

BOARD MEETING DATE: February 5, 2010

AGENDA NO. 21

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2009.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

SM

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

The total number of appeals filed during the period December 1 to December 31, 2009 is 2; and total number of appeals filed during the period of January 1 to December 31, 2009 is 19.



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)								0
461(c)(2)(B)								0
461(c)(2)(C)								0
461(c)(3)		1	5		1		1	1
461(c)(3)(A)				1				1
461(c)(3)(B)								0
461(c)(3)(C)								0
461(c)(3)(D)(iii)								0
461(c)(3)(E)								0
461(c)(3)(H)								0
461(c)(3)(M)								0
461(c)(4)(B)								0
461(c)(4)(B)(ii)								0
461(d)(5)(A)								0
461(e)(1)								0
461(e)(2)								0
461(e)(2)(A)								0
461(e)(2)(A)(i)								0
461(e)(2)(B)(i)								0
461(e)(2)(C)								0
461(e)(3)								0
461(e)(3)(A)								0
461(e)(3)(C)(i)(I)								0
461(e)(3)(D)								0
461(e)(3)(E)								0
461(e)(5)								0
461(e)(7)	1							1
462.0						1		1
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)(i)	1							1
462(d)(1)(B)								0
462(d)(1)(C)								0
462(d)(1)(E)(ii)								0
462(d)(1)(F)								0
462(d)(1)(G)								0
462(d)(2)(A)(i)								0
462(e)(1)								0
462(e)(1)(E)								0
462(e)(1)(E)(ii)								0
462(e)(1)(E)(i)(II)								0
462(e)(2)(A)(i)								0
462(e)(4)								0
462(h)(1)								0
463.0						1		1
463(c)								0
463(c)(1)								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)(2)(C)								0
463(c)(3)								0
463(c)(3)(A)								0
463(c)(3)(B)								0



1121(h)(1)	0
1121(h)(2)	0
1121(h)(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)	0
1122(e)(4)(A)	0
1122(e)(4)(B)	0
1122(g)(3)	0
1122(j)	0
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
1125(c)(2)	0
1128(c)(1)	0
1128(c)(2)	0
1130.0	0
1130(c)(1)	0
1130(c)(4)	0
1131	0
1131(d)	0
1132(d)(2)	0
1132(d)(3)	0
1133(d)(8)	0
1133.2(d)(8)	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)(B)	0
1135(c)(3)(C)	0
1135(c)(4)	0
1135(c)(4)(D)	0
1136	0
1145(c)(2)	0
1136(c)(1)(A)(i)	0
1137(d)(2)	0
1145(c)(1)	0
1145(c)(2)	0
1145(g)(2)	0
1145(h)(1)(E)	0
1146(c)(7)(B)	0
1146.1(e)(1)	0
1150.1(d)(5)	0
1150.1(d)(6)	0
1150.1(e)	0
1150.1(e)(1)(C)	0
1150.1(e)(2)	0
1150.1(e)(2)(C)	0
1146	0
1146(c)(3)(A)	0
1146(c)(5)	1
1146(d)(6)	0
1146.1	0



1173(c)				0
1173(d)				0
1173(e)(1)				0
1173(f)(1)				0
1173(g)				0
1175				0
1175(c)(2)				0
1175(c)(4)(B)				0
1175(c)(4)(B)(i)				0
1175(c)(4)(B)(ii)				0
1175(c)(4)(B)(ii)(I)				0
1175(c)(4)(B)(ii)(II)				0
1175(d)(4)(ii)(II)				0
1176				0
1176(e)				0
1176(e)(1)				0
1176(e)(2)				0
1176(e)(2)(A)				0
1176(e)(2)(A)(ii)				0
1176(e)(6)(A)				0
1178(d)(1)(A)(xiii)				0
1178(d)(1)(A)(xiv)				0
1176(f)				0
1178(d)(1)(C)				0
1178(d)(3)(C)				0
1178(d)(3)(D)				0
1178(d)(3)(E)				0
1178(d)(4)(A)(i)				0
1178(g)				0
1186.1		1		1
1186.1			1	1
1189(c)(3)				0
1195.0		1		1
1195(d)(1)(D)				0
1303.0	1		1	2
1303(a)(1)				0
1303(a)(2)				0
1401			1	1
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
1420				1
1420(g)	1		2	3
1421(d)				0
1421(d)(1)(C)				0
1421(d)(1)(G)				0
1421(d)(3)(A)				0
1421(e)(2)(c)				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







## Report of December 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. Allen Industrial and Machine Case No. 5759-1 (T. Barrera)	1469(c)(11)(A)	Petitioner failed to comply with requirements of Rule 1469 by 10/25/09.	Opposed/Dismissed	IV dismissed without prejudice for lack of good cause.	N/A
2. Ameron Steel fabrication Division Case No. 5615-3 (C. Engelhardt)	203(b) 1401	Petitioner seeks to continue operating plasma arc cutters that were denied permits to operate.	Opposed/Denied	Ex Parte EV denied.	N/A
3. BP West Coast Products, LLC Case No. 5357-36 (Consent Calendar T. Barrera)	203(b) 1118(g)(3) 1118(i)(5)(B)(i) 1118(j)(1)(A)(ii) 1118(j)(1)(B)(ii) 2004(f)(1) 3002(c)(1)	Additional time needed to complete testing of last of five flare monitoring systems.	Not Opposed/Granted	IA granted commencing 12/9/09 and continuing through 1/20/10.	None
4. BP West Coast Products, LLC Case No. 5357-36 (Consent Calendar T. Barrera)	203(b) 1118(g)(3) 1118(i)(5)(B)(i) 1118(j)(1)(A)(ii) 1118(j)(1)(B)(ii) 2004(f)(1) 3002(c)(1)	Additional time needed to complete testing of last of five flare monitoring systems.	Not Opposed/Granted	Mod. I/P Nos. (iv) and (v) granted commencing 12/22/09 and continuing through 1/16/10.	None.
5. City of Corona Case No. 5761-1 E. Sernel	1186.1	Petitioner failed to comply with clean street sweeper requirement by 1/1/10.	Opposed/Denied	Ex Parte EV denied.	N/A
6. City of Los Angeles, Terminal Island Water Reclamation Plant Case No. 4715-4 (E. Sernel)	203(b) 3002(c)(1)	Digester gas will be vented while undergoing renovation of other related equipment.	Not Opposed/Granted	SV granted for two periods, an 8-hour period and a 4-hour period commencing upon the date specified in the notice pursuant to Condition No. 4 and continuing for 30 days ending no later than 1/15/10.	TBD:  by 12/18/09
7. Gas Recovery Systems LLC Case No. 5673-2 (T. Barrera)	1150.1(d)(1)(C)(i)	Equipment malfunction prevented annual test of boiler to be done by due date, January 2, 2010.	Not Opposed/Granted	Ex Parte EV granted commencing 1/2/10 and continuing through 2/1/10, 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
8. Pacific Energy Resources, Ltd. Case No. 4636-15 (E. Sernel)	203(b) 1110.2(d)(1)(B)(ii) 2004(f)(1)	Diesel engine servicing off-shore oil platform failed VOC test. Needs to operate to test catalyst and for personnel evacuation in event of storm.	Not Opposed/Granted	SV granted commencing 12/9/09 and continuing through 3/9/10.	VOC: TBD By 12/24/09
9. SCAQMD vs. Gas Dispensing Facilities, Does 1-2600 Case No. 5732-1 (Consent Calendar W. Wong)	203(b) 461(c)(3)	Respondents failed to install and operate Phase II Enhanced Vapor Recovery systems at their gasoline dispensing facilities as required.	Stipulated/Issued	Group O/A issued commencing 12/22/09 and continuing through 12/31/09. The Board retains jurisdiction over this matter until 7/31/10.	N/A
10. SCAQMD vs. Windsor Foods, LP Case No. 5751-1 (C. Engelhardt)	203(a) 2004(f)(2)	Frozen food manufacturer is operating deep fat fryer without valid permit.	Stipulated/Issued	O/A issued commencing upon the date specified in the notice given pursuant to Condition No. 9 of the Order and continuing through 1/15/11. The Board retains jurisdiction over this matter until 1/15/11.	N/A

### Acronyms

CEMS: Continuous Emissions Monitoring System  
CO: Carbon Monoxide  
EV: Emergency Variance  
FCCU: Fluid Catalytic Cracking Unit  
FCD: Final Compliance Date  
H2S: Hydrogen Sulfide  
IV: Interim Variance  
LFG: Landfill Gas  
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance  
Mod. O/A: Modification of an Order for Abatement  
Mod/Var: Modification of a Variance  
NH3: Ammonia  
NOx: Oxides of Nitrogen  
O/A: Order for Abatement  
PM10: Particulate Matter ≤ 10 microns  
RV: Regular Variance  
SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VOC: Volatile Organic Compounds