

BOARD MEETING DATE: July 5, 2013

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of May 1 through May 31, 2013.

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 2013** and **May 2013 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2013 is 1; and total number of appeals filed during the period of January 1 to May 31 2013 is 2.



















Rules from which Variances and Order for Abatements were Requested in 2013														
	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
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														0
1420.1(g)(4)														0
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
1470(c)(2)(C)(i)(l)														0
1470(c)(2)(C)(iv)														0
1470(c)(3)(B)														0
1470(c)(3)(C)(iii)							1							1







## Report of May 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. Department of Commerce/ NOAA/National Weather Services of San Diego Case No. 5882-2 (T. Barrera)	203(b) 1110.2	Petitioner expects to exceed the hour use limit for an emergency backup generator.	Not Opposed/Granted	Ex Parte EV granted commencing 5/10/13 and continuing for 30 days or until the IV hearing currently scheduled for 5/16/13, whichever comes first.	VOC: 12.3 lbs/day NO <sub>x</sub> : 12 lbs/day CO: 16.5 lbs/day PM: 3 lbs/day
2. Department of Commerce/ NOAA/National Weather Service of San Diego Case No. 5882-2 (J. Panasiti)	203(b) 1110.2	Petitioner expects to exceed the hour use limit for an emergency backup generator.	No Position/Dismissed	IV dismissed for lack of good cause. RV is currently scheduled for 6/18/13.	N/A
3. El Segundo Power, LLC Case No. 5097-8 (T. Barrera)	202(a) 203(b) 2004(f)(1) 3002(c)(1)	Petitioner needs more time for commissioning new turbines than that allowed in the P/C.	Not Opposed/Denied	SV denied.	N/A
4. ExxonMobil Oil Corporation Case No. 1183-478 (M. Reichert)	203(b) 2004(f)(1) 3002(c)(1)	The compressor for the butane refrigeration system must be taken off line for replacement.	Opposed/Denied	Ex Parte EV denied.	N/A
5. John Adam-San Juan Service Case No. 5940-1 (N. Sanchez)	461(e)(5)	A test showed a vent line blockage in the gasoline dispensing facility's VRS.	No Position/Granted	SV granted commencing 5/15/13 and continuing through 7/15/13, or four weeks after permit is issued from the State Water Board or upon final compliance, whichever occurs first.	VOC: TBD by 5/30/13
6. Kanack, LLC Case No. 5935-1 (J. Panasiti)	203(a) 203(b) 461(e)(5)	A test showed a vent line blockage in the gasoline dispensing facility's VRS.	Not Opposed/Granted	SV granted commencing 4/2/13 and continuing through 7/4/13.	None
7. Keith Markovitch-Pacoima Automotive Case No. 5799-2 (T. Barrera)	203(b) 461(e)(2)(A)	Failed to conduct a reverification test on the due date.	Opposed/Denied	SV denied.	N/A
8. Pasadena Water & Power Case No. 2244-29 (T. Barrera)	203(b) 2004(f)(1) 2012, Appendix A, Chapter 2, Section A(1)(a) 2012(c)(2)(A)	CEMS out for repair longer than allowed per Rule 2012.	Not Opposed/Granted	Ex Parte EV granted commencing 5/7/13, and continuing for 30 days or until the EV hearing currently scheduled for 5/16/13, whichever comes first.	None

9. SCAQMD vs. Anders A. Mojica, individually and dba Fine Line Body Shop, Inc. Case No. 5937-1 (N. Feldman)	109(c)(1) 203(a)	Respondent is operating a paint spray booth without a permit and failing to keep VOC records.	Not Stipulated/Issued	O/A issued commencing 5/15/13, and continuing through 10/15/13. The Hearing Board shall retain jurisdiction over this matter until 10/15/13.	N/A
10. SCAQMD vs. St. Vincent Medical Center Case No. 5936-1 (N. Feldman)	203(b) 1146.1(c)(1) 1146.1(c)(2)	Respondent is operating two boilers with NO <sub>x</sub> in excess of the Rule 1146 limits and two boilers in excess of the Rule 1146.1 limits.	Stipulated/Issued	O/A issued commencing 5/16/13 and continuing through 2/1/15. The Hearing Board shall retain jurisdiction until 2/1/15.	N/A
11. SCAQMD vs. West Coast Plating, Inc. Case No. 5840-1 (J. Panasiti)	201 203(a) 1469(c)(13)(ii)	Respondent requires additional time to move its plating operation to a compliant site.	Not Stipulated/Issued	Mod. O/A issued commencing 5/7/13 and continuing through 7/30/13. The Hearing Board shall retain jurisdiction over this matter until respondent completes installation of permitted equipment at its new location, or until 7/30/13, whichever comes first.	N/A

**Acronyms**

AOC: Alternative Operating Conditions  
 CARB: California Air Resources Board  
 CEMS: Continuous Emissions Monitoring System  
 CO: Carbon Monoxide  
 EV: Emergency Variance  
 FCCU: Fluid Catalytic Cracking Unit  
 FCD: Final Compliance Date  
 H<sub>2</sub>S: 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  
 NH<sub>3</sub>: Ammonia  
 NOV: Notice of Violation  
 NO<sub>x</sub>: Oxides of Nitrogen  
 N/A: Not Applicable  
 O/A: Order for Abatement  
 P/C: Permit to Construct  
 PM: Particulate Matter

RECLAIM: Regional Clean Air Incentives Market  
 ROG: Reactive Organic Gas  
 RV: Regular Variance  
 SCR: Selective Catalytic Reduction  
 SO<sub>x</sub>: Oxides of Sulfur  
 SV: Short Variance  
 TBD: To be determined  
 VOC: Volatile Organic Compound  
 VRS: Vapor Recovery System