

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

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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
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)(2)(A)								1						1
1146.1(e)(1)														0
1150.1(d)(5)														0
1150.1(d)(12)								1						1
1150.1(e)														0
1150.1(e)(1)(C)														0
1150.1(e)(2)														0
1150.1(e)(2)(C)														0
1146					1									1
1146(c)(2)(A)												1		1
1146(c)(5)														0
1146(c)(1)(I)										1	1		5	7
1146.1														0
1146.1(a)(2)														0
1146.1(a)(8)														0
1146.1(b)														0
1146.1(c)(1)(G)													1	1
1146.1(c)(2)													2	2
1146.1(c)(3)														0
1146.1(e)														0
1146.1(e)(1)(B)														0
1146.2														0
1146.2(c)(3)														1
1146.2(c)(5)													1	1
1146.2(e)														1
1147(c)(1)										1		1		2



**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
1171														0
1171(c)														0
1171(c)(1)														0
1171(c)(1)(A)(i)														0
1171(c)(1)(b)(i)														0
1171(c)(4)														0
1171(c)(5)														0
1171(c)(5)(A)(i)														0
1171(c)(6)														0
1173														0
1173(c)														0
1173(d)														0
1173(e)(1)														0
1173(f)(1)(E)												1		1
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(b)(1) (C)														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)(2)(B)(v)														0
1178(d)(1)(A)(xiii)														0
1178(d)(1)(A)(xiv)														0
1178(d)(1)(B)														0
1176(f)(3)														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														0
1186.1														0
1189(c)(3)														0
1195														0
1195(d)(1)(D)														0
1303						1								1
1303(a)(1)												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
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						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(l)														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)(l)						1								1
1470(c)(2)(C)(iv)														0
1470(c)(3)(B)														0
1470(c)(3)(C)(iii)			1	1					2					4







## 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)	203(b) 2004(f)(1) 3002(c)(1)	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)	203(a) 2004(f)(1) 3002(c)(1)	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	SV granted commencing 1/1/13 and continuing through 2/28/13.	NO <sub>x</sub> : 0.5 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 (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 (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. Case No. 4215-12 (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.	NO <sub>x</sub> : 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 (K. Manwaring)	203(b) 461	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.	VOC: TBD by 12/21/12
9. Terrible Herbst Inc. #285 Case No. 5914-1 (K. Manwaring)	203(b) 461	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)	202(a) 203(b), 1146(c)(1)(I) 3002(c)(1)	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 lbs/day
11. UC Regents – University of California Case No. 5708-2 (T. Barrera)	202(a) 203(b) 1146(c)(1)(I) 3002(c)(1)	Petitioner operates noncompliant boiler.	Not Opposed/Granted	EV granted commencing 12/19/12 and continuing through 1/12/13.	NO <sub>x</sub> : 2.54 lbs/hr CO: 112.92 lbs/hr VOC: 1.12 lbs/hr PM10: 1.68 lbs/hr SO <sub>x</sub> : .132 lb/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.	NO <sub>x</sub> : 33 lbs/day ROG: 31 lbs/day CO: 352 lbs/day PM: 11 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

NO<sub>x</sub>: Oxides of Nitrogen

O/A: Order for Abatement

PM: Particulate Matter

ROG: Reactive Organic Gas

RV: Regular Variance

SO<sub>2</sub>: Sulfur Dioxide

SO<sub>x</sub>: Oxides of Sulfur

SV: Short Variance

TBD: To be determined

VOC: Volatile Organic Compounds

VRS: Vapor Recovery System