

BOARD MEETING DATE: April 5, 2013

AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 28, 2013.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

DP

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2013** and **February 2013 Hearing Board Cases**.

The total number of appeals filed during the period February 1 to February 28, 2013 is 1; and total number of appeals filed during the period of January 1 to February 28, 2013 is 1.

Report of February 2013 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. Crockett Packaging Case No. 5913-1A (M. Reichert)	1146(c)(1)(I)	Petitioner operating boiler in violation of Rule 1146. Petitioner cannot meet compliance deadline in previously issued variance.	Not Opposed/Dismissed	EV dismissed for lack of good cause.	N/A
2. ExxonMobil Oil Corporation Case No. 1183-473 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must shut down boiler serving refinery process for state mandated inspection and maintenance. On restart, excess NOx may occur before SCR achieves proper operating temperature.	Not Opposed/Granted	SV & AOC granted for 30 nonconsecutive hours in a window of time from 3/28/13 through 6/13/13.	NOx: 145 lbs over 30 hrs
3. Mitsubishi Cement Corporation Case No. 5545-3 (K. Manwaring)	203(b)	Petitioner seeks variance to take advantage of opportunity to import and unload slag in violation of its permit.	Not Opposed/Denied	RV denied.	N/A
4. Pasadena City, Dept Water & Power Case No. 2244-27 (J. Panasiti)	203(b) 2004(f)(1) 3002(c)(1)	Continuing problems with repair of damaged gas turbine has prevented the performance of annual NH3 slip emissions test of SCR.	Not Opposed/Granted	MFCD/EXT granted commencing 2/26/13 and continuing through 7/31/13.	None
5. Pioneer Americas LLC dba Olin Chlor Alkali Products Case No. 5924-1 (N. Sanchez)	202(a) 203(b)	Petitioner operates bleach production operation and needs to replace one of two NaOH tanks used to control chlorine emissions. Tank must be taken out of service for replacement.	Not Opposed/Granted	SV granted commencing upon notification given to the District and continuing for 90 days thereafter, but in no event later than 5/22/13.	None
6. SCAQMD vs. California State University, Los Angeles Case No. 5926-1 (N. Sanchez)	1146(c)(1)(I)	Respondent operating boiler in violation of Rule 1146.	Stipulated/Issued	O/A issued commencing 2/27/13 and continuing through 7/31/13. The Hearing Board shall retain jurisdiction over this matter until 12/31/13.	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
7. SCAQMD vs. Colorcoat, Inc. Case No. 5915-2 (N. Sanchez)	203(b) 1145(c)(1)	Respondent using specialty coatings with VOC content in excess of Rule 1145(c)(1) limits.	Stipulated/Issued	O/A issued commencing 2/14/13 and continuing through 7/25/13. The Hearing Board shall retain jurisdiction over this matter until 9/30/13.	N/A
8. SCAQMD vs. Corsican Furniture, Inc, a California Corporation; and Martin Joseph Perfit and Jon Anderson as individuals Case No. 5919-1 (N. Feldman)	203(a) 1147	Respondent operating two paint spray booths and one powder coating booth without permit. Petitioner also operating powder baking oven without permit and in violation of NOx limit.	Not Stipulated/Issued	O/A issued commencing 2/13/13 and continuing through 8/15/13. The Hearing Board shall retain jurisdiction over this matter until 12/31/13.	N/A
9. SCAQMD vs. Guillermo Borjas, an individual dba Mancilla's Body Shop Case No. 5921-1 (N. Sanchez)	109(c)(1) 203(a)	Respondent operating paint spray booth without permit and fails to keep paint/VOC usage records.	Not Stipulated/Issued	O/A issued commencing 2/19/13 and continuing through 12/31/13. The Hearing Board shall retain jurisdiction over this matter until 12/31/13.	N/A
10. SCAQMD vs. Kaiser Foundation Hospitals Case No. 3765-6 (K. Manwaring)	1146	Respondent operating standby boilers in violation of Rule 1146.	Stipulated/Issued	O/A issued commencing 2/6/13 and continuing until 2/6/14. The Hearing Board shall retain jurisdiction over this matter until 2/6/14.	N/A
11. SCAQMD vs. Palm Springs Unified School District, James Workman Middle School, and Cathedral City High School Case No. 5922-1 (N. Sanchez)	203(a) 1470(c)(3)(C)(iii)	Respondent operating diesel ICEs near schools in violation of Rule 1470.	Stipulated/Issued	O/A issued commencing 2/5/13 and continuing through 7/31/13. The Hearing Board shall retain jurisdiction over this matter until 7/31/13.	N/A
12. SCAQMD vs. Valley Presbyterian Hospital Case No. 5920-2 (Consent Calendar K. Manwaring)	1146.1 1146.1(c)(2)	Respondent operating three boilers in violation of Rule 1146.	Stipulated/Issued	O/A issued commencing 2/28/13 and continuing through 6/30/13. The Hearing Board shall retain jurisdiction over this matter until 2/28/14.	N/A

Acronyms

AOC: Alternative Operating Conditions

CARB: California Air Resources Board

CO: Carbon Monoxide

EV: Emergency Variance

FCCU: Fluid Catalytic Cracking Unit

FCD: Final Compliance Date

H₂S: Hydrogen Sulfide

H&S: Health & Safety Code

ICE: Internal Combustion Engine

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

NaOH: Sodium Hydroxide

NH₃: Ammonia

NOV: Notice of Violation

NO_x: Oxides of Nitrogen

N/A: Not Applicable

O/A: Order for Abatement

PM: Particulate Matter

RECLAIM: Regional Clean Air Incentives Market

ROG: Reactive Organic Gas

RV: Regular Variance

SCR: Selective Catalytic Reduction

SO_x: Oxides of Sulfur

SV: Short Variance

TBD: To be determined

VOC: Volatile Organic Compound

VRS: Vapor Recovery System