

BOARD MEETING DATE: December 7, 2012

AGENDA NO. 14

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of October 1 through October 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 **October 2012 Hearing Board Cases**.

The total number of appeals filed during the period October 1 to October 31, 2012 is 0; and total number of appeals filed during the period of January 1 to October 31, 2012 is 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
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)(3)(A)														0
1146(c)(5)														0
1146(c)(1)(I)										1		1		2
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	1
1146.2(c)(5)													1	1
1146.2(e)													1	1
1147)(c)(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
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)														0
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 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 October 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. ExxonMobil Oil Corporation Case No.1183-471 (T. Barrera)	202(a) 203(b) 2004(f)(1) 3002(c)(1)	Cyclone serving refinery catalyst loading must be bypassed to repair leaking valve.	Not Opposed/Granted	SV & AOC granted for 48 consecutive hours in a window of time commencing 10/22/12 and continuing through 10/26/12.	None
2. ExxonMobil Oil Corporation Case No. 1183-472 (J. Panasiti)	202(a) 203(b) 401(b) 2004(f)(1) 3002(c)(1) California Health & Safety Code §41701	Refinery restart after power outage will result in excess NOx and opacity.	Not Opposed/Granted	Ex Parte EV and AOC granted commencing upon notification to the District pursuant to Condition 1(a) and continuing for 80 non-consecutive hours or until the EV hearing currently scheduled for 10/4/12, whichever comes first.	NOx: 1840 lbs during start up Opacity: 45% during start up
3. Hemet Valley Medical Center Case No. 5901-1 (N. Sanchez)	1146(c)(1)(l)	Two boilers operating in violation of R1146 NOx limit.	Not Opposed/Denied	RV denied.	N/A
4. Long Beach Peakers LLC Case No. 5098-9 (T. Barrera)	203(b) 401(a) 2004(f)(1) 3002(c)(1) California Health & Safety Code §41701	Fine tuning after repairs to peaker unit may result in excess NOx and opacity.	Not Opposed/Granted	Ex Parte EV granted commencing 10/19/12 and continuing through 10/24/12.	NOx: 634.1 lbs/hour Opacity: 25% for one minute
5. Los Angeles Department of Water & Power Case No. 1263-64 (J. Panasiti)	203(b) 218(b)(2) 2004(f)(1) 2012(c)(2)(A) 2012(c)(3)(A) 2012(g)(1) 2012, Appendix A, Chapter 2, Section A 3002(c)(1)	Generating station CEMS will be disconnected to move to permanent location.	Not Opposed/Granted	SV granted commencing 10/29/12 and continuing through 11/9/12.	None
6. Mount San Jacinto Winter Park Authority dba Palm Springs Aerial Tramway Case No. 5906-1 (K. Manwaring)	203(b) 1110.2	Two standby emergency generators have exceeded annual operating limits.	Not Opposed/Dismissed	IV dismissed without prejudice for lack of good cause.	N/A

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7. Mount San Jacinto Winter Park Authority dba Palm Springs Aerial Tramway Case No. 5906-1 (K. Manwaring)	203(b)	Two standby emergency generators have exceeded annual operating limits.	Opposed/Granted	SV granted commencing 10/25/12 and continuing through 12/31/12.	VOC: .021 lb/day NOx: 4.31 lbs/day CO: .934 lb/day PM: >.01 lb/day PM ₁₀ : >.01 lb/day
8. San Diego Gas and Electric Company Case No. 3607-12 (K. Manwaring, Consent Calendar)	203(b) 1110.2(d)(1)(B)(ii) 2004(f)(1) 3002(c)(1)	Petitioner awaiting EPA approval of alternate VOC limit.	Not Opposed/Granted	MFCD/EXT granted commencing 10/7/2012 and continuing through 10/7/2013, the FCD.	ROG: TBD by 10/31/13
9. Southern California Gas Company Case No. 137-68 (K. Manwaring, Consent Calendar)	203(b) 1110.2(d)(1)(B)(ii) 2004(f)(1) 3002(c)(1)	Petitioner seeking approval of alternate VOC limit.	Not Opposed/Granted	MFCD/EXT granted commencing 10/7/2012 and continuing through 10/7/2013, the FCD.	ROG: TBD by 10/31/13

Acronyms

APC: Air Pollution Control

AOC: Alternative Operating Conditions

CARB: California Air Resources Board

CEMS: Continuous Emissions Monitoring System

CEQA: California Environmental Quality Act

CO: Carbon Monoxide

ESP: Electrostatic Precipitator

EV: Emergency Variance

FGRS: Flare Gas Recovery System

FCCU: Fluid Catalytic Cracking Unit

FCD: Final Compliance Date

GDF: Gasoline Dispensing Facility

H&S: Health & Safety Code

H₂S: Hydrogen Sulfide

ICE: Internal Combustion Engine

I/P: Increments of Progress

ISD: IN-Station Diagnostic System

IA: Interim Authorization

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

NMOC: Non-Methane Organic Compounds

NOV: Notice of Violation

NOx: Oxides of Nitrogen

O/A: Order for Abatement

P/O: Permit to Operate

PM: Particulate Matter

RATA: Relative Accuracy Test Audit

RECLAIM: Regional Clean Air Incentives Market

ROG: Reactive Organic Gas

RV: Regular Variance

SCR: Selective Catalytic Reduction

SO₂: Sulfur Dioxide

SOx: Oxides of Sulfur

SV: Short Variance

TBD: To be determined

TOC: Total Organic Compounds

VOC: Volatile Organic Compounds

VRS: Vapor Recovery System