision Center Case #5439-1 (C. Engelhardt)	203(a)	Respondent operates a paint spray booth without a permit to operate, has refused to apply for a permit and has failed to maintain records as required by Rule 109.	Not Stipulated/Issued	O/A issued commencing 2/12/04 and continuing through 12/31/04. The Board shall retain jurisdiction over this matter until 12/31/04.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
12. SCAQMD vs. Ultramar, Inc. dba Valero Wilmington Refinery Case #3845-53 (N. Feldman)	203(b) 2004(f)(1)	Respondent must reroute sulfur gases to new control equipment in order to comply with EPA interpretation of District Regulation IX and 40CFR Part 60, Subpart J.	Stipulated/Issued	O/A issued commencing 2/25/04 and continuing through 12/31/05. The Board shall retain jurisdiction over this matter until 12/31/05.	
13. Ultramar Inc. dba Valero Wilmington Refinery Case #3845-54 (A. Shultz)	203(b) 2004(f)(1)	Petitioner must flare excess gases contrary to permit requirements during major maintenance turnaround at its refinery.	Not Opposed/Granted	SV granted commencing upon the date specified in the notice to be given pursuant to Condition No. 1. The variance shall apply to the equipment, rules, and time periods specified in amended Exhibit No. 1. The variance shall terminate in 90 days or upon notification as set forth in Condition No. 6, whichever comes first.	None

Key to Acronyms

- EV: Emergency Variance
- FCD: Final Compliance Date
- H&S: Health & Safety Code
- IA: Interim Authorization
- IV: Interim Variance
- MFC/D/EXT: Modification of a Final Compliance Date and Extension of a Variance
- O/A: Order for Abatement
- RV: Regular Variance
- SV: Short Variance
- TBD: To be determined

