

BOARD MEETING DATE: March 1, 2013

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of January 1 through January 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 **January 2013 Hearing Board Cases**.

The total number of appeals filed during the period January 1 to January 31, 2013 is 0.



























## Report of January 2013 Hearing Board Cases

| Case Name and Case No.  | Rules  | Reason for Petition  | District Position/<br>Hearing Board Action | Type and Length of Variance<br>or Order  | Excess Emissions   |
|---|--|--|--|--|--|
| 1. Chevron Products Company<br>Case No. 831-361<br>(M. Reichert)                      | 203(b)<br>2004(f)(1)<br>3002(c)(1)                                     | NH3 CEMS failed.   | Not Opposed/Granted                        | Ex Parte EV granted commencing 1/08/13 and continuing until the SV hearing currently scheduled for 2/5/13. | None   |
| 2. Chevron Products Company<br>Case No. 831-362<br>(J. Panasiti)                      | 203(b)<br>401<br>2004(f)(1)<br>3002(c)(1)<br>H&S 41701                 | The catalyst regeneration after the equipment malfunction will result in opacity exceedance.   | Opposed/Denied                             | Ex Parte EV denied.  | N/A  |
| 3. Colorcoat, Inc.<br>Case No. 5915-1<br>(N. Sanchez)                                 | 1145   | Respondent is applying window frame coatings with excess VOC.  | No position/Dismissed                      | IV dismissed without prejudice for the lack of good cause. RV currently scheduled for 2/14/13.             | N/A  |
| 4. Community Hospital, Long Beach<br>Case No. 5917-1<br>(N. Sanchez)                  | 1146(c)(1)(l)  | Petitioner cannot meet the January 1, 2013 compliance deadline for three boilers due to the unexpected delay in the delivery of Low NO <sub>x</sub> burners. | Not opposed/Granted                        | IV granted commencing 1/10/13 and continuing for 90 days or until the RV currently scheduled for 2/26/13.  | NO <sub>x</sub> : 6 lbs/day until Boiler No. 3 is retrofitted. |
| 5. El Segundo Power, LLC<br>Case No. 5097-7<br>(T. Barrera)                           | 202(a)<br>203(b)<br>401(b)(1)<br>2004(f)(1)<br>3002(c)(1)<br>H&S 41701 | Visible emissions are anticipated upon start up of the new generating equipment.   | Not Opposed/Granted                        | RV granted commencing 3/1/13 and continuing through 7/31/13, the FCD.                                      | Opacity: TBD by 3/16/13  |
| 6. Santa Monica Bay Towers Homeowners, Associates<br>Case No. 5911-1<br>(M. Reichert) | 1146.1 (e)(1)<br>1146.1 (d)(6)   | Petitioner is operating noncompliant boilers.  | Not Opposed/Granted                        | RV granted commencing 1/22/13 and continuing through 5/15/13, the FCD.                                     | NO <sub>x</sub> : TBD by 2/6/13                                |
| 7. SCAQMD vs. California Hospital Medical Center<br>Case No. 5826-1<br>(K. Manwaring) | 1146(c)(2)(A)  | Respondent cannot meet the O/A final compliance date because of unforeseen structural problems.  | Stipulated/Issued                          | Mod. O/A issued commencing 1/30/13 and continuing through 4/30/13.   | N/A  |

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|---|--|--|---------------------|---|--|
| 8. SCAQMD vs. County of Riverside, Riverside Juvenile Hall<br>Case No. 5903-1<br>(K. Manwaring) | 203<br>1470  | Respondent is operating a noncompliant diesel fired ICE near the school grounds.   | Stipulated/Issued   | O/A issued on 1/8/13. The Hearing Board shall retain jurisdiction until 12/31/13.   | N/A  |
| 9. Tesoro Refining & Marketing Co., LLC<br>Case No. 4982-89<br>(M. Reichert)                    | 203(b)<br>2004(f)(1)<br>2012(c)(2)(A)<br>3002(c)(1)                              | The CEMS must be disconnected to repair a refinery heater.   | Not Opposed/Granted | SV & AOC granted commencing 1/17/13 and continuing through 2/20/13.   | None   |
| 10. U.C. Regents-University of California, Los Angeles<br>Case No. 5708-2<br>(K. Manwaring)     | 202(a)<br>203(b)<br>3002(c)(1)   | The boiler airflow design must be changed and the compliance date in the existing variance cannot be met.  | Not Opposed/Granted | SV granted commencing 1/10/13 and continuing through 3/13/13.   | NO <sub>x</sub> : 2.54 lbs/hr<br>CO: 112.92 lbs/hr<br>VOC: 1.12 lbs/hr<br>PM <sub>10</sub> : 1.68 lbs/hr<br>SO <sub>x</sub> : .132 lb/hr |
| 11. Ultramar, Inc. dba Valero Wilmington Refinery<br>Case No. 3845-86<br>(T. Barrera)           | 202(a)<br>203(b)<br>401(b)(1)<br>407(a)<br>2004(f)(1)<br>3002(c)(1)<br>H&S 41701 | Major pieces of process equipment must be shut down to repair a critical component. Shut down and restart will result in flaring and violation of various rules and permit conditions. | Not Opposed/Granted | IV & AOC granted commencing 1/31/13 and continuing through 3/4/13, or until the SV and AOC hearing currently scheduled for 2/26/13, whichever occurs first. | PM: 147 lbs/day<br>NO <sub>x</sub> : 463 lbs/day<br>ROG: 429 lbs/day<br>CO: 2520 lbs/day<br>SO <sub>x</sub> : 408 lbs/day                |
| 12. Valley Presbyterian Hospital<br>Case No. 5920-1<br>(K. Manwaring)                           | 1146.1(c)(2)   | The hospital is operating three noncompliant boilers.  | Not Opposed/Denied  | IV denied. The beyond reasonable control finding could not be made. A RV is currently scheduled for 3/6/13.   | N/A  |

### Acronyms

AOC: Alternative Operating Conditions  
CEMS: Continuous Emissions Monitoring System  
CO: Carbon Monoxide  
EV: Emergency Variance  
FCD: Final Compliance Date  
H&S: Health & Safety Code  
ICE: Internal Combustion Engine  
IV: Interim Variance  
MOD, O/A: Modification of an Order for Abatement  
NH<sub>3</sub>: Ammonia  
NO<sub>x</sub>: Oxides of Nitrogen  
O/A: Order for Abatement  
P/O: Permit to Operate  
PM: Particulate Matter  
ROG: Reactive Organic Gases

RV: Regular Variance  
SO<sub>x</sub>: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VOC: Volatile Organic Compounds