

BOARD MEETING DATE: April 5, 2024

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 29, 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Cynthia Verdugo-Peralta
Hearing Board Chair

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Attached are the following two summaries: **February 2024 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested in 2024**. An index of the applicable South Coast AQMD Rules is also attached.

There were no appeals filed during the period of February 1 to February 29, 2024.

Report of February 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. AES Alamos, LLC Case No. 5278-3 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	A temporary exceedance exists of the allowable monthly average Differential Pressure limit required by a Title V facility's permit condition D12.11. Diligent monitoring and necessary maintenance on both the SCR units during maintenance outage is needed.	Not Opposed/Granted	SV granted commencing 2/21/24 and continuing through 4/28/24.	None
2. Bristol Industries Case No. 5017-2 (R. Mansell)	203(b) 1124 (c)(1) 1124(c)(4)	A malfunction/breakdown of the facility's RTO occurred, which is essential to Facility operations. No processes vented to the RTO may be operated unless the RTO is operating. Time is needed to allow normal operations to resume as quickly as possible.	Not Opposed/Granted	RV granted commencing 2/7/24 and continuing through 7/9/24.	VOC: 43 lbs./day
3. California Steel, Inc. Case No. 4624-23 (E. Chavez)	203(b) 1146(c)(1) 1146(e)(1) 2004(f)(1) 3002(c)(1)	Petitioner has concluded that boiler #2 needs a new burner after 3 years of modifications, tuning and replacing parts and still cannot achieve 5 ppm NOx limit. Time is needed to order and install a new burner.	Not Opposed/ Granted	RV granted commencing 2/21/24 and continuing through 12/31/24.	NOx: Emission Factor 0.23 lbs./MMcf
4. County of San Bernardino – Fleet Management Case No. 6070-12 (N. Dwyer)	203(b)	Unforeseen inclement weather caused loss of power forcing the use of a back-up generator. Petitioner is presently at 177 hours of the annual allotted 200 hours, per South Coast AQMD rules.	Not Opposed/Granted	Ex Parte EV granted commencing 2/16/24 and continuing for 30 days or until the IV hearing scheduled for 3/14/24, whichever comes first.	VOC: TBD by 3/13/24

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. Henkel US Operations Corporation Case No. 4818-1 (J. Lee)	203(b) 2004(f)(1) 3002(c)(1)	The RTO began to operate below the required 1600 degrees to operate The Defense Priorities & Allocations System rated orders which are required to prioritize national defense-related contracts continuously for proprietary adhesives critically needed by the defense/aerospace and medical/healthcare industries.	Not Opposed/Granted	EV granted commencing 2/7/24, for period of 30 days and ending no later than 3/8/24.	VOC: TBD by 4/7/24
6. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant (HWRP) Case No. 1212-40 (N. Dwyer)		Due to record-breaking weather on 2/4/2024, HWRP experienced instantaneous flows up to 900 MGD. In order to relieve the hydraulic pressure on the upstream system and to prevent a catastrophic flooding event at HWRP or in the streets upstream from the HWRP, Hyperion was forced to open the primary D tanks as an unanticipated emergency measure. Currently, there are no methods to contain or divert the flow of wastewater to the HWRP.	Not Opposed/Granted	Ex Parte EV granted commencing 2/22/24 and continuing for 30 days, in no event later than 3/22/24.	H2S: TBD by 4/22/24.
7. Los Angeles Department of Water and Power, Haynes Generating Station Case No. 1263-80 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	Unit 2 has been offline since 09/22, following a turbine blade malfunction. Repairs were completed in 12/23 but tripped due to excess vibration. The annual ammonia slip test had to be canceled due to the unit outage making it impossible to complete Unit 2's annual test by the compliance date.	Not Opposed/Granted	RV granted commencing 2/8/24 and continuing through 12/31/24.	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
8. Pasadena City, Department of Water and Power Case No. 2244-36 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	The required emissions test was not performed at the Glenarm Power Plant in the 4th quarter of 2023, due to equipment failure. Repair timeline will exceed 90 days. Additional time is needed.	Not Opposed/Granted	RV granted commencing 2/29/24 and continuing through 12/31/24.	None
9. South Coast AQMD vs. Ameresco Chiquita Energy, LLC Case No. 6134-4 (K. Roberts)	203(b) 431.1(c)(2) 3002(c)(1)	Ongoing reaction occurring in the landfill, the landfill gas that Chiquita is providing to Ameresco has sulfur concentrations that regularly exceed 150 ppm. The Hearing Board found that as a result of the ongoing reaction Ameresco cannot meet the permitted mass SOx emission limits and continue to exceed those limits.	Stipulated/Issued	O/A issued commencing 2/8/24 and continuing through 8/7/25. The Board shall retain jurisdiction over this matter until 8/7/25.	N/A
10. Torrance Refining Company, LLC Case No. 6060-20 (Consent Calendar)	1105.1(e)(2)(A) 1105.1(e)(2)(E)	Unexpected breakdown in the 8K-1 Compressor turbine has temporarily left the refinery with only one working compressor to support the FCCU. The turbine will be fixed and returned in March. Source test must be rescheduled for April 2024, exceeding the source test deadline and final compliance date.	Not Opposed/Granted	Mod. Variance & AOC Condition No. 1 granted commencing 2/21/24 and continuing through 6/30/24.	None.

Acronyms

AOC: Alternative Operating Condition(s)
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
H2S: Hydrogen Sulfide
IV: Interim Variance
MGD: million gallons per day

MMcf: Million Cubic Feet
Mod: Modification
N/A: Not Applicable
NOx: Oxides of Nitrogen
O/A: Order for Abatement
PPM: Parts Per Million
RTO: Regenerative Thermal Oxidizer

RV: Regular Variance
SCR: Selective Catalytic Reduction
SOx: Oxides of Sulfur
SV: Short Variance
VOC: Volatile Organic Compounds

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
203(b)	7	8											15
402	2												2
431.1(c)(2)	1	1											2
1105.1(e)(2)(A)	1	1											2
1105.1(e)(2)(E)	1	1											2
1124(c)(1)		1											1
1124(c)(4)		1											1
1134(d)(3)	1												1
1134(e)(2)(C)	1												1
1146(c)(1)		1											1
1146(e)(1)		1											1
1150.1(f)(2)(A)	1												1
1470(c)(4)(A)	1												1
2004(f)(1)	5	5											10
3002(c)(1)	7	7											14
CA H&S Code 41700	1												1

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2024 HEARING BOARD CASES AS OF FEBRUARY 29, 2024**

REGULATION II – PERMITS

Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 402 Nuisance
Rule 431.1 Sulfur Content of Gaseous Fuels

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1105.1 Reduction of PM10 and Ammonia Emissions from Fluid Catalytic Cracking Units
Rule 1124 Aerospace Assembly and Component Manufacturing Operations.
Rule 1134 Emissions of Oxides of Nitrogen from Stationary Gas Turbines
Rule 1146 Emissions of Oxides of Nitrogen (NOx) from Industrial, Institutional, and Commercial Boilers, Steam
 Generators, and Process Heaters.
Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills

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

REGULATION XXX – TITLE V PERMITS

3002 – Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges