

BOARD MEETING DATE: October 5, 2018

AGENDA NO. 18

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2018.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Julie Prussack
Chairman of Hearing Board

DG

Two summaries are attached: **August 2018 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2018**. An Index of District Rules is also attached.

The total number of appeals filed during the period August 1 to August 31, 2018 is 0; and total number of appeals filed during the period of January 1 to August 31, 2018 is 0.

Report of August 2018 Hearing Board Cases

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition/Hearing	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Forged Metals, Inc. Case No. 6111-1 (D. Hsu)	203(a) 1430(d)(8)(A)	Petitioner unable to meet deadline for installation of new APCE as required by P/C.	Not Opposed/Granted	RV granted commencing 8/21/18 and continuing through 12/21/18, the FCD.	PM: 0.4 lb/day
2. Frontier California Inc. Case No. 6116-1 (M. Reichert)	203(b)	Backup generator exceeded permitted annual 200-hour operating limit due to wildfire.	Not Opposed/Granted	Ex Parte EV granted commencing 8/2/18 and continuing for 30 days or until the IV hearing currently scheduled for 8/8/18, whichever comes first.	TBD by 8/8/18
3. Frontier California Inc. Case No. 6116-1 (N. Feldman)	203(b)	Backup generator exceeded permitted annual 200-hour operating limit due to wildfire.	Not Opposed/Granted	IV granted commencing 8/8/18 and continuing for 90 days or until the RV hearing currently scheduled for 9/20/18, whichever comes first.	NOx: 3 lbs/hr CO: 0.6 lb/hr PM: 0.2 lb/hr VOC: 0.2 lb/hr SOx: .02 lb/hr
4. Insulfoam, a Division of Carlisle Construction Materials, LLC Case No. 5333-5 (N. Feldman)	203(b) 1147(c)(1) 3002(c)(1)	Petitioner sought extension to meet NOx emission requirements for RTO.	Not Opposed/Granted	SV granted commencing 8/8/18 and continuing through 11/5/18.	NOx: 4.5 lbs/day
5. Quality Aluminum Forge Case No. 6118-1 (N. Feldman)	1430	Petitioner sought extension of date to have baghouse and emission control system in place.	Opposed/Dismissed	IV dismissed for a lack of good cause.	N/A
6. SCAQMD vs. Albert T. Banoun, individually and dba Iris Finishes and Iris Refinishes Case No.6115-1 (B. Tomasovic)	1143(d)(1)	Sale of non-compliant finishes.	Not Stipulated/Issued	O/A issued commencing 8/9/18; the Hearing Board shall retain jurisdiction over this matter until 7/19/21.	N/A

Case Name and Case No. (SCAQMD Attorney)	Rules	Reason for Petition/Hearing	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
7. TAMCO Case No. 5972-2 (M. Reichert)	203(b) 1420.2(g)(3)(B) & Appendix 1 2004(f)(1) 3002(c)(1)	Relief sought to meet negative air pressure requirements for required total enclosure at 3 monitors.	Not Opposed/Granted	RV granted commencing 8/28/18 and continuing through 4/30/19, the FCD.	PM: TBD by 9/12/18
8. SCAQMD vs. Trojan Battery Company, LLC Case No. 6099-1 (N. Feldman)	N/A	Respondent sought to modify O/A to lift restriction on throughput and reduce frequency of required monitoring.	Stipulated/Issued	Mod. O/A issued commencing 8/29/18; the Hearing Board shall continue to retain jurisdiction over this matter until 12/31/18.	N/A

Acronyms

AOC: Alternative Operating Condition
 APCE: Air Pollution Control Equipment
 CEMS: Continuous Emissions Monitoring System
 CO: Carbon Monoxide
 EV: Emergency Variance
 FCD: Final Compliance Date
 H&S: Health and Safety Code
 H2S: Hydrochloric Sulfide
 ICE: Internal Combustion Engine
 IV: Interim Variance
 Mod. O/A: Modification Order for Abatement
 N/A: Not Applicable
 NOx: Oxides of Nitrogen
 O/A: Order for Abatement
 P/C: Permit to Construct
 PM: Particulate Matter
 PPM: Parts Per Million
 RTO: Regenerative Thermal Oxidizer
 RV: Regular Variance
 SV: Short Variance
 SOx: Oxides of Sulfur
 TBD: To Be Determined
 VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2018

	2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
# of HB Actions Involving Rules														
109(c)(1)				1										1
202(a)								1						1
203(a)				2			1	1	1					5
203(b)		2	4	2	4	2	3	2	4					23
222							1							1
402								1						1
431.1(c)(2)					2	1	1							4
461(c)(2)(B)								1						1
461(c)(3)(P)								1						1
461(e)(5)								3						3
463(c)(2)							2							2
463(d)(2)							2							2
463(e)(4)							2							2
463(f)(1)(C)							2							2
1110.2(d)(1)(F)							1							1
1110.2(d)(1)(H)							1							1
1110.2(d)(1)(L)				1										1
1143(d)(1)														
1146(d)(6)							1							1
1146(d)(8)							1							1
1146.2							1							1
1146.2(e)							1							1
1147							1	1						2
1147(c)(1)		1							1					2
1149(c)(1)							1							1
1149(c)(2)							1							1
1149(c)(7)							1							1
1178(d)(3)							2							2
1178(g)							2							2
1178(h)(4)							2							2
1407				1										1
1415(d)(1)(A)							1							1
1420.2				2		1			1					4
1420.2(g)(3)(B)									1					1
1430									1					1
1430(d)(8)(A)									1					1
1470							1							1
2004(f)(1)		2	3		2		2	1	1					11
2011(c)(2)(A)		1												1
2011(c)(2)(B)		1												1
2011(e)(1)		1												1
2012(c)(2)(A)		1												1
2012(c)(2)(B)		1												1
2012(g)(1)		1												1
3002(c)		1												1
3002(c)(1)		1	3		3		3	2	2					14
H&S 41700								1						1

**DISTRICT RULES AND REGULATIONS INDEX
FOR 2018 HEARING BOARD CASES AS OF AUGUST 31, 2018**

REGULATION I – GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II – PERMITS

Rule 202 Temporary Permit to Operate

Rule 203 Permit to Operate

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

REGULATION IV – PROHIBITIONS

Rule 402 Nuisance

Rule 431.1 Sulfur Content of Gaseous Fuels

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Organic Liquid Storage

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines

Rule 1143 Consumer Paint Thinners and Multi-Purpose Solvents

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters

Rule 1147 NOx Reductions from Miscellaneous Sources

Rule 1149 Storage Tank and Pipeline Cleaning and Degassing

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIV – TOXICS AND OTHER NON-CRITERIA POLLUTANTS

- Rule 1407 Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations
- Rule 1415 Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems
- Rule 1420.2 Emission Standard for Lead from Metal Melting Facilities
- Rule 1430 Control of Emissions from Metal Grinding Operations at Metal Forging Facilities
- Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Ignition Engines

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 Requirements
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements

CALIFORNIA HEALTH AND SAFETY CODE

- §41700 Prohibited Discharges