

BOARD MEETING DATE: June 3, 2005

AGENDA NO. 20

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2005.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

EC:RJ

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2005** and **April 2005 Hearing Board Cases**.

The total number of appeals filed during the period April 1 to April 30, 2005 is 1, and the total number of appeals filed during the period of January 1 to April 30, 2005 is 4.



	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
461(e)(2)(A)(i)														0		
461(e)(2)(B)(i)														0		
461(e)(2)(C)														0		
461(e)(3)														0		
461(e)(4)														0		
461(e)(5)														0		
461(e)(7)														0		
462(c)(1)(A)(ii)														0		
462(c)(1)(E)														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)(ii)														0		
462(d)(1)(C)														0		
462(d)(1)(E)(ii)														0		
462(d)(1)(F)														0		
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(c)														0		
463(c)(1)(A)														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)(3)														0		
463(c)(3)(A)														0		
463(c)(3)(B)														0		
463(c)(3)(C)														0		
463(d)(2)														0		
463(e)(3)(C)														0		
463(e)(4)			2											2		
464(b)(1)														0		
468														0		
468(a)														0		
468(b)														0		
475(b)														0		
1102(c)(2)					1									1		
1104(c)(1)														0		
1106(c)(1)														0		
1106.1(c)(1)														0		
1106.1(c)(1)(A)														0		
1107(c)(1)		1												1		
1107(c)(2)		1												1		
1107(d)														0		
1110.1														0		
1110.2			1											1		
1110.2(d)(1)														0		
1110.2(d)(1)(A)		2												2		
1110.2(d)(1)(B)		3												3		
1110.2(d)(1)(C)		2		1										3		
1110.2(e)(1)(A)														0		
1110.2(e)(1)(B)(i)(II)		2		1										3		
1110.2(e)(1)(B)(i)(III)		2												2		
1110.2(e)(1)(B)(ii)														0		
1110.2(f)(1)(A)		2		1										3		
1110.2(f)(1)(B)		2												2		
1110.2(f)(1)(E)														0		
1113(c)(2)														0		
1118(d)														0		
1118(d)(1)(2)														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1118(d)(1)(3)														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(f)														0		
1121														0		
1122(c)(2)(A)														0		
1122(c)(2)(E)														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)(4)(A)														0		
1122(e)(4)(B)														0		
1122(g)(3)														0		
1124														0		
1124(c)(1)(A)														0		
1124(c)(1)(E)														0		
1124(c)(4)														0		
1125(c)(1)														0		
1128(c)(1)				1										1		
1128(c)(2)														0		
1130														0		
1130(c)(1)			1		1									2		
1131														0		
1130(c)(4)			1		1									2		
1132(d)(2)														0		
1132(d)(3)														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)(C)														0		
1135(c)(4)														0		
1135(c)(4)(D)														0		
1135(e)														0		
1137														0		
1137(d)(2)				1										1		
1145(c)(2)														0		
1145(c)(6)														0		
1145(h)(1)(E)														0		
1145(h)(1)(E)														0		
1146														0		
1146(c)(3)(A)														0		
1146(c)(5)			1	1										2		
1146.1														0		
1146.1(c)(1)														0		
1146.1(c)(2)(B)														0		
1146.1(c)(3)														0		
1146.1(e)(1)(B)														0		
1146.2														0		
1146.2(c)(1)														0		
1146.2(c)(3)														0		
1150.1														0		
1150.1(d)(1)(C)(i)														0		
1150.1(d)(4)			1		1	1								3		
1150.1(d)(5)			1											1		
1150.1(d)(6)			1											1		
1150.1(d)(7)														0		
1150.1(e)														0		
1150.1(e)(1)														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1150.1(e)(2)														0		
1150.1(e)(3)														0		
1150.1(e)(1)(C)					1									1		
1150.1(e)(2)(C)														0		
1150.1(e)(3)(C)														0		
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(c)(1)(B)														0		
1151(c)(8)														0		
1151(2)														0		
1151(5)														0		
1151(d)(1)														0		
1151(e)(1)														0		
1151(e)(2)														0		
1151(f)(1)														0		
1153.0														0		
1153(c)(1)(B)														0		
1158														0		
1158(d)(2)														0		
1158(d)(5)														0		
1158(d)(7)														0		
1158(d)(7)(A)(ii)														0		
1158(d)(8)														0		
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(c)(2)														0		
1171					1									1		
1171(c)(1)		1	1	2										4		
1171(c)(1)(A)(i)														0		
1171(c)(1)(b)(i)														0		
1171(c)(4)		1		2										3		
1171(c)(5)														0		
1171(c)(5)(A)(i)														0		
1171(c)(6)														0		
1173(c)														0		
1173(d)(1)														0		
1173(d)(1)(D)														0		
1173(d)(1)(D)(iii)														0		
1173(f)(1)														0		
1173(g)(1)														0		
1175(c)(2)		1	1	2										4		
1175(c)(4)(B)			1											1		
1175(c)(4)(B)(i)				1										1		
1175(c)(4)(B)(ii)														0		
1175(c)(4)(B)(ii)(I)				1										1		
1175(c)(4)(B)(ii)(II)		1		1										2		
1176(e)(1)														0		
1176(e)(2)														0		
1176(e)(2)(B)														0		
1176(e)(3)(A)														0		
1176(e)(6)														0		
1178(d)(1)(B)														0		
1189(c)(1)														0		
1189(c)(3)														0		
1193(d)(1)(B)														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		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1407(d)(4)														0		
1407(f)(1)														0		
1415(d)(3)														0		
1418(d)(2)(A)														0		
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														0		
1469(c)														0		
1469(c)(2)														0		
1469(d)(1)														0		
1469(e)(1)														0		
1469(e)(2)														0		
1469(h)														0		
1469(l)														0		
1189(c)(3)														0		
2004														0		
2004(b)(1)		1												1		
2004(b)(4)		1												1		
2004(c)(1)		1												1		
2004(c)(1)(C)		1												1		
2004(f)(1)		8	10	11	2									31		
2004(k)														0		
2009(b)(2)		1												1		
2009(c)														0		
2009(f)(1)														0		
2009(f)(2)		1												1		
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)					1									1		
2011(c)(3)(A)														0		
2011(e)(1)														0		
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														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)						1								1		
2012(c)(2)(A)														0		
2012(c)(2)(C)														0		
2012(c)(3)						1								1		
2012(c)(3)(A)		1												1		
2012(c)(3)(B)		1												1		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
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)		1												1		
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, Appen. A, Chp 3, Sec (A)(6)														0		
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, 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(c)(1)			2	2	2									6		
3002(c)(2)														0		
H&S 41700				1										1		
H&S 41701			2											2		

## Report of April 2005 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. City of Burbank, Burbank Water & Power Case No. 1474-20 (C. Engelhardt)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must operate the turbine to diagnose the reason why the equipment failed to meet the NH3 slip limitations and to test the system for reliability purposes.	No Position/Granted	SV granted commencing 5/5/05 and continuing through 6/15/05, the FCD.	NH3: TBD
2. SCAQMD vs. Johnny Foster, individually and dba Weaverly Dry Cleaners Case No. 5506-1 (C. Engelhardt)	203(a) 1102	Respondent operating dry cleaning machine without permit to operate.	Not Stipulated/Issued	O/A issued commencing 4/12/05 and continuing through 7/31/05. The Hearing Board shall retain jurisdiction over this matter until 7/31/05.	
3. SCAQMD vs. Khaiamool Hack, individually and dba Fix Rite Paint & Body Case No. 5510-1 (C. Engelhardt)	109(c) 203(a)	Auto body shop has failed to keep records as required and is operating paint spray booth without permit to operate.	Not Stipulated/Issued	O/A issued commencing 5/10/05 and continuing through 8/1/05. The Hearing Board shall retain jurisdiction over this matter until 8/1/05.	
4. SCAQMD vs. Poly Pak America, Inc. Case No. 4727-4 (A. Mednick)	203(b) 1130(c)(1) 1130(c)(4) 1171(c)	Source test was not done by deadline specified in order due to leaks in total enclosure system needing repairs and other operational problems.	Not Stipulated/Issued	O/A issued commencing 4/28/05 and continuing through 8/30/05. The Hearing Board shall retain jurisdiction over this matter until 8/30/05.	
5. US Gypsum Company Case No. 4529-9 (B. Theis)	203(b) 2004(f)(1) 2012(c)(2) 2012(c)(3) 3002(c)(1)	CEMS breakdown could not be corrected within time allotted by breakdown rule.	Not Opposed/Granted	Ex Parte granted commencing 4/20/05 and continuing for 30 days or until the SV currently scheduled for 5/12/05, whichever comes first.	None
6. Waste Management Recycling and Disposal Services of California, Inc. Case No. 3824-8 (C. Engelhardt)	221(b) 1150.1(d)(4) 1150.1(e)(1)(C)	Landfill gas in subsurface probes exceeds the rule limit. Petitioner is unable to correct the exceedances within the timeframes specified in Rule 1150.1.	Not Opposed/Granted	RV granted commencing 4/19/05 and continuing through 9/30/05, the FCD	None



Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
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***Key to Acronyms***

EV: Emergency Variance

FCD: Final Compliance Date

H&S: Health & Safety Code

IA: Interim Authorization

IV: Interim Variance

MFCD/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