

BOARD MEETING DATE: June 5, 2009

AGENDA NO. 21

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2009.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

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Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2009** and **April 2009 Hearing Board Cases**.

The total number of appeals filed during the period April 1 to April 30, 2009 is 3, and the total number of appeals filed during the period of January 1 to April 30, 2009 is 10.

















## Report of April 2009 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. AOC, LLC Case No. 5733-1 (E. Sernel)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner needs to shut down afterburner to inspect and re-tube boiler serving resin manufacturing facility.	No Position/Granted	SV granted commencing on the date specified in the notice to be given pursuant to Condition No. 1 for a period of three consecutive days to occur between 4/12/09 and 4/16/09.	VOC: 0.8 lbs/day for 3 days
2. County of Los Angeles, Department of Public Works Case No. 5724-1 (T. Barrera)	203(b)	Snowfall and storm triggered landslides that resulted in power outage. Emergency generator must be used beyond 200 hour/year limit until Southern California Edison restores power for Cogswell Dam operations.	Not Opposed/Granted	RV granted commencing 4/15/09 and continuing through 12/31/09, the FCD.	NOx: 4.51 lbs/hr. SOx: 0.1 lbs/hr. VOC: 0.12 lbs/hr. PM10: 0.48 lbs/hr. CO: 2.26 lbs/hr. PM: 0.5 lbs/hr. NOTE: Excess emissions will occur for a total of 25 hours or less during the variance period.
3. County Sanitation Districts, Los Angeles County Case No. 3715-19 (T. Barrera)	203(b) 218(b)(2) 218(d)(1)(A) 218(d)(1)(B) 3002(c)(1)	Petitioner unable to repair failed CO monitor within 96-hour repair window provided by Rule 218.	Not Opposed/Granted	Ex Parte EV granted commencing 4/3/09 and continuing for 30 days or until the SV currently scheduled for 4/28/09, whichever comes first.	None
4. Exide Technologies Case No. 3151-20 (Consent Calendar J. Panasiti)	203(b) 221(b) 1420(g) 2004(f)(1)	Revised conditional compliance plan approval requires petitioner to install a fence-line lead monitor. Petitioner has been unable to obtain access to the property.	Not Opposed/Granted	SV granted commencing 4/8/09 and continuing through 6/8/09.	None
5. ExxonMobil Oil Corporation Case No. 1183-439 (Consent Calendar N. Feldman)	203(b) 2004(f)(1)	Petitioner must take out of service, a compressor which is part of an air pollution control system in order to inspect and possibly replace a safety valve.	Not Opposed/Granted	SV granted commencing upon the date and time specified in the notice of shutdown to be given pursuant to Condition No. 1 and ending no later than 4/30/09.	VOC: 8.4 lbs/day

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. ExxonMobil Oil Corporation Case No. 1183-440 (E. Sernel)	1118(c)(4)	Petitioner must install hot taps to meet a July 2009 deadline for analyzers and flow meters. Hot tap installation will result in flaring of refinery gas.	Not Opposed/Granted	SV granted for 20 non-consecutive hours in a window of time to occur between 4/8/09 and 4/17/09.	SOx: 481 lbs/total NOx: 147 lbs/total PM10: 38 lbs/total CO: 799 lbs/total VOC: 136 lbs/total
7. Frontier Aluminum Corp Case No. 5012-2 (E. Sernel)	203(b) 1107(c)(7)	Catastrophic failure in the control systems equipment resulted in failure of regenerative oxidizer.	Not Opposed/Granted	Ex Parte EV granted commencing 4/30/09 and continuing for 30 days or until the EV hearing scheduled for 5/5/09, whichever comes first.	VOC: 540 lbs/day
8. MillerCoors, LLC Case No. 4521-3 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner cannot comply with VOC limit for biofilter/carbon adsorber system serving brewery waste water treatment system.	Opposed/Denied	RV denied.	N/A
9. Paramount Petroleum Corporation Case No. 2914-96 (J. Panasiti)	203(b) 2004(f)(1) 2012(c)(2)(A)	Recent interpretation of Rule 2012 requires petitioner to have CEMS on bypass stacks serving refinery operations. Petitioner seeks variance while District considers rule amendment.	Not Opposed/Granted	RV granted commencing 4/14/09 and continuing through 6/15/09, the FCD.	None
10. Paramount Petroleum Corporation Case No. 2914-100 (C. Engelhardt)	202(b) 2004(f)(1) 3002(c)(1)	Explosion shut down hydroprocessing section of refinery. Petitioner seeks to restart heaters without venting flue gases to SCR that was damaged by the explosion.	Not Opposed/Granted	Ex Parte EV granted commencing 4/24/09 and continuing for 30 days or until the IV hearing currently scheduled for 5/7/09, whichever comes first.	NOx: 18.8 lbs/day
11. SCAQMD vs. Edgar Perez, as an individual and dba Real Cabinet Finishing Case No. 5731-1 (C. Engelhardt)	203(a)	Respondent operates paint spray booth without valid permit to operate.	Not Stipulated/Issued	O/A issued commencing 4/16/09 and continuing through 1/15/10. The Board shall retain jurisdiction over this matter through 1/15/10.	N/A

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. Gas Dispensing Facilities, Does 1-2600 Case No. 5732-1 (B. Wong)	203(b) 461(c)(3)	Respondents operating gasoline dispensing facilities without required phase II enhanced vapor recovery equipment.	Stipulated/Issued	O/A issued for Does 1-103, excluding 39, 77 and 102 commencing 4/22/09 and continuing through 12/31/09.	N/A
13. Superior Industries International Inc. Case No. 5728-2 (Consent Calendar E. Sernel)	203(b) 3002(c)(1)	Petitioner cannot comply with permit condition requiring filter replacement when specified pressure drop is reached.	Not Opposed/Granted	RV granted commencing 4/22/09 and continuing through 8/20/09, the FCD.	None
14. Waste Management Disposal & Recycling Service Inc (Bradley) Case No. 3824-9 (E. Sernel)	203(b) 1150.1(d)(1)(C)(i) 3002(c)(1)	Less permeable cover must be installed as part of required closure of portion of landfill. Cover installation cannot be completed without damage to gas collection and control system.	Not Opposed/Granted	MFCD/EXT granted commencing 4/28/09 and continuing through 9/30/09.	NOx: TBD SOx: TBD CO: TBD PM: TBD VOC: TBD  Due: On same day as written source test results submitted.

### Acronyms

CO: Carbon Monoxide  
CEMS: Continuous Emissions Monitoring System  
EV: Emergency Variance  
FCD: Final Compliance Date  
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  
PM: Particulate Matter  
RV: Regular Variance  
SCR: Selective Catalytic Reduction  
SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VRS: Vapor Recovery System  
VOC: Volatile Organic Compounds