

BOARD MEETING DATE: April 3, 2020

AGENDA NO. 20

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 29, 2020.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Julie Prussack  
Chairman of Hearing Board

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Two summaries are attached: **February 2020 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2020**. An index of South Coast AQMD Rules is also attached.

There was one (1) appeal filed during the period of February 1 to February 29, 2020.

## Report of February 2020 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, U.S. LP Case No. 5705-9 (D. Hsu)	203(b) 2004(f)(1) 3002(c)(1)	Additional time needed to install replacement Ammonia CEMS analyzer which catastrophically failed.	Not Opposed/Granted	SV granted commencing 2/6/20 and continuing through 3/23/20.	None
2. Colton Power, LP Case No. 6167-1 (N. Feldman)	203(b) 218.1(b)(4)(C) 2004(f)(1) 2012, Appendix A, Chapter C h. 3002(c)(1)	Seeking to delay required RATA testing to a time when petitioner is more likely to be called into service as a peaking facility.	Not Opposed/Granted	RV granted commencing 3/30/20 and continuing through 9/30/20, the FCD.	None
3. Colton Power, LP Case No. 6167-2 (N. Feldman)	203(b) 218.1(b)(4)(C) 2004(f)(1) 2012, Appendix A, Chapter C h. 3002(c)(1)	Seeking to delay required RATA testing to a time when petitioner is more likely to be called into service as a peaking facility.	Not Opposed/Granted	RV granted commencing 3/30/20 and continuing through 9/30/20, the FCD.	None
4. S & C Oil Co. Inc. and JP Resources Inc. Case No. 6165-1 (M. Reichert)	N/A	Request to reduce payment of excess emission fees due to financial hardship.	No Position/Granted	The Hearing Board granted petitioner's request to modify the payment of excess emission fees.	N/A
5. S & C Oil Co. Inc. Case No. 6165-2 (S. Hanizavareh)	203(b) 463(c)	Due to recent changes in fuel specifications, petitioner is no longer able to send its processed gas offsite and needs time to install new vapor recovery systems.	Not Opposed/Granted	RV granted commencing 2/12/20 and continuing through 11/28/20, 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
6. South Coast AQMD vs. Rudolph Foods West, Inc. Case No. 6168-1 (K. Manwaring)	202	Respondent operating fryers in violation of permit condition that requires source testing to demonstrate compliance with emission limits.	Stipulated/Issued	O/A issued commencing 2/13/20; the Hearing Board shall retain jurisdiction over this matter until 12/31/20.	N/A
7. Tesoro Refining & Marketing Co., LLC Case No. 4982-122 (No Appearance; Consent Calendar)	203(b) 2004(f)(1) 2011(c)(2)(A) 2011(c)(2)(B) 2011(e)(1) 2012(c)(2)(A) 2012(c)(2)(B) 2012(g)(1) 3002(c)(1)	Temporarily remove CEMS from service to conduct necessary maintenance.	Not Opposed/Granted	SV and AOC granted commencing 2/19/20 and continuing through 4/6/20.	None
8. Tesoro Refining & Marketing Co., LLC Case No. 4982-123 (D. Hsu)	203(b) 1176(e)(2)(A) 2004(f)(1) 3002(c)(1)	Unanticipated equipment breakdown resulted in fire and damage to equipment.	Not Opposed/Denied	Ex Parte EV denied.	N/A
9. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-99A (D. Hsu)	203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c) H&S §41701	Additional time needed to complete FCCU startup sequence, following turnaround maintenance activities.	Not Opposed/Granted	Ex Parte EV granted commencing 3/1/20 and continuing through 3/16/20.	CO: 1,232 lbs/total SOx: 464 lbs/total Opacity: TBD by 3/16/20

### Acronyms

AOC: Alternative Operating Conditions  
CARB: California Air Resources Board  
CEMS: Continuous Emissions Monitoring System  
CO: Carbon Monoxide  
EV: Emergency Variance  
FCD: Final Compliance Date  
FCCU: Fluid Catalytic Cracking Unit  
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  
NH3: Ammonia  
NOx: Oxides of Nitrogen  
O/A: Order for Abatement  
P/C: Permit to Construct

PM: Particulate Matter  
PM-10: Particulate Matter ≤ 10 microns  
PPM: Parts Per Million  
RATA: Relative Accuracy Test Audit  
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 2020															
	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions	
109(c)(1)														0	
202			1											1	
202(a)														0	
202(c)														0	
203(a)														0	
203(b)		6	7											13	
218.1(b)(4)(C)			2											2	
401(b)(1)			1											1	
401(b)(1)(B)														0	
405(a)														0	
407														0	
407(a)			1											1	
415(d)(1)(B)(ii)														0	
415(d)(1)(C)(ii)														0	
415(e)(1)														0	
415(e)(5)														0	
415(e)(6)														0	
461(c)(1)(A)														0	
461(c)(2)(A)														0	
461(c)(3)(P)														0	
461(e)(5)														0	
463(c)		1	1											2	
463(c)(2)														0	
463(c)(3)														0	
463(e)(4)														0	
463(f)(1)(C)														0	
1110.2(d)(1)(F)														0	
1110.2(d)(1)(L)														0	
1110.2(h)														0	
1110.2(i)(1)(B)														0	
1110.2(i)(1)(J)														0	
1111														0	
1111(c)(4)														0	
1146(c)(5)														0	
1147														0	
1147(c)(1)														0	
1148.1(d)(8)		1												1	
1150.1(d)(1)(C)(i)														0	
1150.1(d)(8)														0	
1150.1(d)(10)														0	
1150.1(d)(11)														0	
1150.1(d)(12)														0	
1150.1(d)(14)														0	
1150.1(d)(16)														0	
1150.1(d)(20)														0	
1150.1(e)(1)														0	
1150.1(e)(2)														0	
1150.1(e)(2)(B)														0	
1150.1(e)(2)(C)														0	
1150.1(e)(3)														0	
1150.1(e)(3)(B)														0	

Rules from which Variances and Orders for Abatement were Requested in 2020

	2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1150.1(e)(3)(C)														0
1150.1(e)(4)														0
1150.1(e)(4)(A)														0
1150.1(e)(4)(B)														0
1150.1(e)(7)														0
1150.1(e)(7)(C)														0
1150.1(f)(1)(A)														0
1150.1(f)(1)(A)(iii)(I)														0
1150.1(f)(1)(B)														0
1150.1(f)(1)(C)														0
1150.1(f)(1)(E)														0
1150.1(f)(1)(G)														0
1150.1(f)(1)(L)														0
1150.1(f)(2)(A)														0
1158(d)(2)														0
1173(d)(1)(B)		1												1
1176(e)(2)(A)			1											1
1178(g)														0
1178(h)(2)														0
1178(h)(4)														0
1196														0
1303														0
1303(a)														0
1303(b)														0
1303(b)(2)														0
1402(g)(2)(C)														0
1420.2(g)(3)(B)														0
1430														0
1430(d)(8)														0
1430(e)(2)														0
1469(h)(4)(C)(i)														0
1470(c)(2)(C)(iv)(I)														0
2004(f)(1)		5	6											11
2011(c)(2)(A)			1											1
2011(c)(2)(B)			1											1
2011(e)(1)			1											1
2012, Appendix A		1												1
2012, Appendix A, Chapter C h.			2											2
2012(d)(2)		1												1
2012(c)(2)(A)			1											1
2012(c)(2)(B)			1											1
2012(g)(1)			1											1
2202(a)														0
2202(b)														0
2202(e)														0
2202(l)														0
3002(c)		1	1											2
3002(c)(1)		4	5											9
H&S 41701			1											1
H&S 41960.2														0

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2020 HEARING BOARD CASES AS OF FEBRUARY 29, 2020**

**REGULATION II – PERMITS**

- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 218.1 Continuous Emission Monitoring Performance Specifications

**REGULATION IV – PROHIBITIONS**

- Rule 401 Visible Emissions
- Rule 463 Organic Liquid Storage

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

- Rule 1148.1 Oil and Gas Production Wells
- 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

**REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

- Rule 2004 Requirements
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions

**REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

- §41701 Restricted Discharges