BOARD MEETING DATE: November 1, 2013 AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of September 1 through September 30, 2013.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file this report.

Edward Camarena
Chairman of Hearing Board
DP

Two summaries are attached: Rules From Which Variances and Orders for Abatement Were Requested in 2013 and September 2013 Hearing Board Cases.

The total number of appeals filed during the period September 1 to September 30, 2013 is 0 ; and total number of appeals filed during the period of January 1 to September 30, 2013 is 2 .

| Rules from which Variances and Order for Abatements were Requested in 2013 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| \# of HB Actions Involving Rules |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 109 |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 109(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 109(c)(1) |  |  | 1 |  |  |  | 1 |  |  |  |  |  |  | 2 |
| 201 |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 201.1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 202 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 202(a) |  | 3 | 1 | 2 |  | 1 | 1 |  | 1 |  |  |  |  | 9 |
| 202(b) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 202(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 203 |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 203(a) |  |  | 3 | 1 | 3 | 3 | 2 | 2 | 1 | 1 |  |  |  | 16 |
| 203(b) |  | 6 | 5 | 7 | 11 | 8 | 4 | 2 | 5 |  |  |  |  | 48 |
| 204 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 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) |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 |
| 221(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 221(d) |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 |
| 222 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 222(d)(1)(C) |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| 222(e)(1) |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| 401 |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 401(b) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 401(b)(1) |  | 1 |  |  |  |  |  |  | 1 | 1 |  |  |  | 3 |
| 401(b)(1)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 401(b)(1)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 402 |  |  |  |  |  |  |  |  | 1 |  |  |  |  | 1 |
| 403(d)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 403(d)(1)(A) |  |  |  | 1 | 1 |  |  |  |  |  |  |  |  | 2 |
| 403(d)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 404 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 404(a) |  |  |  |  |  |  |  |  | 1 |  |  |  |  | 1 |
| 405 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 405(a) |  |  |  |  |  |  |  |  | 1 |  |  |  |  | 1 |
| 407 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a) |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 407(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 407(a)(2)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |






| Rules from which Variances and Order for Abatements were Requested in 2013 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| 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 |
| 1136(c)(1)(A)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1137(d)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1145.0 |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 1145(c)(1) |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 1145(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1145(g)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1145(h)(1)(E) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.0 |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 1146(c)(2)(A) |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 1146(c)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146(c)(1)(I) |  | 1 | 2 |  |  |  |  | 2 |  | 1 |  |  |  | 6 |
| 1146.1 |  | 1 | 1 |  |  |  |  |  |  |  |  |  |  | 2 |
| 1146.1(a)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.1(a)(8) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.1(b) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.1(c)(1) |  |  |  |  |  | 1 |  |  | 1 |  |  |  |  | 2 |
| 1146.1(c)(2) |  | 1 | 1 |  | 1 | 1 | 1 |  | 1 | 1 |  |  |  | 7 |
| 1146.1(c)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.1(e)(1) |  | 1 |  |  |  |  |  |  |  | 1 |  |  |  | 2 |
| 1146.1(e)(1)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.2 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.2(c)(1) |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| 1146.2(c)(3) |  |  |  |  |  |  |  |  |  | 2 |  |  |  | 2 |
| 1146.2(c)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1146.2(e) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1147.0 |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |
| 1147(c)(1) |  |  |  |  |  |  | 1 |  |  | 1 |  |  |  | 2 |
| 1147(c)(10) |  |  |  |  |  |  |  | 1 |  |  |  |  |  | 1 |
| 1150.1(d)(C)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1150.1(d)(1)(C)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1150.1(d)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1150.1(d)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1150.1(d)(6) |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |


| Rules from which Variances and Order for Abatements were Requested in 2013 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| 1150.1(d)(12) |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |
| $1166(\mathrm{c})(2)$ |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1166(c)(2)(F) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1168.0 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1168(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1169(c)(13)(ii) |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 1171.0 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1171(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1171(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1171(c)(1)(A)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1171(c)(1)(b)(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1171(c)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |



| Rules from which Variances and Order for Abatements were Requested in 2013 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1420.1(g)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(c) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(c)(8) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(c)(11)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(c)(13)(ii) |  |  |  |  |  |  |  | 1 |  |  |  |  |  | 1 |
| 1469(d)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(e)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(e)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(g)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(h) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(I) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469())(4)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469())(4)(D) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1469(k)(3)(A) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470.0 |  | 1 |  |  |  |  |  |  |  |  |  |  |  | 1 |
| 1470(c)(2)(C)(i)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470(c)(2)(C)(iv) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470(c)(3)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 1470(c)(3)(C)(iii) |  |  | 1 |  |  |  | 1 | 1 | 1 | 2 |  |  |  | 6 |
| 1470(c)(3)(C)(i)(1) |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| 2004.0 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(b)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(b)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 2004(c)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |

Rules from which Variances and Order for Abatements were Requested in 2013

|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2004(c)(1)(C) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(f)(1) |  | 4 | 2 | 4 | 4 | 3 | 2 | 2 | 3 |  |  |  |  | 24 |
| 2004(f)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2004(k) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2005.0 |  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011 Attachment C |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(2)(A) |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| 2011(c)(2)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2011(c)(3)(A) |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| 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. |  |  |  |  |  |  | 1 | 2 |  |  |  |  |  | 3 |
| 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(a) |  |  |  |  |  | 1 |  |  |  |  |  |  |  | 1 |
| 2012 Appen A, Chap. 2, Sec. B |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen. A, Protocol 2012, Chap. 2, B.5. |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap. 2, B.5.a |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap. 2, B. 10 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap. 2, B. 11 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap. 2, B. 12 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap. 2, B. 17 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap.2, B. 18 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012, Appen A, Chap.2, B. 20 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012 Appen A, Chap. 4.A. 4 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |


| Rules from which Variances and Order for Abatements were Requested in 2013 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 2013 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Actions |
| 2012(c)(2) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(2)(A) |  | 1 |  |  | 2 | 1 |  |  |  |  |  |  |  | 4 |
| 2012(c)(2)(B) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(c)(3)(A) |  |  |  |  | 2 |  |  |  |  |  |  |  |  | 2 |
| 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) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(g)(1) |  |  |  |  | 2 |  |  |  |  |  |  |  |  | 2 |
| 2012(g)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(g)(7) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(3) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(4) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(5) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(h)(6) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012(i) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 2012()(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) Table 2012-1, and Appen. A, Chp 2, \& Attachment C |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| 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 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 3002(a) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| 3002(c) |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| 3002(c)(1) |  |  | 2 | 5 | 3 | 2 | 2 | 2 | 4 |  |  |  |  | 20 |
| 3002(c)(2) |  | 6 |  |  |  |  |  |  |  |  |  |  |  | 6 |
| 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 |  |  |  |  |  |  |  |  | 1 |  |  |  |  | 1 |
| H\&S 41701 |  | 3 |  |  |  |  |  |  | 1 | 1 |  |  |  | 5 |
| H\&S 93115.6(c)(2)(C)(1) |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| H\&S 42303 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| Title 13 Code of Regulations §2452 |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |

Report of September 2013 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. Asia Plastics Inc. Case No. 5957-1 (N. Sanchez) | $\begin{aligned} & \hline \hline 203(a) \\ & \text { 1130(c)(1) } \end{aligned}$ | Petitioner using noncompliant printing inks since 1999. | Not Opposed/Denied | RV denied for lack of beyond reasonable control. | N/A |
| 2. California Amforge Corporation Case No. 5945-1 (M. Lorenz) | 1147(c)(1) | Petitioner operating furnace in violation of R1147 NOx limits. Petitioner cannot find compliant technology. | Not Opposed/Granted | MFCD/EXT granted commencing 9/24/13 and continuing through 9/23/14. | NOx: 1.4 lbs/day |
| 3. SCAQMD vs. Hemet Unified School District, Hamilton Elementary School and Hamilton High School <br> Case No. 5956-1 <br> (N. Sanchez) | 1470(c)(3)(C)(iii) | Respondent operating two diesel-fired emergency ICEs. | Not Stipulated/Issued | O/A issued commencing 9/17/13 and continuing through $3 / 29 / 14$. The Hearing Board shall retain jurisdiction over this matter until 3/29/13. | N/A |
| 4. SCAQMD vs PlacentiaLinda Hospital Case No. 5953-1 (Consent Calendar; No Appearance) | $\begin{aligned} & \text { 222(d)(1)(C) } \\ & 222(\mathrm{e})(1) \\ & 1146.2(\mathrm{c})(1) \\ & 1146.2(\mathrm{c})(3) \end{aligned}$ | Respondent operating four noncompliant boilers. | Stipulated/Issued | O/A issued commencing 9/5/13 and continuing through $12 / 13 / 13$. The Hearing Board shall retain jurisdiction over this matter until 12/13/13. | N/A |
| 5. SCAQMD vs. Rim of the World Unified School District and Rim of the World High School Case No. 5366-3 (N. Feldman) | $\begin{aligned} & \text { 1146.2(c)(3) } \\ & \text { 1470(c)(3)(C)(iii) } \end{aligned}$ | Respondent operating two noncompliant boilers and two noncompliant emergency ICEs. | Stipulated/Issued | O/A issued commencing 9/11/13 and continuing through $1 / 15 / 14$. The Hearing Board shall retain jurisdiction over this matter until 1/15/14. | N/A |
| 6. SCAQMD vs. Valvoline, a division of Ashland Inc. <br> Case No. 5958-1 <br> (Consent Calendar; <br> No Appearance) | $\begin{aligned} & \text { 1146.1(c)(2) } \\ & \text { 1146.1(e)(1) } \end{aligned}$ | Respondent operating noncompliant boiler. | Stipulated/Issued | O/A issued commencing 9/26/13 and continuing through $12 / 31 / 13$. The Hearing Board shall retain jurisdiction over this matter until 12/31/13. | N/A |
| 7. Universal City Studios, LLC Case No. 4935-11 (Consent Calendar; No Appearance) | $\begin{aligned} & \text { 401(b)(1) } \\ & \text { CH\&S Code §41701 } \end{aligned}$ | Petitioner will use fog making machine for Halloween shows that will result in excess opacity. | Not Opposed/Granted | SV granted commencing 9/16/13 and continuing through $11 / 3 / 13$ for a maximum of 35 non-consecutive days. | Opacity: TBD by 10/1/13 |


| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 8. Western Medical Center Santa Ana Case No. 5892-2 <br> (R. Fernandez) | 1146.(c)(1)(1) | Petitioner operating two noncompliant boilers. | Opposed/Denied | SV denied for failure to make all of the six findings. | N/A |

## Acronyms

CO: Carbon Monoxide
ESP: Electrostatic Precipitator
EV: Emergency Variance
FCD: Final Compliance Date
GDF: Gasoline Dispensing Facility
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
N/A: Not Applicable
NH3: Ammonia
NOx: Oxides of Nitrogen
O/A: Order for Abatement
PM: Particulate Matter
ROG: Reactive Organic Gas
RV: Regular Variance
SCR: Selective Catalytic Reduction
SO2: Sulfur Dioxide
SOx: Oxides of Sulfur
SV: Short Variance
TBD: To be determined
VOC: Volatile Organic Compounds
VRS: Vapor Recovery System

