

BOARD MEETING DATE: May 2, 2003

AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2003.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board

EC:SM

Two summaries are attached: **Rules from Which Variances and Orders for Abatement Were Requested in 2003 and March 2003 Hearing Board Cases.**

The total number of appeals filed during the period of March 1 to March 31, 2003 is 0, and the total number of appeals filed during the period of January 1 to March 31, 2003 is 3.

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	2003	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
461(e)(1)														0			
461(e)(2)														0			
461(E)(2)(A)														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)(3)(B)														0			
462(c)(4)(B)(i)														0			
462(c)(7)(A)(ii)														0			
462(d)(1)(A)		1												1			
462(d)(1)(A)(ii)				2										2			
462(d)(2)(A)(i)														0			
462(e)(1)(E)		1												1			
462(e)(1)(E)(ii)				2										2			
462(e)(2)(A)(i)														0			
462(h)(1)				2										2			
463(c)		1												1			
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)(2)(B)														0			
463(c)(3)(B)														0			
463(c)(3)(C)														0			
463(d)(2)		1		1										2			
463(e)(3)(C)														0			
463(e)(4)														0			
464(b)(1)														0			
468														0			
468(a)														0			
468(b)														0			
475(b)														0			
1103		1												1			
1104(c)(1)														0			
1106(c)(1)														0			
1106.1(c)(1)														0			
1106.1(c)(1)(A)														0			
1107(c)(2)														0			
1107(c)(7)														0			
1107(d)														0			
1110.2														0			
1110.2(d)(1)(B)														0			
1110.2(e)(1)(A)														0			
1113(c)(2)														0			
1118(d)(1)														0			
1118(d)(1)(2)														0			
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			

	2003	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
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)			2											2			
1124														0			
1124(c)(1)(A)														0			
1124(c)(1)(E)														0			
1124(c)(4)														0			
1128(c)(1)														0			
1128(c)(2)														0			
1130(c)														0			
1131.0			1											1			
1130(c)(4)														0			
1132(d)(2)				1										1			
1132(d)(3)			1	1										2			
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)			1											1			
1135(c)(3)(C)														0			
1135(c)(4)			1											1			
1135(c)(4)(D)														0			
1135(e)														0			
1145(b)(2)														0			
1145(c)(2)														0			
1145(c)(6)														0			
1145(h)(1)(E)														0			
1145(h)(1)(E)														0			
1146														0			
1146(c)(3)(A)				1										1			
1146.1														0			
1146.1(c)(1)														0			
1146.1(c)(2)(B)														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			
1150.1(d)(5)			1											1			
1150.1(d)(6)			1											1			
1150.1(d)(7)			1											1			
1150.1(e)														0			
1150.1(e)(1)														0			
1150.1(e)(2)														0			
1150.1(e)(3)														0			
1150.1(e)(1)(C)														0			
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			

	2003	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
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			
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			
1166(c)(2)														0			
1168(c)(1)														0			
1168(c)(2)														0			
1171(c)(1)														0			
1171(c)(1)(A)(i)														0			
1171(c)(1)(b)(i)														0			
1171(c)(1)(i)														0			
1171(c)(5)														0			
1173(c)														0			
1173(f)(1)														0			
1175(c)(2)			1	1										2			
1175(c)(4)(B)(ii)(II)														0			
1176														0			
1176(e)(1)														0			
1176(e)(2)														0			
1176(e)(2)(B)														0			
1176(e)(3)(A)														0			
1176(e)(6)														0			
1189(C)(1)														0			
1189(c)(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			
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)(3)(A)														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(c)(1)(C)														0			
2004(d)														0			
2004(f)(1)		6	5	8										19			
2004(k)														0			

	2003	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action			
2009(b)(2)														0			
2009(c)														0			
2009(f)(1)														0			
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)			1											1			
2011(c)(2)(A)														0			
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, Section A.3 a-c, A.5 and B. 1-4 and Appen. A, Chap. 2, Section C.2.a, c & d														0			
2012 Appen. A, Attach. C, Sec. B.2				3										3			
2012 Appen. A, Attach. C, Sec. 7														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	1										3			
2012(c)(2)(A)				2										2			
2012(c)(2)(B)														0			
2012(c)(3)(A)														0			
2012(c)(3)(B)														0			
2012(c)(10)														0			
2012(d)(2)(A)														0			
2012(d)(2)(D)														0			
2012(e)(2)(B)														0			
2012(g)(1)														0			
2012(g)(3)														0			
2012(h)(3)				1										1			
2012(h)(4)														0			
2012(h)(5)														0			
2012(h)(6)														0			
2012(i)														0			
2012(j)(2)														0			
2012(m)														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			
3002(c)(1)			3	3	2									8			
H&S 41700			1											1			
H&S 41701			2	1	1									4			

Report of March 2003 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. AES Placerita, Inc. Case No. 3694-9 (Consent Calendar)	2012, Appendix A, Attachment C, Subpart (B)(2)	System power demand was insufficient to operate the boiler, thus RATA test could not be performed.	Not Opposed/Granted	RV granted commencing 4/1/03 and continuing through 6/30/03, the FCD.	None
2. AES Redondo Beach, LLC Case No. 5040-7 (J. Panasiti)	203(b) 2004(f)(1) 2012, Appendix A, Attachment C, Subpart (B)(2) 3002(c)(1)	System power demand was insufficient to operate the boilers, thus RATA tests could not be performed.	No Position/Granted	SV granted commencing 4/1/03 and continuing through 6/30/03, the FCD.	None
3. Ashland, Inc. Case No. 4796-3 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Testing of Rule 462 emission control system completed. Determination of final compliance pending certification approval.	Not Opposed/Granted	MFCD/EXT granted commencing 3/16/03 and continuing through 9/19/03.	None
4. BP West Coast Products, LLC Case No. 5357-4 (C. Engelhardt)	203(b) 401(b) 2004(f)(1)	New installation of SCR resulted in unexpected pressure and leakage of catalyst at weak points in ESPs.	Opposed/Granted	EV granted commencing 3/20/03 and continuing through 4/19/03, the FCD.	Opacity TBD
5. BP West Coast Products, LLC Case No. 5357-5 (J. Panasiti)	203(b) 2004(f)(1)	Unexpected ESP malfunction (electrical short) after repairs and upgrading of the ESP. Equipment is not operating as prescribed in permit conditions.	Opposed/Denied	Ex Parte denied; EV scheduled for 3/27/03.	
6. BP West Coast Products, LLC Case No. 5357-5 (N. Feldman)	203(b) 2004(f)(1)	Unexpected ESP malfunction (electrical short) after repairs and upgrading of the ESP. Equipment is not operating as prescribed in permit conditions.	No Position/Granted	EV granted commencing 3/27/03 and continuing through 4/14/03, the FCD.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
7. Carpenter Company Case No. 5356-1 (Consent Calendar)	203(b)	Petitioner installed an air pollution control system to control toluene diisocyanate and seeks to operate equipment while District considers request to change permit condition to match the effectiveness of the new control system.	Not Opposed/Granted	RV granted commencing 3/18/03 and continuing through 7/31/03, the FCD.	TDI 3 lbs/day
8. Chevron Products Co. Case No. 831-315 (A. Mednick)	203(b) 2004(f)(1)	Petitioner seeks to exceed FCCU throughput limit while boiler tube leaks are repaired.	Not Opposed/Granted	Ex Parte granted commencing 3/13/03 and continuing for 30 days or until the EV hearing currently scheduled for 3/19/03, whichever comes first.	NOx TBD
9. Equilon Enterprises, LLC Case No. 4982-8 (C. Engelhardt)	462(d)(1)(A)(ii) 462(e)(1)(E)(ii) 462(h)(1)	Petitioner seeks extension of final compliance date while District completes its review/approval of data for issuing new permits.	Not Opposed/Granted	MFCD/EXT granted commencing 3/16/03 and continuing through 9/19/03.	None
10. ExxonMobil Oil Corp. Case No. 1183-365 (B. Theis)	203(b) 2004(f)(1) 401(a)(1) 404(a) 405(a) H&S Code § 41701	Petitioner needs to place CO boiler into waste heat mode in order to conduct maintenance on the boiler. This is contrary to permit conditions.	Not Opposed/Granted	Ex Parte granted commencing 3/7/03 and continuing for 30 days or until the SV hearing currently scheduled for 4/2/03, whichever comes first.	Opacity TBD
11. Gensia Sicor Pharmaceuticals Case No. 5380-1 (B. Theis)	203(b) 2004(f)(1) 1146(c)(3)(A)	Petitioner needs to operate boiler while repairs made to bring it back into compliance with NOx limits.	Not Opposed/Granted	Ex Parte granted commencing 3/7/03 and continuing through 3/10/03, the FCD.	NOx 0.40 lb/day
12. Reliant Energy Etiwanda, LLC Case No. 5250-5 (J. Panasiti)	203(b) 2004(f)(1) 2012, Appendix A, Attachment C, Subpart (B)(2) 3002(c)(1)	Permit conditions require RATA test of CEMS by 3/31/03. SCR not yet installed and the two natural gas fired boilers are not allowed to operate without the SCR.	Not Opposed/Granted	RV granted commencing 4/1/03 and continuing through 4/14/04, the FCD.	None
13. SCAQMD vs. Southern California Edison Co. Case No. 1262-67 (A. Mednick)	463(d)(2)	SCE is awaiting District approval of change in permit conditions to allow use of air washing technology to achieve compliance.	Stipulated/Modified	Mod. O/A issued commencing 3/12/03. The Board shall retain jurisdiction over this matter until 6/11/03.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
14. Wimatex Textiles Case No. 5381-1 (A. Mednick)	203(b) 401(b)(1) 404(a)	Unexpected fire rendered air pollution control equipment inoperative. Petitioner needs to continue operating while repairing or replacing control equipment.	Not Opposed/Granted	Ex Parte granted commencing 3/13/03 and continuing until the EV hearing currently scheduled for 3/18/03.	CO TBD NOx TBD PM TBD Opacity TBD
15. Wimatex Textiles Case No. 5381-1 (A. Mednick)	203(b) 401(b)(1)	Unexpected fire rendered air pollution control equipment inoperative. Petitioner needs to continue operating while repairing or replacing control equipment.	Not Opposed/Granted	IV granted commencing 3/18/03 and continuing to 6/5/03 or until the SV hearing currently scheduled for 4/10/03, whichever comes first.	Unknown: TBD

Key to Acronyms

EV: Emergency Variance
IV: Interim Variance
SV: Short Variance
RV: Regular Variance
H&S: Health & Safety Code
TBD: To be determined
FCD: Final Compliance Date
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
TDI: Toluene Diisocyanate