

BOARD MEETING DATE: January 10, 2025

AGENDA NO. 16

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 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: **November 2024 Hearing Board Cases, and Rules From Which Variances and Orders for Abatement Were Requested from November 1, 2024 through November 30, 2024.** The applicable South Coast AQMD Rules for 2024 are also attached.

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

### Report of November 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)	203(b) 1100(d)(1)(B) 1110.2(d), 1110.2(e)(2), 1110.2(e)(4), 1110.2(e)(10), 1110.2(f)(1)(C) 1110.2(F)(1)(D) 1134(d)(3), 1134(e)(2) 1134(e)(3), 2004(f)(1) 2012 3002(c)(1)	Petitioner's request for a modification to conditions and extension of the final compliance date for a regular variance was heard on the Hearing Board's Consent Calendar on 11/7/24.	Not Opposed/Granted	MFCD/EXT granted commencing 11/7/24 and continuing through 3/24/25.	TBD
2. Beverly Hills Unified School District Case No. 6263-1 (Nicholas Dwyer)	1466	California Dept. of Toxic Substances Control required contaminated soil at BHHS be addressed. Arsenic, cadmium and lead was detected.	Opposed/No Action Taken	The hearing was continued; however was later taken off calendar at the request of Petitioner.	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
3. Los Angeles County Sanitation Districts Case No. 3715-22 (Consent Calendar)	203(b) 3002(c)	Petitioner will be in violation of District Rules when it takes the continuous emission monitoring system (CEMS) serving the three combustion turbines at the Facility off-line while continuing to operate any of the combustion turbines.	Not Opposed/Granted	SV granted commencing 11/15/24 and continuing through 11/25/24.	
4. Medline Industries Case No. 6265-1 (Consent Calendar)	203(b) 3002(c)(1)	Main electrical switch board continues to be in disrepair and its building without power. Through multiple efforts and costs to expediate the materials, Petitioner has significantly reduced the lead time to replace the electrical switchboard from 30 plus weeks to approximately 10 weeks.	Not Opposed/Granted	RV granted commencing 11/7/24 and continuing through 12/31/24.	CO: 47.98 lbs/day NOx: 165.31 lbs/day PM: 2.70 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
5. New Cingular Wireless Case No. 5991-2 (Consent Calendar)	203(b)	Due to an act of criminal mischief (vandalism) the electrical switchgear that serves the AT&T Mobility facility was damaged which severed the site from utility power. With the loss of power, the emergency generator was activated to ensure that the facility could continue providing uninterrupted vital telecommunications services, including Emergency 911 support, during the outage.	Not Opposed/Granted	SV granted commencing 11/20/24 and continuing through 12/31/24.	NOx: .227 lb/day VOC: .045 lb/day CO: 2.273 lbs/day PM10: .973 lb/day SOx: 0.68 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
6. Snow Summit Case No. 4657-3 (Consent Calendar)	203(b) 1100(d)(9)(A) 1100(d)(9)(B) 1110.2(d)(1)(B)(vi) 1110.2(e)(9) 2004(f)(1) 3002(c)(1)	Petitioner will be in violation of District Rules, which limits annual operating time for the six engines to 500 hours. Petitioner anticipates exceeding the 500-hour limit between the time of the hearing and December 31, 2024, when the limit resets.	Not Opposed/Granted	SV granted commencing 11/20/24 and continuing through 12/31/24.	CO: 72.1 lbs/day NOx: 144.9 lbs/day PM: 1.6 lbs/day ROG: 13.7 lbs/day SOx: 0.8 lb/day
7. South Coast AQMD vs. Chiquita Canyon, LLC Case No. 6177-4 (R. Mansell & M. Reichert)	203(b) 402 431.1(c)(2) 1150(b)(2) 3002(c)(1) HSC §41700	Modified Stipulated Order to mitigate conditions that could contribute to potential odors and potential nuisance(s)	Stipulated/Modified	Status Report given, Mod. O/A issued commencing 11/13/24. The Hearing Board shall continue to retain jurisdiction over this matter until 12/31/25.	N/A
8. South Coast AQMD vs. Flexfirm Holdings Case No. 6239-1 (J. Lee & S. Hanizavareh)	203(b) 402 1128 1147 HSC §41700	Modified Stipulated Order to mitigate conditions that could contribute to potential odors and potential nuisance(s)	Stipulated/Modified	Mod. O/A issued commencing 11/6/24. The Hearing Board shall retain jurisdiction over this matter until 12/30/25.	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
9. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-40 (E. Chavez)	402 HSC §41700	Modified Stipulated Order to mitigate conditions that could contribute to potential odors and potential nuisance(s)	Stipulated/Modified	Status Report given; Mod. O/A extended through August 4, 2025.	N/A
10. South Coast AQMD vs. Southern California Edison – Pebbly Beach Generating Station Case No. 1262-115 (Consent Calendar)	1470(c)(4)(A)	Modified Stipulated Order to mitigate conditions that could contribute to potential odors and potential nuisance(s)	Stipulated/Issued	Mod. O/A issued commencing 11/20/24. The Hearing Board shall retain jurisdiction over this matter until 3/31/26, unless terminated earlier.	N/A

**Acronyms**

CO: Carbon Monoxide  
HSC: Health & Safety Code  
MFCD/Ext: Modification of a Final Compliance Date and Extension of a Variance  
Mod. O/A: Modification Order for Abatement  
N/A: Not Applicable  
NOx: Oxides of Nitrogen  
OA: Order for Abatement  
PM: Particulate Matter  
ROG: Reactive Organic Gas  
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	7		77
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		3		10
415(f)							1						1
415(g)							1						1
431.1(c)(2)	1	1		1							1		4
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		2
1105.1(e)(2)(A)	1	1	1										3
1105.1(e)(2)(E)	1	1											2
1110.2(d)							1				1		2
1110.2(e)(2)							1				1		2
1110.2(e)(4)							1				1		2
1110.2(e)(10)							1				1		2
1110.2(f)(1)(C)							1				1		2
1110.2(F)(1)(D)							1				1		2
1124(c)(1)		1											1
1124(c)(4)		1											1
1128					1						1		2
1134										1			1
1134(d)(3)	1						1				1		3
1134(e)(2)							1				1		2
1134(e)(3)							1				1		2

**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				1		3
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							1		3
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
1466											1		1
1470(c)(4)(A)	1										1		2
2004(f)(1)	5	5	4	3	3	2	3	1	1	5	2		34
2005					1								1
2012							1				1		2
2012(c)(3)(A)					1								1
2012 Att C, B.2.a										1			1
3002(c)				1	1					3	1		6
3002(c)(1)	7	7	4	3	2	2	4	5	2	5	3		44
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 NOVEMBER 30, 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 <sub>x</sub> Facilities
Rule 1105.1	Reduction of PM <sub>10</sub> 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 <sub>x</sub> ) from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1147	NO <sub>x</sub> 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 1466 Control of Particulate Emissions from Soils with Toxic Air Contaminant

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