BOARD MEETING DATE: November 3, 2006   AGENDA NO. 14

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                  of September 1 through September 30, 2006.

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 2006** and **September 2006 Hearing Board Cases**.

The total number of appeals filed during the period September 1 to September 30, 2006
is 1, and the total number of appeals filed during the period of January 1 to September 30,
2006 is 8.

Rules from which Variances and Order for Abatements were Requested in 2006

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
# of HB Actions*													
Involving													
Rules													
109			1						1				2
109(c)													0
109(c)(1)													0
201							1						1
201.1													0
202													0
202(a)	1	3		2		1		2	2				11
202(b)							1		1				2
202(c)		1			1								2
203													0
203(a)	1	3	3	1	1		1	1	1				12
203(b)	16	6	12	9	7	8	11	7	13				89
208													0
218													0
218.1													0
218.1(b)(1)(E)													0
218(d)(1)(B)													0
218(f)(2)													0
221(b)													0
301													0
401	1						1						2
401(a)													0
401(b)							1						1
401(b)(1)	1			1					2				4
401(b)(1)(A)													0
401(b)(1)(B)							1						1
402	1			2	1	1	2						7
403(d)(1)													0
403(d)(1)(A)	1						1						2
403(d)(2)				1									1
404							1						1
404(a)	1						1		1				3
405							1						1
405(a)	1						1		1				3
405(b)													0
407(a)	1						1		1				3
407(a)(1)													0
407(a)(2)(A)													0
409					1		2		1				4
431.1(c)(2)													0
431.1(d)(1)													0
442													0
444													0
444(a)													0
444(c)													0
444(d)													0
461													0
461(c)(1)													0
461(c)(1)(A)	3	1	1										5
461(c)(1)(B)	3	1	1			1		1					7
461(c)(1)(C)													0
461(c)(1)(E)													0
461(c)(1)(F)(i)													0
461(c)(1)(F)(iv)													0
461(c)(1)(F)(v)													0
461(c)(1)(H)													0
461(c)(2)													0
461(c)(2)(A)						1	1	1					3
461(c)(2)(B)						1	1						2
461(c)(2)(C)						1	1						2
461(c)(3)(A)		1	1			1							3
461(c)(3)(B)						1							1
461(c)(3)(C)													0
461(c)(3)(D)(ii)													0
461(c)(3)(E)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(c)(3)(H)													0
461(c)(3)(M)						1							1
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(d)(5)(A)						1							1
461(e)(1)													0
461(e)(2)													0
461(e)(2)(A)	3	1	1										5
461(e)(2)(A)(i)													0
461(e)(2)(B)(i)	3	1	1										5
461(e)(2)(C)													0
461(e)(3)	3	1	2										6
461(e)(3)(A)		1	1										2
461(e)(3)(C)(i)(I)			1										1
461(e)(3)(D)			1										1
461(e)(3)(E)			1										1
461(e)(7)(c)(v)			1										1
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)		1											1
462(d)(1)(A)(i)								1					1
462(d)(1)(C)		1											1
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)		1											1
462(e)(1)(E)(ii)													0
462(e)(2)(A)(i)													0
462(e)(4)													0
462(h)(1)		1											1
463					1								1
463(c)							1						1
463(c)(1)(A)(I)-(iv)													0
463(c)(1)(B)													0
463(c)(1)(C)													0
463(c)(1)(D)							1						1
463(c)(1)(E)													0
463(c)(2)													0
463(c)(2)(C)						1							1
463(c)(3)				1									1
463(c)(3)(A)													0
463(c)(3)(B)													0
463(c)(3)(C)		1											1
463(d)(2)						1	1						2
463(e)(3)(C)													0
463(e)(4)													0
464(b)													0
468													0
468(a)													0
468(b)													0
1102													0
1102(c)(2)													0
1102(c)(5)		1											1
1104(c)(1)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(1)													0
1107(c)(2)													0
1107(d)													0
1110.1													0
1110.2													0
1110.2(d)(1)													0
1110.2(d)(1)(A)													0
1110.2(d)(1)(B)									2				2
1110.2(d)(1)(C)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1110.2(e)(1)(A)													0
1110.2(e)(1)(B)(i)(II)													0
1110.2(e)(1)(B)(i)(III)													0
1110.2(e)(1)(B)(ii)													0
1110.2(f)							1						1
1110.2(f)(1)(A)						1							1
1110.2(f)(1)(E)													0
1113(c)(2)													0
1115(c)(3)													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
1121(c)(2)(C)													0
1121(c)(3)													0
1121(c)(6)													0
1121(e)(3)													0
1122(c)(2)(A)													0
1122(c)(2)(E)													0
1122(d)(1)(A)													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)(3)	1												1
1122(e)(4)(A)													0
1122(e)(4)(B)													0
1122(g)(3)													0
1122(j)			1										1
1124													0
1124(c)(1)(A)													0
1124(c)(1)(E)													0
1124(c)(4)													0
1125(c)(1)													0
1125(c)(1)(C)													0
1128(c)(1)													0
1128(c)(2)													0
1130													0
1130(c)(1)													0
1130(c)(4)													0
1131													0
1131(d)													0
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
1136													0
1136(c)(1)(A)(i)													0
1137(d)(2)													0
1145(c)(1)													0
1145(c)(2)													0
1145(c)(6)													0
1145(h)(1)(E)													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1146													0
1146(c)(3)(A)													0
1146(c)(5)					1								1
1146.1													0
1146.1(a)(2)													0
1146.1(a)(8)													0
1146.1(b)													0
1146.1(c)(1)													0
1146.1(c)(2)(B)													0
1146.1(c)(3)													0
1146.1(e)													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)													0
1150.1(e)													0
1150.1(e)(1)			1										1
1150.1(e)(2)			1										1
1150.1(e)(3)			1										1
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
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(c)(1)													0
1153(c)(1)(B)													0
1158													0
1158(d)(2)	1								1				2
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)					1								1
1168(h)(2)			1										1
1171													0
1171(c)													0
1171(c)(1)	1												1
1171(c)(1)(A)(i)													0
1171(c)(1)(b)(i)													0
1171(c)(4)	1												1
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(d)(1)(E)					1								1
1175			1										1

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1175(c)(2)		1		1	1								3
1175(c)(4)(B)		1			1								2
1175(c)(4)(B)(i)	1												1
1175(c)(4)(B)(ii)													0
1175(c)(4)(B)(ii)(I)													0
1175(c)(4)(B)(ii)(II)				1									1
1175(d)(4)(ii)(II)													1
1176(e)													0
1176(e)(2)													0
1176(e)(2)(A)(ii)				1									1
1176(e)(2)(B)													0
1178(d)(1)(A)(xiii)							1						1
1178(d)(1)(A)(xiv)							1						1
1178(d)(1)(C)							1						1
1178(d)(3)(E)						1							1
1189(c)(1)													0
1189(c)(3)													0
1193(d)(1)(B)													0
1195(d)(1)(D)								1					1
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
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)(8)													0
1469(d)(5)													0
1469(e)(1)													0
1469(e)(2)													0
1469(g)(2)						1							1
1469(h)													0
1469(I)													0
1469(j)(4)(A)		1											1
1469(j)(4)(D)		1											1
1469(k)(3)(A)		1											1
1189(c)(3)													0
2004(b)(1)													0
2004(b)(4)													0
2004(c)(1)													0
2004(c)(1)(C)													0
2004(f)(1)	5	4	8	5	6	3	8	4	8				51
2004(k)													0
2009(b)(2)													0
2009(c)													0
2009(f)(1)													0
2009(f)(2)													0
2009.1													0

2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
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)									1				1
2011(c)(3)(A)					1								1
2011(e)(1)			1										1
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													0
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, Section B.2.a. & b.			1										1
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)			1	1									2
2012(c)(2)(C)													0
2012(c)(3)													0
2012(c)(3)(A)		1			1								2
2012(c)(3)(B)		1											1
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 Appen. A, Attach C, Sections B.2.a. & B.2.b.					1								1
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,													0
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)													0
3002(c)(1)	1	4	2		2		2	1					12
3002(c)(2)			2										2
H&S 39152(b)													0
H&S 41510													0
H&S 41700				2	1	1	1						5
H&S 41701	1			1			3		2				7

Report of September 2006 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. ABX Air, Inc. Case #5621-1 (A. Mednick)	203(a)	Permits were denied for diesel ICEs used to start jet aircraft engines for DHL Express. Petitioner needs to continue using the ICEs until compliant engines are received.	Not Opposed/Granted	Ex Parte EV granted commencing 9/22/06 and continuing for 30 days or until the SV currently scheduled for 10/18/06, whichever comes first.	PM: 0.13 lb/day CO: 2.66 lbs/day NO_X: 2.16 lbs/day
2. Ameron International Water Transmission Group Case #5615-1 (A. Mednick)	202(a) 203(b)	Status report on progress in finding a specialty compliant coating for wind machines.	Not Opposed/Granted	RV granted commencing 9/26/06 and continuing through 2/15/07, the FCD.	VOC : TBD
3. Chevron Products Company Case #831-336 (B. Theis)	203(b) 2004(f)(1)	Instrument air failure caused the shutdown of the new hydrogen plant.	Not Opposed/Granted	SV granted commencing 9/14/06 and continuing through 11/16/06, the FCD.	None
4. Chevron Products Company Case #831-337 (B. Theis)	203(b)	Structural failure of the deaerator rendering it inoperable was found when the hydrogen plant shut down after instrument air failure.	Not Opposed/Granted	Ex Parte EV granted commencing 9/12/06 and continuing through the SV hearing currently scheduled for 9/26/06.	VOC: 9.8 lbs/day NO_X: 2.4 lbs/day
5. City of Los Angeles, Bureau of Sanitation Solid Resources Processing & Construction Division Case #1212-28 (B. Theis)	203(b)	Changes in the sulfur content of the landfill gas due to aging of the landfill caused petitioner to exceed permit limits.	Not Opposed/Denied	RV denied. The Hearing Board was unable to make beyond the reasonable control finding to grant a variance.	
6. ConocoPhillips Company Case #4900-78 (A. Mednick)	203(b) 1158(d)(2) 2004(f)(1)	Petitioner must replace corroded steel panels on the coke storage barn resulting in temporary, limited areas of open air storage.	Not Opposed/Granted	RV granted commencing 10/16/06 and continuing through 4/25/07, the FCD.	PM_{10}: 3.6 lbs/day
7. DCOR, Inc. Case #5089-14 (A. Mednick)	203(b) 2004(f)(1) 1110.2(d)(1)(B)	Source test showed ICEs on oil platform exceeded ROG/VOC limits.	Not Opposed/Granted	Ex Parte EV granted commencing 9/20/06 and continuing for 30 days or until the SV currently scheduled for 10/11/06, whichever comes first.	ROG: TBD

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
8. DCOR, Inc. Case #5089-15 (A. Mednick)	203(b) 2004(f)(1) 1110.2(d)(1)(B)	Source test showed ICEs on oil platform exceeded ROG/VOC limits.	Not Opposed/Granted	Ex Parte EV granted commencing 9/20/06 and continuing for 30 days or until the SV hearing currently scheduled for 10/11/06, whichever comes first.	ROG: TBD
9. Equilon Enterprises, LLC dba Shell Oil Company US Case #4982-72 (N. Feldman)	203(b) 401(b)(1) 2004(f)(1) H&S Code Section 41701	Petitioner will shut down FCCU for maintenance and expects to exceed opacity limits during restart instability.	Not Opposed/Granted	SV granted for 72 one-hour periods in a window-of-time from 9/14/06 through 12/13/06, the FCD.	Opacity: Up to 80%
10. ExxonMobil Oil Corporation Case #1183-406 (B. Theis)	203(b) 2004(f)(1) 401(b)(1) 404(a) 405(a) 407(a) 409 H&S Code Section 41701	Equipment malfunction automatically shutdown the FCCU. Petitioner expects to exceed various limits during restart instability.	Not Opposed/Granted	Ex Parte EV granted commencing 9/12/06 and continuing for 30 days or until the SV hearing currently scheduled for 10/4/06, whichever comes first.	NO_x: 1.109 lbs/day CO: TBD PM: TBD Opacity: TBD
11. Golden State Water Company Case #5557-3A (E. Sernel)	202(a) 203(b)	Petitioner's ICEs that drive the electric generators cannot meet the NO_x limits during startup. Petitioner needs to continue operations as the District considers revisions to permit conditions.	Not Opposed/Granted	RV granted commencing 9/7/06 and continuing through 5/30/07, or until the date the District takes final action to modify the permit, whichever comes first.	NO_x: 30 lbs/day
12. Paramount Petroleum Corporation Case #2914-83 (A. Mednick)	202(b) 203(b) 2004(f)(1) 2011(c)(2)(A)	Sulfur analyzer serving the sulfur removing gas treatment system broke down.	Not Opposed/Granted	Ex Parte EV granted commencing 9/22/06 and continuing through 10/21/06, the FCD.	None
13. SCAQMD vs. Jose Anthony Hernandez, individually and dba Fine Cars Body Shop Case #5614-1 (B. Theis)	109	Repeated failure to maintain and make available solvent usage records.	Not Stipulated/Issued	O/A issued commencing 9/14/06 and continuing through 9/13/07. The Hearing Board shall retain jurisdiction over this matter until 9/13/07.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
14. SCAQMD vs. Mitsubishi Cement Case #5545-1 (E. Sernel)	203(b)	Status report and modification of increments of progress in O/A. Respondent does not comply with condition requiring the unloading of ship while in cold-iron status.	Stipulated/Issued	Mod. O/A issued commencing 9/7/06 and continuing through 12/15/07. The Hearing Board shall retain jurisdiction over this matter until 12/15/07.	
15. Signal Hill Petroleum, Inc. Case #2166-8 (E. Sernel)	203(b) 2004(f)(1)	Permit requires testing of turbine at 100%, 75% and 50% capacity. Very high operating temperatures were produced by the turbine while operating at 50% capacity that threatened the internal structure of the emission control device thereby precluding completion of the required test at 50% capacity.	Not Opposed/Granted	MFCD/EXT granted commencing 9/7/06 and continuing through 3/15/07, the FCD.	None
16. TXI/Riverside Cement Company Case #2085-8 (A. Mednick)		Petitioner appealed voiding of Rule 2009.1 compliance plan and removal of certain conditions from its permit.	Opposed/Overturned	Appeal overturned and the Hearing Board reinstated the compliance plan and the conditions of the permit.	

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
O/A: Order for Abatement
PM: Particulate Matter
RV: Regular Variance
SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
H&S: Health & Safety Code

I/P: Increments of Progress
IV: Interim Variance
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
Mod. O/A: Modification of an Order for Abatement
Mod./Variance: Modification of a Variance
NH3: Ammonia
NOx: Oxides of Nitrogen
TOC: Total Organic Compounds
VOC: Volatile Organic Compounds