BOARD MEETING DATE: February 1, 2013
AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2012.

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 2012 and December 2012 Hearing Board Cases.

The total number of appeals filed during the period December 1 to December 31, 2012 is 0 ; and total number of appeals filed during the period of January 1 to December 31, 2012 is 5 .

| Rules from which Variances and Order for Abatements were Requested in 2012 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2012 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
| \# of HB Actions* |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Involving |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Rules |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 109 |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 |
| 109(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 109(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 201 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 201.1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 202 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 202(a) |  | 4 | 1 |  |  | 1 | 2 |  | 1 | 2 | 2 |  | 3 | 16 |
| 202(b) |  |  | 1 |  |  | 1 |  |  |  |  |  |  |  | 2 |
| 202(c) |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 203 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 203(a) |  |  | 1 | 2 | 2 | 2 |  | 3 | 2 | 2 |  | 3 | 2 | 19 |
| 203(b) |  | 6 | 3 | 3 | 2 | 4 | 7 | 5 | 4 | 7 | 8 | 2 | 7 | 58 |
| 204 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 208 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218.1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218.1(b)(4)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218(b)(2) |  |  |  |  | 1 |  |  |  |  |  | 1 |  |  | 2 |
| 218(c)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218(d)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218(d)(1)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 218(f)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 221(b) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 221(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 221(d) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 222 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 401(a) |  |  |  |  |  |  |  |  |  |  | 1 |  |  | 1 |
| 401(b) |  |  |  |  |  |  |  |  |  |  | 1 |  | 1 | 2 |
| 401(b)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 401(b)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 401(b)(1)(B) |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| 402 |  |  |  |  |  |  |  |  | 1 |  |  |  |  | 1 |
| 403(d)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 403(d)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 403(d)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 404 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 404(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 405 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 405(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a) |  |  |  |  |  |  |  |  |  |  |  |  | 1 | 1 |
| 407(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |


| Rules from which Variances and Order for Abatements were Requested in 2012 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2012 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
| 410(d) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 430(b)(3)(A)(iv) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1(c)(3)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1(d)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 431.1(d)(1), Att A(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 442 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 444 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 444(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 444(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 444(d) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461 |  |  |  |  |  |  |  |  |  |  |  | 1 | 2 | 3 |
| 461(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(C)(1)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 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) |  |  |  |  |  |  |  |  | 2 |  |  |  |  | 2 |
| 461(c)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(2)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(2)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(C)(3)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(3)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(3)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(c)(3)(D)(ii) |  |  |  |  |  |  |  |  |  |  |  |  |  | 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) |  |  |  |  |  |  |  |  | 2 |  |  |  |  | 2 |
| 461(e)(2) |  |  |  |  |  |  |  |  |  |  |  | 2 |  | 2 |
| 461(e)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(e)(2)(A)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| $461(\mathrm{e})(2)(\mathrm{B})(\mathrm{i})$ |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(e)(2)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(e)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 461(e)(3)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |








| Rules from which Variances and Order for Abatements were Requested in 2012 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2012 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
| 1303(a)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1401 |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |
| 1420 |  |  |  |  |  |  | 2 |  |  |  |  |  |  | 2 |
| 1420.1(g)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 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 |
| 1469(c)(11)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(d)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(e)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(e)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(g)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(h) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(j)(4)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(j)(4)(D) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(k)(3)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470 |  | 1 | 1 | 2 |  |  |  |  |  |  |  |  |  | 4 |
| 1470(c)(2)(C)(i)(1) |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 1470(c)(2)(C)(iv) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470(c)(3)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470(c)(3)(C)(iii) |  |  | 1 | 1 |  |  |  |  |  | 2 |  |  |  | 4 |


| Rules from which Variances and Order for Abatements were Requested in 2012 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2012 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action |
| 1470(c)(9) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(b)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(b)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(c)(1)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(f)(1) |  | 6 | 2 | 1 | 2 | 4 | 4 | 4 |  | 4 | 6 | 2 | 3 | 38 |
| 2004(f)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(k) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2005 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011 Attachment C |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(2)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(3)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(e)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(f)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(g) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(g)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |
| 2012.0 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Attach. C, B.2.a |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen. A, Attach. C, Section B.2. |  |  |  | 1 |  |  |  |  |  |  |  |  |  | 1 |
| 2012 Appen. A, Attach. C, Section B.2.a. \& b. |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen. A |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen. A, Chap. 2 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen A, Chap. 2, Sec. A |  |  |  | 1 |  |  |  |  |  |  | 1 |  |  | 2 |
| 2012 Appen A. Chap. 2. Sec. A1.g. |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen A, Chap. 2, Sec. B |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen. A, Protocol 2012, Chap. 2, B.5. |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap. 2, B.5.a |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap. 2, B. 10 |  |  |  | 1 |  |  |  |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap. 2, B. 11 |  |  |  | 1 |  |  |  |  |  |  |  |  |  | 1 |


| Rules from which Variances and Order for Abatements were Requested in 2012 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2012 | Jan | Feb |  | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |  | Total Action |
| 2012, Appen A, Chap. 2, B. 12 |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap. 2, B. 17 |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap.2, B. 18 |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012, Appen A, Chap.2, B. 20 |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012 Appen A, Chap. 4.A. 4 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(2) |  |  |  |  | 1 | 1 |  |  |  |  |  |  |  |  |  | 2 |
| 2012(c)(2)(A) |  |  |  |  |  |  |  | 1 |  |  |  | 1 |  |  |  | 2 |
| 2012(c)(2)(B) |  |  |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 2012(c)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(3)(A) |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| 2012(c)(3)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(10) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(d)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(d)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(d)(2)(D) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(f)(2)(A) |  | 1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012(g)(1) |  |  |  |  | 1 |  |  |  |  |  |  | 1 |  |  |  | 2 |
| 2012(g)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(g)(7) |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 2012(h)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(6) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(i) |  |  |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 2012(j)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(j)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Protocol (Appen. A) Chap. 2, Part A.1.a |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Protocol (Appen. A) Chap. 2, Part B. 4 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 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. $2 \mathrm{a}, \mathrm{c}$ \& 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 |  |  |  |  |  |  |  |  |  | 1 |  |  |  |  |  | 1 |
| 3002(a) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 3002(c) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 3002(c)(1) |  | 5 |  | 2 | 1 | 2 | 4 | 3 | 3 | 1 | 4 | 6 | 2 |  | 5 | 38 |
| 3002(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Regulation II |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Regulation IX |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Regulation IX, 40 CFR Part 60, Subpart J |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Regulation XI |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Regulation XIII |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| H\&S 39152(b) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| H\&S 41510 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |



## Report of December 2012 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. City of Los Angeles, Department of Airports Case No. 4703-8 (K. Manwaring) | $\begin{aligned} & \hline \hline 203(\mathrm{~b}) \\ & 2004(\mathrm{f})(1) \\ & 3002(\mathrm{c})(1) \end{aligned}$ | Emergency ICE for powering runway approach lighting at LAX likely to exceed annual operating time limit. | Not Opposed/Granted | IV granted commencing 12/13/12 and continuing through 12/31/12 or until the SV hearing currently scheduled for 12/20/12, whichever comes first. | PM: TBD by 12/27/12 |
| 2. City of Los Angeles, Department of Airports Case No. 4703-8 (M. Reichert) | $\begin{aligned} & \text { 203(a) } \\ & \text { 2004(f)(1) } \\ & 3002(\mathrm{c})(1) \end{aligned}$ | Emergency ICE for powering runway approach lighting at LAX likely to exceed annual operating time limit. | Not Opposed/Granted | SV granted commencing 12/20/12 and continuing through 12/31/12. | PM: TBD by 1/4/13 |
| 3. Crockett Packaging Case No. 5913-1 M. Reichert) | 1146(c)(1)(I) | Corrugated packaging company operates noncompliant boiler. | Not Opposed/Granted | $\begin{aligned} & \hline \text { SV granted commencing } \\ & 1 / 1 / 13 \text { and continuing through } \\ & 2 / 28 / 13 \text {. } \\ & \hline \end{aligned}$ | $\mathrm{NO}_{x}: 0.5 \mathrm{lb} /$ day |
| 4. Hydro Systems Inc. Case No. 5563-4 (T. Barrera) | 203(b) | Thermal oxidizer does not meet 95\% destruction efficiency and system does not meet overall 85.5\% efficiency. | Opposed/Denied | Ex Parte EV denied. | N/A |
| 5. SCAQMD vs. Javier Paz Alcala dba Uruapan Body Shop Case No. 5910-1 <br> (E. Marquez/N. Sanchez) | 203a | Respondent operates paint spray booth without permit to operate. | Not Stipulated/Issued | O/A issued commencing $12 / 12 / 12$ and continuing through 2/28/13. The Hearing Board shall retain jurisdiction over this matter until 5/31/13. | N/A |
| 6. SCAQMD vs. Physicians for Healthy Hospitals, Inc., dba Hemet Valley Medical Center Case No. 5901-2 <br> (N. Sanchez) | 1146(c)(1)(I) | Hospital operates noncompliant boilers. | Stipulated/Issued | O/A issued commencing 1/1/13 and continuing through $8 / 31 / 13$. The Hearing Board shall retain jurisdiction over this matter until 8/31/13. | N/A |
| 7. SFPP, L.P. <br> Case No. 4215-12 <br> (N. Sanchez) | 1146(c)(1)(I) | Petroleum product bulk loading terminal operates noncompliant heater and oxidizer. | Not Opposed/Granted | SV granted commencing 1/1/13 and continuing through 3/31/13. | $\mathrm{NO}_{x}$ : 7.7 lbs/day |


| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 8. Terrible Herbst Inc \#285 Case No. 5914-1 <br> (K. Manwaring) | $\begin{aligned} & \hline \text { 203(b) } \\ & 461 \end{aligned}$ | Petitioner operates GDF with blocked vent line. | Not Opposed/Granted | Ex Parte EV granted commencing 12/7/12 and continuing for 30 days or until the EV hearing currently scheduled for $12 / 13 / 12$, whichever comes first. | $\begin{aligned} & \hline \hline \text { VOC: TBD by } \\ & 12 / 21 / 12 \end{aligned}$ |
| 9. Terrible Herbst Inc. \#285 Case No. 5914-1 <br> (K. Manwaring) | $\begin{aligned} & \text { 203(b) } \\ & 461 \end{aligned}$ | Petitioner operates GDF with blocked vent line. | Opposed/Denied | EV denied. | N/A |
| 10. U.C. Regents - University of California Case No. 5708-2 (N. Sanchez) | $\begin{aligned} & \text { 202(a) } \\ & \text { 203(b), } \\ & \text { 1146(c)(1)(I) } \\ & 3002(c)(1) \end{aligned}$ | Petitioner operates noncompliant boiler. | Not Opposed/Granted | Ex Parte EV granted commencing 12/13/12 and continuing for 30 days or until the EV hearing currently scheduled for 12/19/12, whichever comes first. | VOC: 75 Ibs/day |
| 11. UC Regents - University of California Case No. 5708-2 (T. Barrera) | $\begin{aligned} & \text { 202(a) } \\ & \text { 203(b) } \\ & \text { 1146(c)(1)(I) } \\ & \text { 3002(c)(1) } \end{aligned}$ | Petitioner operates noncompliant boiler. | Not Opposed/Granted | EV granted commencing 12/19/12 and continuing through $1 / 12 / 13$. | $\mathrm{NO}_{\mathrm{x}}: \quad 2.54 \mathrm{lbs} / \mathrm{hr}$ CO: $112.92 \mathrm{lbs} / \mathrm{hr}$ VOC: $1.12 \mathrm{lbs} / \mathrm{hr}$ PM10: $1.68 \mathrm{lbs} / \mathrm{hr}$ SOx: $\quad .132 \mathrm{lb} / \mathrm{hr}$ |
| 12. Ultramar, Inc., dba Valero Wilmington Refinery Case No. 3845-85 (T. Barrera) | 202(a) 203(b) 401(b) 407(a) 2004(f)(1) 3002(c)(1) CH\&S §41701 | Malfunction in alky unit required shut down of various units to avoid damage to equipment. Shutdown, idling and start-up of FCCU will result in violation of opacity limit and permit conditions. | Not Opposed/Granted | Ex Parte EV granted commencing 12/27/12 and continuing for 30 days or until the EV hearing currently scheduled for $1 / 9 / 13$, whichever comes first. | $\mathrm{NO}_{\mathrm{x}}:$ $33 \mathrm{lbs} / \mathrm{day}$ <br> ROG: $31 \mathrm{lbs} / \mathrm{day}$ <br> CO: $352 \mathrm{lbs} / \mathrm{day}$ <br> PM: $11 \mathrm{lbs} /$ day |

## Acronyms

## CO: Carbon Monoxide

EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
GDF: Gasoline Dispensing Facility
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
NH3: Ammonia

NOV: Notice of Violation
$\mathrm{NO}_{\mathrm{x}}$ : Oxides of Nitrogen
O/A: Order for Abatement
PM: Particulate Matter ROG: Reactive Organic Gas
RV: Regular Variance
SO2: Sulfur Dioxide
SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compounds
VRS: Vapor Recovery System

