

BOARD MEETING DATE: June 7, 2024

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of March 1 through March 31, 2024 and April 1 through April 30, 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Cynthia Verdugo-Peralta
Hearing Board Chair

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Attached are the following summaries: **March 2024 and April 2024 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested from January 1, 2024 Through April 30, 2024.** The applicable South Coast AQMD Rules for 2024 are also attached.

There were no appeals filed during the period of March 1, 2024 to April 30, 2024.

Report of March 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. Goodrich Corporation Case No. 6253-1 (M. Reichert)	203(b)	Gas was inadvertently flared, due to a malfunctioning solenoid valve in a carbon ceramic vapor deposition (CVD) furnace. Exceeding Limit in Emergency Flare Permit.	Not Opposed/Granted	IV granted commencing 3/7/24 and continuing for 90 days or until the RV hearing scheduled for 4/30/24, whichever comes first.	NOx: 0.4 lb/day
2. Innovative Baking Co dba Venice Baking Company Case No. 6144-2 (M.Reichert)	203(b)	The Regenerative Thermal Oxidizer (RTO) completion date was delayed due to delivery problems w/essential components, which are crucial to the RTO.	Not Opposed/Granted	SV granted commencing 3/18/24 and continuing through 5/31/24.	VOC: 6.9 lbs/day
3. County of San Bernardino – Fleet Management Case No. 6070-12 (M. Reichert)	203(b)	Due to the Governor's SOE-Atmospheric River weather cond., an unforeseen loss of power for 8.5 days triggered the ICE to potentially go over the allotted annual 200 hrs.	Not Opposed/Granted	IV granted commencing 3/14/24 and continuing for 90 days or until the RV hearing scheduled for 4/23/24, whichever comes first.	TBD
4. Torrance Refining Company Case No. 6060-20 (Consent Calendar)	203(b) 1150.1(e)(2)(A) 1150.1(e)(2)(E) 2004(f)(1) 3002(c)(1)	To Modify Cond. #1 of the Short Var. & AOCs granted on 01/11/24. All other Variance conditions & AOCs granted to remain in full force and effect.	Not Opposed/Granted	RV & AOC granted commencing 3/14/24 and continuing through 4/29/24, the FCD.	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
5. Tesoro Marketing & Refining Company LLC Case No. 4982-135 (S. Pruitt)	203(b) 1173(g)(1) 2004(f)(1) 3002(c)(1)	On 3/20/24, the flange was observed leaking liquid. Repairs are still needed due to VOC measurements above 25,000 ppm.	Not Opposed/Granted	Ex Parte EV granted commencing 3/22/24 and continuing for 30 days, 4/22/24, or until final compliance, whichever comes first.	VOC: 3.6 lbs/day
6. South Coast AQMD vs. Chiquita Canyon LLC Case No. 6177-4 (K. Roberts, M. Reichert & R. Mansell)	203(b) 402 431.1(c)(2) 1150(b)(2) H&S §41700	Another regulatory agency's requirements conflict with AQMD's Stipulated O/A Condition #49 re: notification required re: compliance & leachate concerns.	Stipulated/Issued	Mod. O/A issued; the Board shall continue to retain jurisdiction over this matter until 9/6/24.	N/A
7. Colton Power LP Case No. 6167-3 (Consent Calendar)	203(b) 1134(e)(2)(C)(iii) 2004(f)(1) 3002(c)(1)	Petitioner in violation of permit conditions due to lack of annual ammonia source (slip) test due to unit inoperability.	Not Opposed/Granted	RV granted commencing 3/26/24 and continuing through 7/30/24, the FCD.	None
8. Colton Power LP Case No. 6167-4 (Consent Calendar)	203(b) 1134(e)(2)(C)(iii) 2004(f)(1) 3002(c)(1)	Petitioner will still be out of compliance due to the new SCR catalyst not arriving on time to conduct the req. ammonia slip test.	Not Opposed/Granted	RV granted commencing 3/26/24 and continuing through 7/30/24, the FCD.	None

Acronyms

AOC: Alternative Operating Condition
EV: Emergency Variance
FCD: Final Compliance Date
IV: Interim Variance
Mod. O/A: Modification Order for Abatement
N/A: Not Applicable
NOx: Oxides of Nitrogen
RV: Regular Variance
SV: Short Variance
TBD: To Be Determined
VOC: Volatile Organic Compound

Report of April 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. Beta Offshore Operating, LLC Case No. 5855-7 (Consent Calendar)	N/A	An unforeseen pipeline rupture by 3 rd parties, resulted in an oil spill. All production was shut down for 18 mos. Petitioner needs more time and clarification to come into compliance w/all conditions.	Not Opposed/Granted	The Board modified and/or clarified Conditions Nos. 5, 9 and 12.d of the regular variance granted to petitioner on 12/7/23.	N/A
2. Chevron Products Company Case No. 831-400 (Consent Calendar)	203(b) 464(b)(1)(A) 464(b)(2) 464(b)(3) 1176(e)(1) 1176(e)(2) 2004(f)(1) 3002(c)(1)	Petitioner needs to remove permanent covers and open equipment for maintenance to ensure proper operation of equipment to achieve compliance by performing maintenance within 56 days to remove materials from #4 separator then replace permanent covers.	Not Opposed/Granted	SV granted commencing 4/10/24 and continuing through 6/4/24.	VOC: 2.6 lbs./total for variance period
3. Chevron Products Company Case No. 831-401 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)(1)	Need for emergency repair of Caustic Solution Flow Meter in C—2180 Caustic Scrubber to ensure continuous monitoring of caustic solution flow per Title V permit conditions.	Not Opposed/Granted	EV granted commencing 4/18/24 and continuing through 5/18/24.	None
4. Chiquita Canyon Landfill, LLC Case No. 6177-4 (K. Roberts & M. Reichert)	203(b) 402 431.1(c)(2) 1150(b)(2) 3002(c)(1) H&S §41700	The Leachate problem continues to be of major concern. Other regulatory agencies requirements still conflict with AQMD's Stipulated O/A Condition #49. More time is needed.	Stipulated/Issued	Mod. O/A issued commencing 4/24/24; the Hearing Board shall retain jurisdiction over this matter until 12/31/25.	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
5. County of San Bernardino – Fleet Management Case No. 6070-12 (M. Reichert)	203(b)	Due to atmospheric river conditions causing loss of power for 8.5 days - Big Bear Electric, triggered Emergency ICE. Will exceed Annual allotted hours.	Not Opposed/Granted	RV granted commencing 4/23/24 and continuing through 12/31/24, the FCD.	CO: 0.3 lb./hr. NOx: 0.003 lb./hr. RHC: 0.13 lb./hr. SOx: 0.35 lb./hr. PM10: 5 lbs./hr.
6. Goodrich Corporation Case No. 6253-1 (Consent Calendar)	203(b)	Due to an unanticipated & temporary undetected malfunction of solenoid valve in a carbon ceramic vapor deposition furnace resulting in production gas bypassing the process boilers resulting in emergency flare.	Not Opposed/Granted	RV granted commencing 4/30/24 and continuing through 1/31/25, the FCD.	NOx: 0.4 lb./day
7. Monarch Orange Crematory Case No. 6254-1 (J. Lee)	1147(h)(13)(A)	Due to a last-minute delay in materials, Petitioner was unable to conduct testing on time to comply with permit conditions.	Not Opposed/Granted	EV granted commencing 4/23/24 and continuing through 5/14/24.	None
8. Sentinel Energy Center LLC Case No. 6141-2 (Consent Calendar)	203(b) 2004(f)(1) 3002(c)	Staff's view of permit Condition D29.4 testing requirements differed with Petitioner's. Condition D29.4 must be in effect at the time of the CO catalyst replacement. Unable to conduct that test due to the outage.	Not Opposed/Granted	IV granted commencing 4/10/24 and continuing for 90 days or until the RV hearing scheduled for 5/14/24, whichever comes first.	None

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
IV: Interim Variance
N/A: Not Applicable
NOx: Oxides of Nitrogen

Mod. O/A: Modification Order for Abatement
PM10: Particulate Matter ≤ 10 microns
RHC: Reactive HydroCarbons
RV: Regular Variance
SOx: Oxides of Nitrogen
SV: Short Variance
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
203(b)	7	8	8	6									29
402	2		1	1									4
431.1(c)(2)	1	1		1									3
464(b)(1)(A)				1									1
464(b)(2)				1									1
464(b)(3)				1									1
1105.1(e)(2)(A)	1	1	1										3
1105.1(e)(2)(E)	1	1											2
1124(c)(1)		1											1
1124(c)(4)		1											1
1134(d)(3)	1												1
1134(e)(2)(C)	1												1
1134(e)(2)(C)(iii)			2										2
1146(c)(1)		1											1
1146(e)(1)		1											1
1147(h)(13)(A)				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(g)(1)			1										1
1176(e)(1)				1									1
1176(e)(2)				1									1
1470(c)(4)(A)	1												1
2004(f)(1)	5	5	4	3									17
3002(c)				1									1
3002(c)(1)	7	7	4	3									21
CA H&S Code 41700	1		1	1									3

