

BOARD MEETING DATE: December 6, 2024

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of October 1 through October 31, 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Micah Ali
Hearing Board Chair

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Attached are the following summaries: **October 2024 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested from October 1, 2024 through October 31, 2024.** The applicable South Coast AQMD Rules for 2024 are also attached.

There were no appeals filed during the period of October 1, 2024 to October 31, 2024.

Report of October 2024 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. B. Braun Pharmaceutical Manufacturing LLC Case No. 4780-5 (Consent Calendar)	1134	Petitioner was in violation of District Rule 1134 because Turbines No. 1 and 2 do not meet the Rule 1134 2 ppm NOx limitation that took effect on January 1, 2024.	Not Opposed/Granted	Modification of Variance/Extension granted commencing 11/1/24 and continuing through 1/31/25.	NOx: 9.77 lbs/day
2. Canyon Power Plant Case No. 6264-1 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	Gas Turbine 1 was removed from service and transported to Texas for repairs which caused the triennial test to be missed. Subsequent failures rendered the Turbine 1 inoperable.	Not Opposed/Granted	RV granted commencing 10/3/24 and continuing through 8/31/25, or until final compliance, whichever comes first.	None
3. County of Riverside – Sheriff's Public Safety Enterprise Communications (Corona) Case No. 6229-2 (Consent Calendar)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to power outages resulting from the Airport Fire.	Not Opposed/Granted	IV granted commencing 10/23/24 and continuing for 90 days or until the RV hearing scheduled for 12/11/24, whichever comes first.	CO: 1.79 lbs/day NOx: 2.52 lbs/day ROG: 0.33 lb/day

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
4. County of San Bernardino – Fleet Management Case No. 6070-13 (Consent Calendar)	203(b)	Petitioner violated Districts Rules, etc., and will achieve compliance on January 1, 2025, when the annual 200-hour operating limitation in Condition No. 4 resets for both permits.	Not Opposed/Granted	IV granted commencing 10/15/24 and continuing for 90 days or until the RV hearing scheduled for 12/4/24, whichever comes first.	CO – 0.19 lb/hour NOx – 0.51 lb/hour RHC – 0.03 lb/hour PM – 0.03 lb/hour SOx – 0.001 lb/hour
5. Enery Holdings LLC/LGHHP_6_ICEGEN Case #6248-2 (K. Manwaring)	203(b) 2004(f)(1) 2012, Attach C, B.2.a. 3002(c)(1)	Petitioner unable to conduct required RATA test on nonoperational gas turbine unit.	Opposed/Granted	RV granted commencing 10/24/25 and continuing through 7/31/25, or until final compliance, whichever comes first.	None
6. Sentinel Energy Center LLC Case No. 6141-3 (Consent Calendar)	218(b) 3002(c)	Units 1-8 and ancillary equipment will be/was unavailable for operation during the construction period. A variance was sought for relief from District Rules.	Not Opposed/Granted	IV granted commencing 10/2/24 and continuing for 90 days or until the SV hearing scheduled for 10/23/24, whichever comes first.	None

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
7. South Coast AQMD vs. City of Colton, Agua Mansa Power Plant Case No. 6266-1 (K. Manwaring)	201 203(b) 2004(f)(1) 3002(c)	O/A sought to allow Respondent to reinstall the repaired components (S/N 191-486) of D1 without incurring violations, while the South Coast AQMD processes the permit application.	Stipulated/Issued	O/A issued 10/23/24 and continuing until notification by Respondent that the equipment for which the O/A was issued is operating and final compliance is achieved.	N/A
8. South Coast AQMD vs. Walnut Creek Energy, LLC Case No. 6230-6 (K. Manwaring)	203(b) 2004(f)(1) 3002(c)	Respondent was required to complete ammonia slip testing by September 30, 2024, in accordance with permit condition D29.2; however, was not able to complete the test by September 30, 2024, because Unit 4 (D19) is not currently operating and a permitted supercore with a S/N listed in permit condition E448.3 will not be available timely to meet the quarterly testing deadline.	Stipulated/Issued	O/A issued commencing 10/23/24. The Hearing Board shall retain jurisdiction over this matter for one year from the date this Order for Abatement was issued.	N/A

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
9. United States Government Department of Navy Case No. 4518-10 (Consent Calendar)	203(b) 3002(c)(1)	Emergency generator exceeded permitted annual 200-hour operating limit due to power loss resulting from a wildfire.	Not Opposed/Granted	RV granted commencing 10/31/24 and continuing through 12/31/24, the FCD.	<p><u>Device D21</u> CO: 63.6 NOx: 292.47 PM10: 21.19 ROG: 23.72</p> <p><u>Device D200</u> CO: 72.52 NOX: 45.8 PM10: 3.24 ROG: 8.53</p>
10. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-109 (J. Lee)	202(a) 2004(f)(1) 3002(c)(1)	Petitioner experienced a breakdown that resulted in an automatic shutdown of the Refinery's main gasoline producing equipment, the FCCU; Process 3, System 1). Specifically, a valve malfunctioned and failed in the closed position, leading to a pressure surge in the FCCU's Regenerator causing an automatic control scheme to initiate shutdown.	Not Opposed/Granted	Ex Parte EV granted commencing 10/9/24 through October 11, 2024.	CO: 1,236 total/lbs.

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
11. USA Waste of California, El Sobrante Landfill Case No. 5139-3 (M. Reichert)	203(b) 3002(c)(1)	Petitioner sought a permit modification to increase the SOx/total sulfur limit in Condition #26. Because the Petitioner, a landfill, is an essential public service, operations are unable to be curtailed nor can there be a reduction in the amount of existing waste at the facility that is the source of the DMS issue.	Not Opposed/Granted	RV granted commencing 10/3/24 and continuing through 8/5/25, or until final compliance, whichever comes first.	SOx: 8.22 lbs/day
12. Verizon Wireless Big Bear City Case No. 6139-8 (Consent Calendar)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to power outages resulting from the Line Fire.	Not Opposed/Granted	IV granted commencing 10/16/24 and continuing for 90 days or until the RV hearing scheduled for 12/11/24, whichever comes first.	CO – 7.93 lbs/day NOx – 5.95 lbs/day VOC – 5.95 lbs/day
13. Verizon Wireless Rancho Santa Margarita Case No. 6139-9 (Consent Calendar)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit due to power outages resulting from the Airport Fire.	Not Opposed/Granted	IV granted commencing 10/16/24 and continuing for 90 days or until the RV hearing scheduled for 12/11/24, whichever comes first.	NOx: 10.08 lbs/day CO: 13.44 lbs/day VOC: 10.08 lbs/day

Acronyms

CO: Carbon Monoxide
DMS: Dimethyl Sulfide
EV: Emergency Variance
FCCU: Fluid Catalytic Cracking Unit
FCD: Final Compliance Date
IV: Interim Variance
Mod. O/A: Modification Order for Abatement

N/A: Not Applicable
NOx: Oxides of Nitrogen
OA: Order for Abatement
PM: Particulate Matter
RHC: Reactive Hydrocarbons
RV: Regular Variance
SOx: Oxides of Sulfur

TBD: To Be Determined
VOC: Volatile Organic Compound

Rules from which Variances and Orders for Abatement were Requested in 2024

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
201										1			1
202(a)										1			1
202(b)					1								1
203(b)	7	8	8	6	5	2	6	7	10	11			70
204					1					6			7
218(b)										1			1
218(b)(2)						1							1
218.1(b)(4)(c)						1							1
401(b)(1)								1					1
402	2		1	1	1		1		1				7
415(f)							1						1
415(g)							1						1
431.1(c)(2)	1	1		1									3
463(c)					1								1
464(b)(1)(A)				1									1
464(b)(2)				1									1
464(b)(3)				1									1
1100(d)(1)(B)							1						1
1105.1(e)(2)(A)	1	1	1										3
1105.1(e)(2)(E)	1	1											2
1110.2(d)							1						1
1110.2(e)(2)							1						1
1110.2(e)(4)							1						1
1110.2(e)(10)							1						1
1110.2(f)(1)(C)							1						1
1110.2(F)(1)(D)							1						1
1124(c)(1)		1											1
1124(c)(4)		1											1
1128					1								1
1134										1			1
1134(d)(3)	1						1						2
1134(e)(2)							1						1
1134(e)(3)							1						1

Rules from which Variances and Orders for Abatement were Requested in 2024

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1134(e)(2)(C)	1												1
1134(e)(2)(C)(iii)			2										2
1146(c)(1)		1											1
1146(e)(1)		1											1
1147					1		1						2
1147(d)(1)(a)							1	1					2
1147(h)(13)(A)				1	1								2
1148.1(d)(8)					1								1
1150(b)(2)			1	1									2
1150.1(e)(2)(A)			1										1
1150.1(e)(2)(E)			1										1
1150.1(f)(2)(A)	1												1
1173(d)(1)(B)					1								1
1173(g)(1)			1										1
1176(e)(1)				1									1
1176(e)(2)				1									1
1196(d)									1				1
1196(d)(1)						1		2					3
1196(e)									1				1
1196(f)(8)(a)								1					1
1196(f)(10)								1					1
1303(a)(1)					1								1
1303(a)(2)					1								1
1420(f)(1)					1		2						3
1470(c)(4)(A)	1												1
2004(f)(1)	5	5	4	3	3	2	3	1	1	5			32
2005					1								1
2012							1						1
2012(c)(3)(A)					1								1
2012 Att C, B.2.a										1			1
3002(c)				1	1					3			5
3002(c)(1)	7	7	4	3	2	2	4	5	2	5			41
CA H&S Code 41700	1		1	1	1		1	1	1				7
CA H&S Code 41701								1					1

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX
FOR 2024 HEARING BOARD CASES AS OF OCTOBER 31, 2024**

REGULATION II – PERMITS

Rule 201	Permit to Construct
Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 204	Permit Conditions
Rule 218	Continuous Emission Monitoring

REGULATION IV – PROHIBITIONS

Rule 401	Visible Emissions
Rule 402	Nuisance
Rule 431.1	Sulfur Content of Gaseous Fuels
Rule 463	Organic Liquid Storage
Rule 464	Wastewater Separators

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1100	Implementation Schedule for NO _x Facilities
Rule 1105.1	Reduction of PM ₁₀ and Ammonia Emissions from Fluid Catalytic Cracking Units
Rule 1110.2	Emissions from Stationary Internal Combustion Engines
Rule 1124	Aerospace Assembly and Component Manufacturing Operations.
Rule 1128	Paper, Fabric, and Film Coating Operations
Rule 1134	Emissions of Oxides of Nitrogen from Stationary Gas Turbines
Rule 1146	Emissions of Oxides of Nitrogen (NO _x) from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1147	NO _x Reductions from Miscellaneous Sources
Rule 1148.1	Oil and Gas Production Wells
Rule 1150	Excavation of Landfill Sites
Rule 1150.1	Control of Gaseous Emissions from Municipal Solid Waste Landfills
Rule 1173	Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
Rule 1176	VOC Emissions from Wastewater Systems
Rule 1196	Clean On-Road Heavy-Duty Public Fleet Vehicles

REGULATION XIII – NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1420 Emissions Standard for Lead

Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

Rule 2005 New Source Review for RECLAIM

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX – TITLE V PERMITS

3002 – Requirements

CALIFORNIA HEALTH AND SAFETY CODE

§41700 Prohibited Discharges

§41701 Restricted Discharges