BOARD MEETING DATE: May 3, 2013   AGENDA NO. 14

REPORT: Hearing Board Report

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

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

                                   Edward Camarena
                                   Chairman of Hearing Board
DP
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Two summaries are attached: **Rules From Which Variances and Orders for Abatement
Were Requested in 2013** and **March 2013 Hearing Board Cases**.

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

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
	Rules from which Variances and Order for Abatements were Requested in 2013													
# of HB Actions*														
Involving														
Rules														
109														0
109(c)														0
109(c)(1)			1											1
201														0
201.1														0
202														0
202(a)		3	1	2`										6
202(b)														0
202(c)														0
203		1												1
203(a)			3	1										4
203(b)		6	5	7										18
204														0
208														0
218														0
218.1														0
218.1(b)(4)(C)														0
218(b)(2)														0
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		1												1
401(b)														0
401(b)(1)		1												1
401(b)(1)(A)														0
401(b)(1)(B)														0
402														0
403(d)(1)														0
403(d)(1)(A)				1										1
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 2013													
2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
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													0
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)													0
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)			1											1
461(e)(2)													0
461(e)(2)(A)													0
461(e)(2)(A)(i)													0
461(e)(2)(B)(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 2013													
2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
461(e)(3)(C)(i)(I)													0
461(e)(3)(D)													0
461(e)(3)(E)													0
461(e)(5)			1										1
461(e)(7)													0
462													0
462(c)(4)(B)(i)													0
462(c)(7)(A)(ii)													0
462(d)													0
462(d)(1)													0
462(d)(1)(A)													0
462(d)(1)(A)(i)													0
462(d)(1)(B)													0
462(d)(1)(C)													0
462(d)(1)(E)(ii)													0
462(d)(1)(F)													0
462(d)(1)(G)													0
462(d)(2)(A)(i)													0
462(e)(1)													0
462(e)(1)(E)													0
462(e)(1)(E)(ii)													0
462(e)(1)(E)(i)(II)													0
462(e)(2)(A)(i)													0
462(e)(4)													0
462(h)(1)													0
463													0
463(c)													0
463(c)(1)													0
463(c)(1)(A)(I)-(iv)													0
463(c)(1)(B)													0
463(c)(1)(C)													0
463(c)(1)(D)													0
463(c)(1)(E)													0
463(c)(2)													0
463(c)(2)(B)													0
463(c)(2)(C)													0
463(c)(3)													0
463(c)(3)(A)													0
463(c)(3)(B)													0
463(c)(3)(C)													0
463(d)													0
463(d)(2)													0
463(e)(3)(C)													0
463(e)(4)													0
463(e)(5)(C)													0
464(b)(1)(A)													0
464(b)(2)													0

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
468													0
468(a)													0
468(b)													0
1102													0
1102(c)(2)													0
1102(c)(5)													0
1103(d)(2)													0
1105.1(d)(1)(A)(i)													0
1105.1(d)(1)(A)(iii)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(1)													0
1107(c)(2)													0
1107(c)(7)													0
1107													0
1110.1													0
1110.2													0
1110.2(c)(14)													0
1110.2(d)													0
1110.2(d)(1)(A)													0
1110.2(d)(1)(B)(ii)													0
1110.2(d)(1)(C)													0
1110.2(d)(1)(D)													0
1110.2(d)(1)(E)													0
1110.2(e)(1)(A)													0
1110.2(e)(1)(B)(i)(II)													0
1110.2(e)(1)(B)(i)(III)													0
1110.2(e)(4)(B)													0
1110.2(f)													0
1110.2(f)(1)(A)													0
1110.2(f)(1)(A)(iii)(I)													0
1113(c)(2)													0
1113(d)(3)													0
1118(c)(4)													0
1118(c)(5)													0
1118(d)(1)(2)													0
1118(d)(1)(2)													0
1118(d)(2)													0
1118(d)(3)													0
1118(d)(4)(B)													0
1118(d)(5)(A)													0
1118(d)(5)(B)													0
1118(d)(10)													0
1118(d)(12)													0
1118(e)													0
1118(g)(1)													0

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
1118(g)(3)														0
1118(i)(5)(B)(i)														0
1118(i)(5)(B)(ii)														0
1118(j)(1)(A)(ii)														0
1118(j)(1)(B)(ii)														0
1118(j)(1)(C)														0
1121(c)(2)(C)														0
1121(c)(3)														0
1121(c)(6)														0
1121(c)(7)														0
1121(c)(8)														0
1121(e)(3)														0
1121(h)														0
1121(h)(1)														0
1121(h)(2)														0
1121(h)(3)														0
1122(c)(2)(A)														0
1122(c)(2)(E)														0
1122(d)(1)(A)														0
1122(d)(1)(B)														0
1122(d)(3)														0
1122(e)(2)(A)														0
1122(e)(2)(B)														0
1122(e)(2)(C)														0
1122(e)(2)(D)														0
1122(e)(3)														0
1122(e)(4)(A)														0
1122(e)(4)(B)														0
1122(g)(3)														0
1122(j)														0
1124														0
1124(c)(1)(A)														0
1124(c)(1)(E)														0
1124(c)(4)														0
1125(c)(1)														0
1125(c)(1)(C)														0
1125(d)(1)														0
1128(c)(1)														0
1128(c)(2)														0
1130														0
1130(c)(1)														0
1130(c)(4)														0
1131														0
1131(d)														0
1132(d)(2)														0
1132(d)(3)														0
1133(d)(8)														0

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
Rules from which Variances and Order for Abatements were Requested in 2013														
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)			1											1
1145(c)(2)														0
1145(g)(2)														0
1145(h)(1)(E)														0
1146(c)(2)(A)														0
1146.0			1											1
1150.1(d)(5)														0
1150.1(d)(12)														0
1150.1(e)														0
1150.1(e)(1)(C)														0
1150.1(e)(2)														0
1150.1(e)(2)(C)														0
1145		1												1
1146(c)(2)(A)		1												1
1146(c)(5)														0
1146(c)(1)(I)		1	2											3
1146.1		1	1											2
1146.1(a)(2)														0
1146.1(a)(8)														0
1146.1(b)														0
1146.1(c)(1)(G)														0
1146.1(c)(2)		1	1											2
1146.1(c)(3)														0
1146.1(e)(1)		1												1
1146.1(e)(1)(B)														0
1146.2														0
1146.2(c)(3)														0
1146.2(c)(5)														0
1146.2(e)														0
1147			1											1

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
1147(c)(10)													0
1150.1(d)(C)(i)													0
1150.1(d)(1)(C)(i)													0
1150.1(d)(4)													0
1150.1(d)(5)													0
1150.1(d)(6)	1												1
1150.1(d)(12)													0
1150.1(e)													0
1150.1(e)(1)													0
1150.1(e)(2)													0
1150.1(e)(3)													0
1150.1(e)(1)(B)(C)													0
1150.1(e)(1)(C)													0
1151.1(e)(2)(B)(C)													0
1150.1(e)(2)(C)													0
1150.1(e)(3)(B)													0
1150.1(e)(3)(B)(C)													0
1150.1(e)(3)(C)													0
1150.1(e)(4)													0
1150.1(e)(6)(A)(I)													0
1150.1(e)(6)(A)(ii)													0
1150.1(f)(1)(A)(iii)(I)													0
1150.1(f)(1)(H)(i)													0
1151													0
1151(c)(8)													0
1151(2)													0
1151(5)													0
1151(d)(1)													0
1151(e)(1)													0
1151(e)(2)													0
1151(f)(1)													0
1153(c)(1)													0
1153(c)(1)(B)													0
1156(d)(5)(C)(i)													0
1158													0
1158(d)(2)													0
1158(d)(5)													0
1158(d)(7)													0
1158(d)(7)(A)(ii)													0
1158(d)(10)													0
1164(c)(1)(B)													0
1164(c)(2)													0
1166(c)(2)													0
1166(c)(2)(F)													0
1168													0
1168(c)(1)													0
1168(h)(2)													0

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
Rules from which Variances and Order for Abatements were Requested in 2013														
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)(B)				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														0
1303(a)(1)														0

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)(I)														0
1470(c)(2)(C)(iv)														0
1470(c)(3)(B)														0
1470(c)(3)(C)(iii)			1											1

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
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)	4	2	4										10
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.													0
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													0
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.													0
2012, Appen A, Chap. 2, B.5.a													0
2012, Appen A, Chap. 2, B.10													0
2012, Appen A, Chap. 2, B.11													0

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
2012, Appen A, Chap. 2, B.12														0
2012, Appen A, Chap. 2, B.17														0
2012, Appen A, Chap.2, B.18														0
2012, Appen A, Chap.2, B.20														0
2012 Appen A, Chap. 4.A.4														0
2012(c)(2)														0
2012(c)(2)(A)		1												1
2012(c)(2)(B)														0
2012(c)(3)														0
2012(c)(3)(A)														0
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)														0
2012(g)(1)														0
2012(g)(3)														0
2012(g)(7)														0
2012(h)(3)														0
2012(h)(4)														0
2012(h)(5)														0
2012(h)(6)														0
2012(i)														0
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 a, 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														0
3002(a)														0
3002(c)														0
3002(c)(1)			2	5										7
3002(c)(2)		6												6
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

	2013	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
Rules from which Variances and Order for Abatements were Requested in 2013														
H&S 41700														0
H&S 41701		3												3
H&S 93115.6(c)(2)(C)(1)														0
H&S 42303														0
Title 13 Code of Regulations §2452														

Report of March 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. Chevron Products Company Case No. 831-363 (N. Sanchez)	203(b) 1173(f)(1)(B) 2004(f)(1) 3002(c)(1)	Respondent cannot complete the quarterly inspection of pumps and components in light liquid/gas/vapor service as required by Rule 1173.	No Position/Granted	SV granted commencing 4/1/13 and continuing through 6/30/13.	None
2. Eastern Municipal Water District Case No. 4937-53 (M. Reichert)	202(a)	Petitioner cannot operate the digester gas flare because of the failure of the variable frequency drive.	Not Opposed/Granted	Ex Parte EV granted commencing 3/15/13 and continuing through 3/29/13 or until the EV hearing currently scheduled for 3/21/13, whichever comes first.	H_2S: TBD by 4/5/13
3. Los Angeles Department of Water and Power Case No. 1263-65 (J. Panasiti)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner must continue to operate and delay the surrender of the boiler permit to ensure safe, orderly integration of the new turbines that will replace the boiler.	No Position/Granted	SV granted commencing 4/20/13 and continuing through 5/31/13.	NO_X: TBD CO: TBD VOC: TBD PM_{10}: TBD SO_X: TBD (Excess emissions are TBD by 7/15/13)
4. PAR Electrical Contractors Case No. 5928-1 (N. Feldman)	403(d)(1)(A)	Fugitive dust from helicopter operations.	No Position/Dismissed	IV dismissed without prejudice for the lack of good cause. RV currently scheduled for 4/16/13.	N/A
5. Phillips 66 Company Case No. 4900-91 (T. Barrera)	203(b) 2004(f)(1) 3002(c)(1)	Repairs to sulfur pit piping requires bypassing the sulfur pit and associated control system.	Not Opposed/Granted	SV granted commencing upon notification pursuant to Condition No. 1 and continuing for 14 days thereafter.	H_2S: 0.63 lbs/day
6. Ron's Mini Mart, Inc. Case No. 5929-1 (K. Manwaring)	203(b) 461(e)(5)	Gasoline dispensing facility failed the leak test.	Not Opposed/Granted	Ex Parte EV granted commencing 3/6/13 and continuing for 30 days or until the EV hearing currently scheduled for 3/12/13, whichever comes first.	VOC: TBD by 3/21/13

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7. SCAQMD vs. Juan Alberto Salas Hernandez (aka Juan A. Salas), individually and dba A.C. Concrete Pumping Case No. 5927-1 (N. Sanchez)	203(a)	Respondent is operating an ICE without a valid permit and is in violation of the PM limit.	Stipulated/Issued	O/A issued commencing on 3/28/13 and shall cease and desist operations by 4/16/13, unless retrofitted to Tier 4 requirements and respondent has applied and paid for all required fees for a complete District P/C/O.	N/A
8. 6th & Catalina Chevron, Kohanoff Saeed Case No. 5931-1 (M. Reichert)	203(b) 461(e)(1)	Multiple equipment problems have prevented the completion of ten performance tests.	Not Opposed/Granted	Ex Parte EV granted commencing 3/15/13 and continuing for 30 days or until the EV hearing currently scheduled for 3/20/13, whichever comes first.	VOC: TBD by 4/4/13
9. Southern California Edison (SCE) Mountainview Generating Station (MVGS) Case No. 1262-103 (N. Sanchez)	203(b) 2004(f)(1) 3002(c)(1)	The major retuning of gas turbines will exceed the time limit in the permit during which time there will be excess CO and NO_x.	Not Opposed/Granted	RV granted commencing 3/12/13 for Units 4A and 4B and continuing through 5/31/13 for 10.25 hours per unit for a 48-hour period. The RV is continued to 10/16/13 for Units 3A & 3B.	NO_X: 970 lbs/day CO: 2130 lbs/day
10. UC Regents-University of California, Los Angeles Case No. 5708-2 (T. Barrera)	202(a) 203(b) 3002(c)(1)	Petitioner cannot meet the final compliance date because of continued problems with the air flow control system design and installation.	Not Opposed/Granted	RV granted commencing 3/12/13 and continuing through 4/30/13, the FCD.	NO_X: 2.54 lbs/hr CO: 112.9 lbs/hr VOC: 1.12 lbs/hr PM_{10}: 1.68 lbs/hr SO_X: .132 lb/hr

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
H_2S: Hydrogen Sulfide
ICE: Internal Combustion Engine
IV: Interim Variance
NO_X: Oxides of Nitrogen
O/A: Order for Abatement
P/C/O: Permit to Construct/Operate
PM10: Particulate Matter
RV: Regular Variance
SO_X: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compound