BOARD MEETING DATE: July 13, 2012   AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period
                 of May 1 through May 31, 2012.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:
Receive and file this report.

                                    Edward Camarena
                                    Chairman of Hearing Board
DP
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Two summaries are attached: **Rules From Which Variances and Orders for Abatement
Were Requested in 2012** and **May 2012 Hearing Board Cases**.

The total number of appeals filed during the period May 1 to May 31, 2012 is 0; and total
number of appeals filed during the period of January 1 to May 31, 2012 is 3.

	2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
Rules from which Variances and Order for Abatements were Requested in 2012														
# of HB Actions*														
Involving														
Rules														
109														0
109(c)														0
109(c)(1)														0
201														0
201.1														0
202														0
202(a)		4												4
202(b)														0
202(c)		1												1
203														0
203(a)														0
203(b)		6												6
204														1
208														0
218														0
218.1														0
218.1(b)(4)(C)														0
218(b)(2)														0
218(c)(1)(A)														0
218(d)(1)(A)														0
218(d)(1)(B)														0
218(f)(2)														0
221(b)														0
221(c)														0
221(d)														0
222														0
401(a)														0
401(b)														0
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
402														0
403(d)(1)														0
403(d)(1)(A)														0
403(d)(2)														0
404														0
404(a)														0
405														0
405(a)														0
407														0
407(a)														0
407(a)														0
407(a)(1)														0
407(a)(2)(A)														0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
410(d)													0
430(b)(3)(A)(iv)													0
431.1													0
431.1													0
431.1(c)(1)													0
431.1(c)(2)													0
431.1(c)(3)(C)													0
431.1(d)(1)													0
431.1(d)(1), Att A(1)													0
442													0
444													0
444(a)													0
444(c)													0
444(d)													0
461													0
461(c)(1)													0
461(c)(1)(A)													0
461(c)(1)(B)													0
461(c)(1)(C)													0
461(c)(1)(E)													0
461(c)(1)(F)(i)													0
461(c)(1)(F)(iv)													0
461(c)(1)(F)(v)													0
461(c)(1)(H)													0
461(c)(2)													0
461(c)(2)(A)													0
461(c)(2)(B)													0
461(c)(2)(C)													0
461(c)(3)													0
461(c)(3)(A)													0
461(c)(3)(B)													0
461(c)(3)(C)													0
461(c)(3)(D)(ii)													0
461(c)(3)(E)													0
461(c)(3)(H)													0
461(c)(3)(M)													0
461(c)(4)(B)													0
461(c)(4)(B)(ii)													0
461(d)(5)(A)													0
461(e)(1)													0
461(e)(2)													0
461(e)(2)(A)													0
461(e)(2)(A)(i)													0
461(e)(2)(B)(i)													0
461(e)(2)(C)													0
461(e)(3)													0
461(e)(3)(A)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
461(e)(3)(C)(i)(I)													0
461(e)(3)(D)													0
461(e)(3)(E)													0
461(e)(5)													0
461(e)(7)													0
462													0
462(c)(4)(B)(i)													0
462(c)(7)(A)(ii)													0
462(d)													0
462(d)(1)													0
462(d)(1)(A)													0
462(d)(1)(A)(i)													0
462(d)(1)(B)													0
462(d)(1)(C)													0
462(d)(1)(E)(ii)													0
462(d)(1)(F)													0
462(d)(1)(G)													0
462(d)(2)(A)(i)													0
462(e)(1)													0
462(e)(1)(E)													0
462(e)(1)(E)(ii)													0
462(e)(1)(E)(i)(II)													0
462(e)(2)(A)(i)													0
462(e)(4)													0
462(h)(1)													0
463													0
463(c)													0
463(c)(1)													0
463(c)(1)(A)(I)-(iv)													0
463(c)(1)(B)													0
463(c)(1)(C)													0
463(c)(1)(D)													0
463(c)(1)(E)													0
463(c)(2)													0
463(c)(2)(B)													0
463(c)(2)(C)													0
463(c)(3)													0
463(c)(3)(A)													0
463(c)(3)(B)													0
463(c)(3)(C)													0
463(d)													0
463(d)(2)													0
463(e)(3)(C)													0
463(e)(4)													0
463(e)(5)(C)													0
464(b)(1)(A)													0
464(b)(2)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
468													0
468(a)													0
468(b)													0
1102													0
1102(c)(2)													0
1102(c)(5)													0
1103(d)(2)													0
1105.1(d)(1)(A)(i)													0
1105.1(d)(1)(A)(iii)													0
1106(c)(1)													0
1106.1(c)(1)													0
1106.1(c)(1)(A)													0
1107(c)(1)													0
1107(c)(2)													0
1107(c)(7)													0
1107													0
1110.1													0
1110.2													0
1110.2(c)(14)													0
1110.2(d)													0
1110.2(d)(1)(A)													0
1110.2(d)(1)(B)(ii)													0
1110.2(d)(1)(C)													0
1110.2(d)(1)(D)													0
1110.2(d)(1)(E)													0
1110.2(e)(1)(A)													0
1110.2(e)(1)(B)(i)(II)													0
1110.2(e)(1)(B)(i)(III)													0
1110.2(e)(4)(B)													0
1110.2(f)													0
1110.2(f)(1)(A)													0
1110.2(f)(1)(A)(iii)(I)													0
1113(c)(2)													0
1113(d)(3)													0
1118(c)(4)													0
1118(c)(5)													0
1118(d)(1)(2)													0
1118(d)(1)(2)													0
1118(d)(2)													0
1118(d)(3)													0
1118(d)(4)(B)													0
1118(d)(5)(A)													0
1118(d)(5)(B)													0
1118(d)(10)													0
1118(d)(12)													0
1118(e)													0
1118(g)(1)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1118(g)(3)													0
1118(i)(5)(B)(i)													0
1118(i)(5)(B)(ii)													0
1118(j)(1)(A)(ii)													0
1118(j)(1)(B)(ii)													0
1118(j)(1)(C)													0
1121(c)(2)(C)													0
1121(c)(3)													0
1121(c)(6)													0
1121(c)(7)													0
1121(c)(8)													0
1121(e)(3)													0
1121(h)													0
1121(h)(1)													0
1121(h)(2)													0
1121(h)(3)													0
1122(c)(2)(A)													0
1122(c)(2)(E)													0
1122(d)(1)(A)													0
1122(d)(1)(B)													0
1122(d)(3)													0
1122(e)(2)(A)													0
1122(e)(2)(B)													0
1122(e)(2)(C)													0
1122(e)(2)(D)													0
1122(e)(3)													0
1122(e)(4)(A)													0
1122(e)(4)(B)													0
1122(g)(3)													0
1122(j)													0
1124													0
1124(c)(1)(A)													0
1124(c)(1)(E)													0
1124(c)(4)													0
1125(c)(1)													0
1125(c)(1)(C)													0
1125(c)(2)													0
1128(c)(1)													0
1128(c)(2)													0
1130													0
1130(c)(1)													0
1130(c)(4)													0
1131													0
1131(d)													0
1132(d)(2)													0
1132(d)(3)													0
1133(d)(8)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1133.2(d)(8)													0
1134(c)													0
1134(c)(1)													0
1134(d)													0
1134(d)(1)													0
1134(d)(2)(B)(ii)													0
1134(f)													0
1134(g)(2)													0
1135(c)(3)													0
1135(c)(3)(B)													0
1135(c)(3)(C)													0
1135(c)(4)													0
1135(c)(4)(D)													0
1136													0
1145(c)(2)													0
1136(c)(1)(A)(i)													0
1137(d)(2)													0
1145(c)(1)													0
1145(c)(2)													0
1145(g)(2)													0
1145(h)(1)(E)													0
1146(c)(7)(B)													0
1146.1(e)(1)													0
1150.1(d)(5)													0
1150.1(d)(6)													0
1150.1(e)													0
1150.1(e)(1)(C)													0
1150.1(e)(2)													0
1150.1(e)(2)(C)													0
1146													0
1146(c)(3)(A)													0
1146(c)(5)													0
1146(d)(6)													0
1146.1													0
1146.1(a)(2)													0
1146.1(a)(8)													0
1146.1(b)													0
1146.1(c)(1)													0
1146.1(c)(2)	2												2
1146.1(c)(3)													0
1146.1(e)													0
1146.1(e)(1)(B)													0
1146.2													0
1146.2(c)(1)													0
1147													0
1150.1													0
1150.1(d)(C)(i)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1150.1(d)(1)(C)(i)													0
1150.1(d)(4)													0
1150.1(d)(5)													0
1150.1(d)(6)													0
1150.1(d)(7)													0
1150.1(e)													0
1150.1(e)(1)													0
1150.1(e)(2)													0
1150.1(e)(3)													0
1150.1(e)(1)(B)(C)													0
1150.1(e)(1)(C)													0
1151.1(e)(2)(B)(C)													0
1150.1(e)(2)(C)													0
1150.1(e)(3)(B)													0
1150.1(e)(3)(B)(C)													0
1150.1(e)(3)(C)													0
1150.1(e)(4)													0
1150.1(e)(6)(A)(I)													0
1150.1(e)(6)(A)(ii)													0
1150.1(f)(1)(A)(iii)(I)													0
1150.1(f)(1)(H)(i)													0
1151													0
1151(c)(8)													0
1151(2)													0
1151(5)													0
1151(d)(1)													0
1151(e)(1)													0
1151(e)(2)													0
1151(f)(1)													0
1153(c)(1)													0
1153(c)(1)(B)													0
1156(d)(5)(C)(i)													0
1158													0
1158(d)(2)													0
1158(d)(5)													0
1158(d)(7)													0
1158(d)(7)(A)(ii)													0
1158(d)(10)													0
1164(c)(1)(B)													0
1164(c)(2)													0
1166(c)(2)													0
1166(c)(2)(F)													0
1168													0
1168(c)(1)													0
1168(h)(2)													0
1171													0
1171(c)													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*	*Total Action*
1171(c)(1)													0
1171(c)(1)(A)(i)													0
1171(c)(1)(b)(i)													0
1171(c)(4)													0
1171(c)(5)													0
1171(c)(5)(A)(i)													0
1171(c)(6)													0
1173													0
1173(c)													0
1173(d)													0
1173(e)(1)													0
1173(f)(1)													0
1173(g)													0
1175													0
1175(c)(2)													0
1175(c)(4)(B)													0
1175(c)(4)(B)(i)													0
1175(c)(4)(B)(ii)													0
1175(c)(4)(B)(ii)(I)													0
1175(b)(1) (C)													0
1175(d)(4)(ii)(II)													0
1176													0
1176(e)													0
1176(e)(1)													0
1176(e)(2)													0
1176(e)(2)(A)													0
1176(e)(2)(A)(ii)													0
1176(e)(2)(B)(v)													0
1178(d)(1)(A)(xiii)													0
1178(d)(1)(A)(xiv)													0
1178(d)(1)(B)													0
1176(f)(3)													0
1178(d)(1)(C)													0
1178(d)(3)(C)													0
1178(d)(3)(D)													0
1178(d)(3)(E)													0
1178(d)(4)(A)(i)													0
1178(g)													0
1186.1													0
1186.1													0
1189(c)(3)													0
1195													0
1195(d)(1)(D)													0
1303													0
1303(a)(1)													0
1303(a)(2)													0
1401													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
1401(d)(1)													0
1401(d)(1)(A)													0
1401(d)(1)(B)													0
1405(d)(3)(C)													0
1407(d)													0
1407(d)(1)													0
1407(d)(2)													0
1407(d)(4)													0
1407(f)(1)													0
1415(d)(3)													0
1418(d)(2)(A)													0
1420													0
1420(g)													0
1421(d)													0
1421(d)(1)(C)													0
1421(d)(1)(G)													0
1421(d)(3)(A)													0
1421(e)(2)(c)													0
1421(e)(1)(A)(vii)													0
1421(e)(3)(B)													0
1421(h)(1)(A)													0
1421(h)(1)(B)													0
1421(h)(1)(C)													0
1421(h)(1)(E)													0
1421(h)(3)													0
1421(i)(1)(C)													0
1425(d)(1)(A)													0
1469													0
1469(c)													0
1469(c)(8)													0
1469(c)(11)(A)													0
1469(d)(5)													0
1469(e)(1)													0
1469(e)(2)													0
1469(g)(2)													0
1469(h)													0
1469(I)													0
1469(j)(4)(A)													0
1469(j)(4)(D)													0
1469(k)(3)(A)													0
1470		1											1
1470(c)(8)(c)(iii)(II)													0
1470(c)(2)(C)(iv)													0
1470(c)(3)(B)													0
1470(c)(3)(C)													0
1470(c)(9)													0
2004													0

	2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
Rules from which Variances and Order for Abatements were Requested in 2012														
2004(b)(1)														0
2004(b)(4)														0
2004(c)(1)														0
2004(c)(1)(C)														0
2004(f)(1)		6												6
2004(f)(2)														0
2004(k)														0
2005														0
2009(b)(2)														0
2009(c)														0
2009(f)(1)														0
2009(f)(2)														0
2009.1														0
2009.1(c)														0
2009.1(f)(1)														0
2009.1(f)(2)														0
2009.1(f)(3)														0
2011														0
2011 Attachment C														0
2011(c)(2)														0
2011(c)(2)(A)														0
2011(c)(2)(B)														0
2011(c)(3)(A)														0
2011(e)(1)														0
2011(f)(3)														0
2011(g)														0
2011(g)(1)														0
2011(k)														0
2011(k) Appen. A, Chap. 2, except E & Attach C														0
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4														0
and Appen. A, Chap. 2, Section C.2.a, c & d														0
2011(k) Appen. A, Chap. 2, Sections A.3.,a.-c.,e.g. and B.1.-4														0
2012.0														0
2012 Attach. C, B.2.a														0
2012 Appen. A, Attach. C, Section B.2.														0
2012 Appen. A, Attach. C, Section B.2.a. & b.														0
2012 Appen. A														0
2012 Appen. A, Chap. 2														0
2012 Appen A, Chap. 2, Sec. A														0
2012 Appen A. Chap. 2. Sec. A1.g.														0
2012 Appen A, Chap. 2, Sec. B														0
2012 Appen A, Chap. 4.A.4														0
2012(c)(2)														0
2012(c)(2)(A)														0
2012(c)(2)(B)														0
2012(c)(3)														0
2012(c)(3)(A)														0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action
2012(c)(3)(B)													0
2012(c)(10)													0
2012(d)(2)													0
2012(d)(2)(A)													0
2012(d)(2)(D)													0
2012(f)(2)(A)	1												1
2012(g)(1)													0
2012(g)(3)													0
2012(h)(3)													0
2012(h)(4)													0
2012(h)(5)													0
2012(h)(6)													0
2012(i)													0
2012(j)(1)													0
2012(j)(2)													0
2012, Protocol (Appen. A) Chap. 2, Part A.1.a													0
2012, Protocol (Appen. A) Chap. 2, Part B.4													0
2012(m)													0
2012(m) Appen. A, Chp 2, except Sections E & Attach C.													0
2012(m) Appen. A, Attach. C													0
2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e.g,													0
and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d													0
2012(m) Appen. A, Chap 3, Section (A)(6)													0
2012(m) Appen. A, Chap 5, Para G, Table 5B and Att. D													0
3002													0
3002(a)													0
3002(c)													0
3002(c)(1)	5												5
3002(c)(2)													0
Regulation II													0
Regulation IX													0
Regulation IX, 40 CFR Part 60, Subpart J													0
Regulation XI													0
Regulation XIII													0
H&S 39152(b)													0
H&S 41510													0
H&S 41700													0
H&S 41701													0
H&S 93115.6(c)(2)(C)(1)													0
H&S 42303													0

Rules from which Variances and Order for Abatements were Requested in 2012													
2012	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action

Report of May 2012 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. ExxonMobil Oil Corporation Case No. 1183-466 J. Panasiti	202(a) 203(b) 2004(f)(1) 3002(c)(1)	NOx limits will be exceeded on restart of boiler after repair.	Not Opposed/Dismissed	IV & AOC dismissed without prejudice for lack of good cause.	N/A
2. Linn Operating Inc Case No. 5711-8 J. Voge	203(b) 2004(f)(1) 3002(c)(1)	Petitioner's newly purchased and installed flare is not operating in compliance with its NOx and CO permit emission limits and/or BACT. These limits were based on manufacturer guarantees. Petitioner needs to operate the flare on a limited basis, while it determines whether the flare can comply or a replacement is needed.	Not Opposed/Granted	SV granted commencing 5/3/12 and continuing through 6/12/12 for the RV hearing.	CO: 135.4 lbs/day NOx: 2.99 lbs/day
3. Los Angeles County Sheriff's Dept Case No. 4270-3 J. Voge	203(a) 1470(c)(2)(C)(i)(I)	Petitioner may need to operate standby emergency engines without filters in the event of a power outage.	Not Opposed/Granted	SV granted commencing upon notification pursuant to Condition No. 4 and shall continue for 90 days or until the installation and testing of the particulate filters occur, whichever comes first.	PM: 0.247 lbs/hour per generator
4. Los Angeles County Sheriff's Dept Case No. 4270-3 (Consent Calendar J. Voge)	3002(c)(1)	Petitioner may need to operate standby emergency engines without filters in the event of a power outage.	Not Opposed/Granted	SV granted commencing upon notification pursuant to Condition No. 4 and shall continue for 90 days or until the installation and testing of the particulate filters occur, whichever comes first.	PM: 0.247 lbs/hour per generator
5. Pacific Oil and Gas Company Case No. 5879-1 J. Panasiti	461(e)(5)	GDF vent lines blocked, cannot pass required tests.	Not Opposed/Granted	Ex Parte EV granted commencing 5/22/12 and continuing through to the EV hearing currently scheduled for 5/23/12.	None

6.	Pacific Oil and Gas Company Case No. 5879-1 J. Panasiti	461(e)(5)	GDF vent lines blocked, cannot pass required tests.	Not Opposed/ Granted	EV upon stipulation changed to IV granted commencing 5/23/12 and continuing for 90 days or until the RV hearing currently scheduled for 7/11/12, whichever comes first.	None
7.	Paramount Petroleum Corporation Case No. 2914-115 M. Reichert	202(b) 203(b) 2004(f)(1) 3002(c)(1)	Petitioner intends to upgrade its ammonia control system for its Cogeneration Unit during a planned maintenance period. To tune the system properly, it needs to do so while the Cogeneration Unit is in operation in violation of its permit.	Not Opposed/Granted	SV granted for 72 non-consecutive hours in a window of time commencing 5/16/12 and continuing through 5/31/12.	NOx: TBD by 5/31/12 NH3: TBD by 5/31/12
8.	SCAQMD vs. Frito-Lay, Inc. Case No. 5141-5 N. Feldman	1303	Respondent installed and operates an oil mist eliminator on its chip fryer line in compliance with the original O/A. The District requires additional time beyond the final compliance date of that order to complete a BACT determination as contemplated therein.	Stipulated/Issued	Mod. O/A issued commencing 5/11/12 and continuing through 11/30/12. The Hearing Board shall retain jurisdiction until 11/30/12.	N/A
9.	SCAQMD vs. Los Angeles Unified School District, La Salle Elementary School Case No. 3985-8 N. Sanchez	1146.2(c)(3) 1146.2(e)	Respondent operates noncompliant boiler.	Stipulated/Issued	O/A issued commencing 5/22/12 and continuing through 10/31/13. The Hearing Board shall retain jurisdiction over this matter until 10/31/13.	N/A
10.	SGL Technic Inc., Polycarbon Division Case No. 3923-8 M. Reichert	203(b) 2004(f)(1)	Critical component (98% nitric acid) for production of primary feedstock material became unavailable. Petitioner seeks to use unpermitted process to meet customer demand for product.	Not Opposed/Granted	IV granted commencing 5/31/12 and continuing for 90 days or until the RV hearing currently scheduled for 7/18/12, whichever comes first.	None

11. WWL Vehicle Services Americas, Inc. Case No. 5875-1 T. Barrera	203(a)	Petitioner has a non-operational mobile refueling truck. Petitioner seeks to operate a replacement truck without vapor recovery equipment until its permanent truck is repaired or replaced.	Not Opposed/Denied	EX Parte EV denied	N/A

Acronyms

AOC: Alternative Operating Conditions
BACT: Best Available Control Technology
CEMS: Continuous Emissions Monitoring System
CO: Carbon Monoxide
EV: Emergency Variance
FCD: Final Compliance Date
GDF: Gasoline Dispensing Facility
H2S: Hydrogen Sulfide
H&S: Health & Safety Code
ICE: Internal Combustion Engine
I/P: Increments of Progress
IV: Interim Variance
MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance
Mod. O/A: Modification of an Order for Abatement
NH3: Ammonia
NOV: Notice of Violation
NOx: Oxides of Nitrogen
N/A: Not Applicable
O/A: Order for Abatement
PM: Particulate Matter
PPM: Parts Per Million
RATA: Relative Accuracy Test Audit
ROG: Reactive Organic Gases
RTO: Regenerative Thermal Oxidizer
RV: Regular Variance
SCR: Selective Catalytic Reduction
SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compound
VRS: Vapor Recovery System