

BOARD MEETING DATE: September 6, 2019

AGENDA NO. 10

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of June 1 through July 31, 2019.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Julie Prussack  
Chairman of Hearing Board

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Three summaries are attached: **June and July 2019 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2019**. An index of South Coast AQMD Rules is also attached.

The total number of appeals filed during the period June 1 to July 31, 2019 is 1; and total number of appeals filed during the period of January 1 to July 31, 2019 is 3.

## Report of June 2019 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. Air Liquide Large Industries US LP Case No. 5705-8 (B. Tomasovic)	203(b) 2004(f)(1) 3002(c)(1)	Petitioner requires additional time to fix leak in vent line and to take vent line temporarily out of service to install a clamp.	Not Opposed/Granted	EV granted commencing 6/11/19 and continuing through 6/14/19.	VOC: Up to 0.5 lb/hr
2. Equilon Enterprises LLC dba Shell Oil Products Case No. 4982-120 (M. Reichert)	203(b) 463(c)(2) 463(e)(4) 463(f)(1)(C) 1178(d)(2) 1178(g) 1178(h)(4) 2004(f)(1) 3002(c)(1)	Petitioner requires more than 72 hours to repair seal on contact water tank.	Not Opposed/Granted	SV granted commencing 6/19/19 and continuing through 7/31/19, or until final compliance is achieved, whichever occurs first.	VOC: 7 lbs/day
3. South Coast AQMD vs. D&D Disposal Inc., dba West Coast Rendering Co Case No. 3462-4 (D. Hsu)	415(d)(1)(B)(ii) 415(d)(1)(C)(ii) 415(e)(1) 415(e)(5) 415(e)(6)	To require Respondent to comply with provisions of rule to reduce odors.	Not Stipulated/Issued	O/A issued commencing 6/18/19 and continuing through 10/31/19. The Hearing Board shall retain jurisdiction over this matter until 10/31/19, or compliance with the terms of the Order is achieved, whichever occurs first.	N/A
4. South Coast AQMD vs. Gold Coast Baking Company, Inc. Case No. 6137-1 (T. Barrera)	N/A	Respondent requested additional production during the pendency of the Order and to change the construction schedule without modification to the FCD.	Not Stipulated/Issued	Mod. O/A issued commencing 6/18/19 and continuing through 12/1/19. The Hearing Board shall retain jurisdiction over this matter until 12/1/19.	N/A
5. South Coast AQMD vs. Sunshine Canyon Landfill Case No. 3448-14 (N. Sanchez)	N/A	Status Report.	No Action Taken	The Board received a status report and took no action to modify the O/A which is scheduled to end 6/30/19.	N/A

Case Name and Case No. (Staff Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. Walport Enterprises, Inc., dba Rowland Heights Mobil Case No. 6146-1 (D. Hsu)	203(a) 461(e)(5)	Petitioner requested relief from Rule 461 vapor recovery testing requirement.	Not Opposed/Granted	Ex Parte EV granted commencing 6/21/19 and ending when all applicable permits have been issued, but in no event later than 30 days.	None

### Acronyms

CARB: California Air Resources Board

CO: Carbon Monoxide

EV: Emergency Variance

FCD: Final Compliance Date

GDF: Gasoline Dispensing Facility

H&S: Health & Safety Code

IV: Interim Variance

MFCD/EXT: Modification of a Final Compliance Date & Extension of a Variance

Mod. O/A: Modification of an Order for Abatement

N/A: Not Applicable

NOx: Oxides of Nitrogen

O/A: Order for Abatement

RV: Regular Variance

SV: Short Variance

VOC: Volatile Organic Compounds

## Report of July 2019 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. Lake Arrowhead Community Services District Case No. 6142-1 (T. Barrera)	203(b)	Emergency generator exceeded annual permitted 200-hour operation limit due to inclement weather that resulted in power interruption causing failure of circuit board, repair of which was delayed by replacement part shipping error.	Not Opposed/Granted	RV granted commencing 7/31/19 and continuing through 12/31/19, the FCD.	CO: 0.4 lb/hr NOx: 0.4 lb/hr PM10: 0.02 lb/hr VOC: 0.4 lb/hr
2. South Coast AQMD vs. D&D Disposal Inc., dba West Coast Rendering Co. Case No. 3462-4 (D. Hsu)	N/A	Respondent requires additional time to meet condition requirements.	Not Stipulated/Issued	Mod. O/A issued commencing 7/9/19; the Hearing Board shall continue to retain jurisdiction over this matter until 10/31/19.	N/A
3. South Coast AQMD vs. Providence Tarzana Medical Center Case No. 6128-1 (T. Barrera)	203(a) 1470(c)(2)(C)(iv)(I)	Respondent cannot meet FCD due to unexpected design changes requested by LA County Fire Department.	Stipulated/Issued	Mod. O/A issued commencing 7/31/19; the Hearing Board shall retain jurisdiction over this matter until 9/30/19.	N/A
4. South Coast AQMD vs. Venice Baking (aka Innovative Baking) Case No. 6144-1 (S. Pruitt)	202(c) 407 1153.1 1303(a) 1303(b)	Respondent operating noncompliant baking ovens.	Stipulated/Issued	O/A issued commencing 7/24/19; the Hearing Board shall retain jurisdiction over this matter until 3/31/20.	N/A
5. South Coast AQMD vs. YMP Auto Body, Inc. Case No. 6145-1 (D. Hsu)	109(c)(1)	Respondent failed to maintain daily VOC usage records for paint spray booth.	Not Stipulated/Issued	O/A issued commencing 7/25/19; the Hearing Board shall retain jurisdiction over this matter until 12/31/19.	N/A

6. Tesoro South Coast Company, LLC Case No. 6147-1 (B. Tomasovic)	203(b) 461(c)(1)(A) 461(e)(5)	GDF failed CARB Leak Rate Test due to system configuration.	Not Opposed/Granted	Ex Parte EV granted commencing 7/3/19 and continuing until petitioner receives CARB approval to be designated as a research facility but in no event later than 8/1/19.	None
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**Acronyms**

- CARB: California Air Resources Board
- CO: Carbon Monoxide
- EV: Emergency Variance
- FCD: Final Compliance Date
- GDF: Gasoline Dispensing Facility
- H&S: Health and Safety Code
- 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
- PM10: Particulate Matter ≤ 10 microns
- PPM: Parts Per Million
- RV: Regular Variance
- SV: Short Variance
- SOx: Oxides of Sulfur
- TBD: To Be Determined
- VOC: Volatile Organic Compounds



**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2019 HEARING BOARD CASES AS OF JULY 31, 2019**

**REGULATION I – GENERAL PROVISIONS**

Rule 109      Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II – PERMITS**

Rule 201      Permit to Construct  
Rule 202      Temporary Permit to Operate  
Rule 203      Permit to Operate

**REGULATION IV – PROHIBITIONS**

Rule 407      Liquid and Gaseous Air Contaminants  
Rule 415      Odors from Rendering Facilities  
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 Engines  
Rule 1147      NOx Reductions from Miscellaneous Sources  
Rule 1150.1    Control of Gaseous Emissions from Municipal Solid Waste Landfills  
Rule 1153.1    Emissions of Oxides of Nitrogen from Commercial Food Ovens  
Rule 1158      Storage, Handling, and Transport of Coke, Coal and Sulfur  
Rule 1178      Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

**REGULATION XIII – NEW SOURCE REVIEW**

Rule 1303      Requirements

**REGULATION XIV – TOXICS**

Rule 1420.2    Emission Standards 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

**REGULATION XXX - TITLE V PERMITS**

Rule 3002 Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

§41960.2 Maintenance of Vapor Control System