

BOARD MEETING DATE: November 1, 2024

AGENDA NO. 8

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of September through September 30, 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Micah Ali
Hearing Board Chair

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

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

Report of September 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. California Tower, Inc. Case No. 6262-1 (Consent Calendar)	203(b)	Petitioner is in violation, which requires compliance with permit conditions, because its annual permitted operating limit of 200 hours was exceeded.	Not Opposed/Granted	RV granted commencing 9/11/24 and continuing through 12/31/24, the FCD.	NOx: 18.57 lbs/day NMHC: 0.98 lb/day CO: 4.16 lbs/day PM: 0.83 lb/day
2. County of Riverside Case No. 6229-2 (J. Lee)	203(b)	Emergency generator exceeded permitted annual 200-hour operating limit to sustain power due to power loss caused by the Airport Fire aka: Trabuco Canyon Fire.	Not Opposed/Granted	Ex Parte EV granted commencing on September 27, 2024 and continuing for 30 days or until the interim variance hearing scheduled for October 23, 2024, whichever comes first.	TBD by 10/23/24
3. Enery Holdings LLC/LGHTHP_6_ICEGEN Case #6248-2 (K. Manwaring)	203(b)	Fiberglass insulation was found floating in the area of the diode wheel of D19 Gas Turbine Generator. As a result, petitioner disassembled the Gas Turbine Generator for repair(s).	Opposed/Denied	IV denied. An RV was scheduled for October 24, 2024.	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
4. Medline Industries, LP Case #6265-1 Case No. 6265-1 (E. Chavez)	203(b) 3002(c)(1)	While installing solar panels, one of the building's main switchboards was damaged, rendering it inoperable. As a result, the emergency generators were activated to continue business operations.	Not Opposed/Granted	IV granted commencing on September 5, 2024 and continuing for 90 days or until the regular variance hearing scheduled for November 7, 2024, whichever comes first.	TBD by 11/7/24
5. San Bernardino County – Fleet Management Department Case No. 6070-13 (E. Chavez)	203(b)	Emergency generator is expected to exceed its permitted annual 200-hour operating limit due to damage caused by the Line Fire.	Not Opposed/Granted	Ex Parte EV granted commencing on September 20, 2024 and continuing for 30 days or until the interim variance hearing scheduled for October 15, 2024, whichever comes first.	CO: 0.19 lb/hour NOx: 0.51 lb/hour RHC: 0.03 lb/hour PM/PM10: 0.03 lb/hour SOx: 0.001 lb/hour
6. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-39 (E. Chavez)	402 H&S §41700	Modified Stipulated Order for Abatement.	Stipulated/Issued	Mod. O/A issued commencing 9/5/24; The Hearing Board shall retain jurisdiction over this matter until and including 30 days after Respondent has achieved final compliance.	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
7. SpectraSite Communications, LLC (Los Angeles) Case No. 6261-1 (Consent Calendar)	203(b)	After running a generator runtime report, the petitioner became aware of the runtime hours exceeding the permitted limit. Subsequently, the petitioner completed a self-reporting form for which was submitted to SCAQMD and discontinued use of the generator.	Not Opposed/Granted	RV granted commencing 9/11/24 and continuing through 12/31/24, the FCD.	NOx: 18.57 lbs/day NMHC: 0.98 lb/day CO: 4.16 lbs/day PM: 0.83 lb/day
8. SpectraSite Communications, LLC (Hacienda Heights) Case No. 6261-2 (Consent Calendar)	203(b)	After running a generator runtime report, the petitioner became aware of the runtime hours exceeding the permitted limit. Subsequently, the petitioner completed a self-reporting form for which was submitted to SCAQMD and discontinued use of the generator.	Not Opposed/Granted	RV granted commencing 9/11/24 and continuing through 12/31/24, the FCD.	NOx: 18.57 lbs/day NMHC: 0.98 lb/day CO: 4.16 lbs/day PM: 0.83 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
9. South Coast AQMD vs. Western Municipal Water District Case No. 6240-1 (Consent Calendar)	1196(d) 1196(e)	Modified Stipulated Order for Abatement.	Stipulated/Issued	Mod. O/A issued commencing 9/12/24 and continuing through 12/31/29; the Hearing Board shall continue to retain jurisdiction.	N/A
10. Verizon Wireless Keller Peak Case No. 6139-8 (E. Chavez)	203(b)	Emergency generator is expected to exceed its permitted annual 200-hour operating limit to sustain power due to power loss caused by the Line Fire.	Not Opposed/Granted	Ex Parte EV granted commencing September 20, 2024 and continuing for 30 days or until the interim variance hearing scheduled on October 16, 2024, whichever comes first.	TBD by 10/16/24
11. Verizon Wireless Santiago Peak Case No. 6139-9 (E. Chavez)	203(b)	Emergency generator is expected to exceed its permitted annual 200-hour operating limit to sustain power due to power loss caused by the Line Fire.	Not Opposed/Granted	Ex Parte EV granted commencing September 20, 2024 and continuing for 30 days or until the interim variance hearing scheduled on October 16, 2024, whichever comes first.	NOx: 5.95 lbs/day CO: 7.93 lbs/day VOC: 5.95 lbs/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
12. Walnut Creek Energy, LLC Case No. 6230-5 (K. Manwaring)	203(b) 2004(f)(1) 3002(c)(1)	WCE Unit 4 tripped and was forced out of service. Subsequently, it was discovered the supercore 878-149 in Unit 4 sustained damage. Consequently, the forced outage will be extended until a replacement supercore is available.	Not Opposed/Granted	Ex Parte EV granted commencing October 1, 2024 and continuing for 30 days until October 30, 2024.	None

Acronyms

CO: Carbon Monoxide
EV: Emergency Variance
IV: Interim Variance
Mod. O/A: Modification Order for Abatement
N/A: Not Applicable
NMHC: Non-Methane Hydrocarbon
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
202(b)					1								1
203(b)	7	8	8	6	5	2	6	7	10				59
204					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(d)(3)	1						1						2
1134(e)(2)							1						1
1134(e)(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

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
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				27
2005					1								1
2012							1						1
2012(c)(3)(A)					1								1
3002(c)				1	1								2
3002(c)(1)	7	7	4	3	2	2	4	5	2				36
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 SEPTEMBER 30, 2024**

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate
Rule 204 Permit Conditions

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 PM₁₀ 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