BOARD MEETING DATE: February 4, 2005 AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period

of December 1 through December 31, 2004.

COMMITTEE: Not Applicable

RECOMMENDED ACTION: Receive and file this report.

Edward Camarena Chairman of Hearing Board

EC:RJ

Two summaries are attached: Rules From Which Variances and Orders for Abatement Were Requested in 2004 and December 2004 Hearing Board Cases.

The total number of appeals filed during the period December 1 to December 31, 2004 is 0, and the total number of appeals filed during the period of January 1 to December 31, 2004 is 15.

| | | Rules | from v | which ' | Varian | ces an | d Orde | r for A | Abatem | ents w | ere Re | quest | ed in 2 | 2004 | |
|---------------------------------|------|-------|--------|---------|--------|--------|--------|---------|--------|--------|--------|-------|---------|---------------|--|
| | 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action | |
| # of HB Actions* | 2001 | oun | 7 0.0 | mar | 71,01 | may | - Jun | - Our | riug | ССР | | 7101 | 200 | 7010771011077 | |
| Involving | | | | | | | | | | | | | | | |
| Rules | | | | | | | | | | | | | | | |
| 109 | | | | 1 | | | | | | | | | | 0 | |
| 109(c)(1) 201 | | | | 1 | | | | | | | | | | 0 | |
| 202 | | 1 | | | | | | 2 | | | | | | 3 | |
| 202(a) | | 1 | 1 | 2 | | 1 | | 2 | 2 | 1 | 2 | | | 12 | |
| 202(b) | | • | | | | • | | _ | | 1 | 1 | | 1 | 3 | |
| 202(c) | | | | | | | | | | | | | | 0 | |
| 203 | | | | 1 | | | 1 | 2 | | | | | | 4 | |
| 203(a) | | 1 | 2 | 4 | 3 | 2 | 1 | 1 | 1 | 1 | 2 | 3 | | 21 | |
| 203(b) | | 8 | 9 | 11 | 4 | 10 | 11 | 10 | 12 | 6 | 12 | 10 | 6 | 109 | |
| 208 | | | | | | | | | | | | | | 0 | |
| 218.1 | | | | | | | | | | | | 1 | | 1 | |
| 218(b)(2) | | | | | | 1 | | | | | | | | 1 | |
| 218.1(b)(1)(E) | | | | | 1 | | | | | | | | | 1 | |
| 221(b) | | | | | | | | | | | | | | 0 | |
| 401 | | | | | | | | | | | | | | 0 | |
| 401(a) 401(b) | | | | | | | | | | | | | | 0 | |
| 401(b)(1) | | 3 | 1 | 1 | 1 | | | | 1 | | | 2 | | 9 | |
| 401(b)(1)(A) | | J | ' | , | , | | | 1 | | | | | | 1 | |
| 401(b)(1)(B) | | | | | | 1 | | | | | | | | 1 | |
| 402 | | | 1 | | | | 1 | 2 | | 2 | | | 1 | 7 | |
| 403(d)(1) | | | | | 1 | | | | | | | | | 1 | |
| 403(d)(2) | | | | | | | | | | | | | | 0 | |
| 404 | | | | | | | | | | | | | | 0 | |
| 404(a) | | 2 | | | | | | 1 | | | | 1 | | 4 | |
| 404(b) | | | | | | | | | | | | | | 0 | |
| 405 405(a) | | 2 | | | | | | 1 | | | | 1 | | 0 4 | |
| 405(a) 405(b) | | | | | | | | ı | | | | ' | | 0 | |
| 407(a) | | 1 | | | 1 | | | | | | | 1 | | 3 | |
| 407(a)(1) | | | | | | | | | | | 1 | | | 1 | |
| 407(a)(2)(A) | | | | | | | | | | | | | | 0 | |
| 409 | | | | | | | | | | | | | | 0 | |
| 431.1(c)(1) | | | | | | | | | | | | | | 0 | |
| 431.1(d)(1) | | | | | | | | | | | | | | 0 | |
| 442 | | | | | | | | | | | | | | 0 | |
| 444 444(a) | | | | | | | | | | | | | | 0 | |
| 444(a) 444(c) | | | | | | | | | | | | | | 0 | |
| 444(d) | | | | | | | | | | | | | | 0 | |
| 461 | | | | 1 | | | | | | | | | | 1 | |
| 461(c)(1) | | | | | | | | | | | | | | 0 | |
| 461(c)(1)(A) | | | | 1 | | | | | | | | | | 1 | |
| 461(c)(1)(B) | | | | 1 | | | | | | | | | | 1 | |
| 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) 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)(A) | | | | | | | | | | | | | | 0 | |
| 461(c)(3)(D)(ii) | | | | | | | | | | | | | | 0 | |
| 461(c)(3)(E) | | | | | | | | | | | | | | 0 | |
| 461(c)(3)(M) | | | | | | | | | | | | | | 0 | |
| 461(c)(4)(B) | | | | | | | | | | | | | | 0 | |
| 461(c)(4)(B)(ii) | | | | | | | | | | | | | | 0 | |
| 461(e)(1) 461(e)(2) | | | | | | | | | | | | | | 0 | |
| 461(e)(2)(A)(i) | | | 1 | | | | | | | | | | | 1 | |
| 701(C)(Z)(A)(I) | | | | | | | | | | | | | | | |

| | 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action | | \neg |
|---|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|---|--------|
| 461(e)(2)(B)(i) | | | | | | | | | | | | | | 0 | • | |
| 461(e)(2)(C) | | | | | | | | | | | | | | 0 | | |
| 461(e)(3) 461(e)(4) | | | | | | | | | | | | | | 0 | | |
| 461(e)(5) | | | | | | | | | | | | | | 0 | | |
| 461(e)(7) | | | | | | | | | | | | | | 0 | | |
| 462(c)(1)(A)(ii) | | | | | | | | | | | | | | 0 | | |
| 462(c)(1)(E) | | | | | | | | | | | | | | 0 | | |
| 462(c)(3)(B) | | | | | | | | | | | | | | 0 | | |
| 462(c)(4)(B)(i) | | | | | | | | | | | | | | 0 | | |
| 462(c)(7)(A)(ii) 462(d) | | | | | | 1 | | | | | | | | 0 | | |
| 462(d)(1) | | | | | | 1 | | | | | | | | 1 | | |
| 462(d)(1)(A) | | | | | | 1 | 2 | | 2 | | | | | 5 | | |
| 462(d)(1)(A)(ii) | | | | 1 | | | | | | | | | | 1 | | |
| 462(d)(1)(C) | | | | | | 1 | 2 | | 2 | | | | | 5 | | |
| 462(d)(1)(E)(ii) | | | | 1 | | | | | | | | | | 1 | | |
| 462(d)(1)(F) | | | | | | | | | | | | | | 0 | | |
| 462(d)(2)(A)(i) | | | | | | 4 | | | | | | | | 0 | | |
| 462(e)(1) 462(e)(1)(E) | | | | | | 1 | 2 | | 1 | | | | | 4 | | |
| 462(e)(1)(E)(ii) | | | | 1 | | | | | | | | | | 1 | | |
| 462(e)(2)(A)(i) | | | | • | | | | | | | | | | 0 | | |
| 462(e)(4) | | | | | | | | | | | | | | Ö | | |
| 462(h)(1) | | | | 2 | | | 2 | | 2 | | | | | 6 | | |
| 463(c) | | | | | | | | | | | | | | 0 | | |
| 463(c)(1)(A) | | | | | | | | | | | | | | 0 | | |
| 463(c)(1)(A)(I)-(iv) | | | | | | | | | | | | | | 0 | | |
| 463(c)(1)(B) | | | | | | | | | | | | | | 0 | | |
| 463(c)(1)(C) | | | | | | | | | | | | | | 0 | | |
| 463(c)(1)(D) 463(c)(1)(E) | | | | | | | | | | | | | | 0 | | |
| 463(c)(2) | | | | | | | | | | | | | | 0 | | |
| 463(c)(3) | | | | | | 2 | | | | | 2 | | | 4 | | |
| 463(c)(3)(A) | | | | | | | | | | 1 | | | | 1 | | |
| 463(c)(3)(B) | | | | | | | | | | | | | | 0 | | |
| 463(c)(3)(C) | | | | | | 1 | 2 | | 2 | | | | | 5 | | |
| 463(d)(2) | | | | | | | | | | | | | | 0 | | |
| 463(e)(3)(C) | | | | | | 4 | | | | | | | | 0 | | |
| 463(e)(4) 464(b)(1) | | | | | | 1 | | | | | | | | 0 | | |
| 468 | | | | | | | | | | | | | | 0 | | |
| 468(a) | | | | | 1 | | | | | | | | | 1 | | |
| 468(b) | | | | | 1 | | | | | | | | | 1 | | |
| 475(b) | | | | | | | | | | | | | | 0 | | |
| 1102(c)(2) | | | | | | | | | | | | 1 | | 1 | | |
| 1104(c)(1) | | | | | | | | | | | | | | 0 | | |
| 1106(c)(1) | | | | | | | | | | | | | | 0 | | |
| 1106.1(c)(1) 1106.1(c)(1)(A) | | | | | | | | | | | | | | 0 | | |
| 1100.1(c)(1)(A) 1107(c)(2) | | | | | | | | | | | | | | 0 | | |
| 1107(c)(7) | | | | | | | | | | | | | | 0 | | |
| 1107(d) | | | | | | | | | | | | | | 0 | | |
| 1110.1 | | | | | | | | | | | | | | 0 | | |
| 1110.2 | | | | | | | | 1 | | | | | , | 1 | | |
| 1110.2(d)(1) | | | | | | | | | | | | | 1 | 1 | | |
| 1110.2(d)(1)(A) | | | | | | | | | _ | | | | 2 | 2 | | |
| 1110.2(d)(1)(B) | | | | | | | | | 2 | | | | 3 | 5 | | |
| 1110.2(d)(1)© 1110.2(e)(1)(A) | | | | | | | | | | | | | 5 | 5 0 | | |
| 1110.2(e)(1)(A) 1110.2(e)(1)(B)(i)(II) | | | | | | | | | | | | | 4 | 4 | | |
| 1110.2(e)(1)(B)(i)(III) | | | | | | | | | | | | | 5 | 5 | | |
| 1110.2(e)(1)(B)(ii) | | | | | | | | | | | | | 1 | 1 | | |
| 1110.2(f)(1)(A) | | | | | | | | | | | | | 3 | 3 | | |
| 1110.2(f)(1)(B) | | | | | | | | | | | | | 2 | 2 | | |
| 1110.2(f)(1)(E) | | | | | | | | | | | | | 1 | 1 | | |
| 1113(c)(2) | | | | | | | | | | | | | | 0 | | |
| 1118(d) | | | | | | | | | | 1 | | | | 1 | | |
| 1118(d)(1)(2) | | | | | | | | | | | | | | 0 | | |
| 1118(d)(1)(3) | | | | | | | | | | | | | | 0 | | |

| | 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action | |
|---------------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|--|
| 1118(d)(2) | | | | | - | | | | | | | | | 0 | |
| 1118(d)(3) | | | | | | | | | | | | | | 0 | |
| 1118(d)(4)(B) | | | | | | | | | | | | | | 0 | |
| 1118(d)(5)(A) | | | | | | | | | | | | | | 0 | |
| 1118(d)(5)(B) | | | | | | | | | | | | | | 0 | |
| 1118(e) | | | | | | | | | | 1 | | | | 1 | |
| 1118(f) | | | | | | | | | | 1 | | | | 1 | |
| 1121 | | | | | | | | | | | | | | 0 | |
| 1122(c)(2)(A) | | | | | | | | | | | | | | 0 | |
| 1122(c)(2)(E) | | | | | | | | | | | | | | 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)(4)(A) | | | | | | | | | | | | | | 0 | |
| 1122(e)(4)(B) | | | | | | | | | | | | | | 0 | |
| 1122(g)(3) | | | | | | | | | | | | | | 0 | |
| 1124 | | | | | | | | | | | | | | 0 | |
| 1124(c)(1)(A) | | | | | | | | | | | | | | 0 | |
| 1124(c)(1)(E) | | | | | | | | | | | | | | 0 | |
| 1124(c)(1)(L) | | | | | | | | | | | | | | 0 | |
| 1124(c)(4) 1125(c)(1) | | | | | | | | | | | | | | 0 | |
| 1128(c)(1) | | | | | | | | | | | | | | 0 | |
| 1128(c)(1) 1128(c)(2) | | | | | | | | | | | | | | 0 | |
| 1130 | | | | | | | | | | | 1 | | | 1 | |
| 1130(c)(1) | | | | | | | | | | | ' | | 1 | 1 | |
| 1131 | | | | | | | | | | | | | | 0 | |
| | | | | | | | | | | | | | 1 | 1 | |
| 1130(c)(4) | | | | | | | | | | | | | - 1 | 0 | |
| 1132(d)(2) | | | | | | | | | | | | | | | |
| 1132(d)(3) | | | | | | | | | | | | | | 0 | |
| 1134(c) | | | | | | | | | | | | | | · · | |
| 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)(C) | | | | | | | | | | | | | | 0 | |
| 1135(c)(4) | | | | | | | | | | | | | | 0 | |
| 1135(c)(4)(D) | | | | | | | | | | | | | | 0 | |
| 1135(e) | | | | | | | | | | | | | | 0 | |
| 1137 | | 1 | 1 | | | | | | | | 1 | | | 3 | |
| 1137(d)(2) | | | | | 1 | | | | | 1 | | | | 2 | |
| 1145(c)(2) | | | | | | | | | | | | | | 0 | |
| 1145(c)(6) | | | | 1 | | 1 | | 1 | | | | 1 | | 4 | |
| 1145(h)(1)(E) | | | | | | | | | | | | | | 0 | |
| 1145(h)(1)(E) | | | | | | | | | | | | | | 0 | |
| 1146 | | 1 | | | | | | | | | | | | 1 | |
| 1146(c)(3)(A) | | | | | | | | 1 | 1 | | | | | 2 | |
| 1146(c)(4) | | | | | | | | | | | | | | 0 | |
| 1146.1 | | | | | | | | | | | | | | 0 | |
| 1146.1(c)(1) | | 2 | | | | | | 1 | 1 | | | | | 4 | |
| 1146.1(c)(2)(B) | | | | | | | | | | | | | | 0 | |
| 1146.1(c)(3) | | | | | | | | | | | | | | 0 | |
| 1146.1(e)(1)(B) | | | | | | | | | | | | | | 0 | |
| 1146.2 | | | | 1 | | | | | | | | | | 1 | |
| 1146.2(c)(1) | | | | | | | | | | | | | | 0 | |
| 1146.2(c)(3) | | | | | 1 | 1 | | | | | | | | 2 | |
| 1150.1 | | | | | | | | | | | | | | 0 | |
| 1150.1(d)(1)(C)(i) | | | | | | | | | | | | | | 0 | |
| 1150.1(d)(4) | | | | | | 1 | | | | | | | | 1 | |
| 1150.1(d)(5) | | | | | | 1 | | | | | | | | 1 | |
| 1150.1(d)(6) | | | | | | 1 | | | | | | | | 1 | |
| 1150.1(d)(7) | | | | | | | | | | | | | | 0 | |
| 1150.1(e) | | | | | | | | | | | | | | 0 | |
| 1150.1(e) 1150.1(e)(1) | | | | | | 1 | | | | | | | | 1 | |
| 1150.1(e)(1) | | | | | | 1 | | | | | | | | 1 | |
| (0)(2) | | | | | | | | | | | | | | | |

| 1158clg/2 | | 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action | |
|--|-----------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|------|
| 150.1c (2)(C) | 1150.1(e)(3) | | | | | | | | | | | | | | 1 | |
| 1150.1 (e)(2)(C) 1150.1 (e)(3)(A)(D) 1150.1 (e)(3)(A)(B) 1150.1 (e | | | | | | | | | | | | | | | 0 | |
| 150.10 6 0 0 | | | | | | | | | | | | | | | | |
| 1150.16(6)(A)(1) 1150.16(6)(A)(1) 1150.16(6)(A)(1) 1150.16(6)(A)(1) 1150.16(6)(A)(1) 1151.16(1) 115 | | | | | | | | | | | | 1 | | | 1 | |
| 1950.1(6 A 6 6 6 6 6 6 6 6 | | | | | | | | | | | | | | | 0 | |
| 1150.1(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1) | | | | | | | | | | | | | | | | |
| 1950.107/197100 1950.107/19 | | | | | | | | | | | | | | | | |
| 1151ci(178) | | | | | | | | | | | | | | | | |
| 1515(16) | | | | | | | | | | | | | | | | |
| 1151(2) | | | | | | | | | | | | | | | | |
| 1515 5 | | | | | | | | | | | | | | | | |
| 1151-(101) | 1151(2) | | | | | | | | | | | | | | | |
| 1951e(if) 1951(if) 1951(if) 1951(if) 1951(if) 1951(if) 1951(if) 1952(if) 19 | | | | | | | | | | | | | | | | |
| 1551(0/2) | | | | | | | | | | | | | | | | |
| 15510(1) | | | | | | | | | | | | | | | | |
| 1153.0 | | | | | | | | | | | | | | | | |
| 1553c(1/18) | | | | | 1 | | | | | | | | | | | |
| 1158-01/15(1) 1158-01/17(1) | | | | | | | | | | | | | | | | |
| 1158clg/2 | 1153(c)(1)(B) | | | | | | | | | | | | | | 0 | |
| 1158(d)(5) | 1158 | | | | | | | | | | | | | | 0 | |
| 1158(d)(5) | | | | | | | | | | | | | | | | |
| 1586 di/7 A G G G G G G G G G G G G G G G G G G | | | | | | | | | | | | | | | | |
| 11586(7)(A)(II) 1164(c)(1)(B) 1164(c)(1)(B) 1166(c)(2) 1166(c)(2) 1166(c)(2) 1166(c)(2) 1116(B) 1116(C) 1116(C)(1) 1116(C) 1116(C)(1) 117(C)(1) 11 | | | | | | | | | | | | | | | | |
| 11586(n)(18) | | | | | | | | | | | | | | | | |
| 1164(c)(1)(B) 1166(c)(2) 1166(c)(2) 1166(c)(2) 1116(B) 1116(B) 1116(B) 1116(B) 1116(B) 1116(B) 1117(c)(1) 1117(c)(1) 1117(c)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1) 1117(c)(1)(1)(1)(1) 1117(c)(1)(1)(1)(1) 1117(c)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1) | | | | | | | | | | | | | | | | |
| 11846(n)2) 1186(n)2)(f) 1186(n)2)(f) 1186(n)2)(f) 1186(n)2)(f) 1186(n)2)(f) 1186(n)2)(f) 1186(n)2)(f) 1188(n)3 1 | | | | | | | | | | | | | | | | |
| 1166c()2) 116c()2) 116c()2) 116c()2) 116c()2) 116c()2) 116c()2) 116c()2) 1174 | | | | | | | | | | | | | | | | |
| 1166(2)(2)(F) | | | | | | | | | | | | | | | | |
| 1168(c)(1) 1168(c)(2) 1171(c)(1) 1171(c)(1) 1171(c)(1)(1)(1) 1171(c)(1)(1)(1)(1) 1171(c)(1)(1)(1)(1)(1) 1171(c)(1)(1)(1)(1)(1) 1171(c)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1)(1) | | | | | | | | | | | | | | | | |
| 1188c)(1) 1187c)(2) 1171c)(1) 1 | 1166(c)(2)(F) | | | | | | | | | | | | | | | |
| 1186()2) 1171 | | | | | | | | 1 | | | | | | | | |
| 1171(1) | | | | | | | | | | | | | | | | |
| 11771(c)(1) | | | | | | | | | | | | | | | | |
| 1171(c)(1)(A)(i) 1171(c)(b)(i) 1171(c)(c) 1171(c)(c) 1 | | | | | | | | 1 | | | | 1 | | 1 | 3 | |
| 1171(c)(1)(b)(0) | 1171(c)(1) | | | | | | | | | | 1 | | | 1 | 2 | |
| 1171(c)(1)(b)(1) | 1171(c)(1)(A)(i) | | | | | | | | | | | | | | 0 | |
| 1172(c)(4)(5) | | | | | | | | | | | | | | | 0 | |
| 1171(c)(5) | | | | | | | | | | | 1 | | | 1 | | |
| 1171(c)(5)(A)(I) | | | | | | | | | | | | | | • | | |
| 1173(c)(6) 1173(d)(1) 1173(d)(1) 1 | | | | | 1 | | 1 | | 1 | | | | 1 | | | |
| 1173(d)(1)(1) | | | | | | | • | | • | | | | • | | | |
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| 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Action | |
|------------------------------------|----------|----------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|--|
| 2012(d)(2) | 1 | | | | , | | 1 | | | | | | 2 | |
| 2012(d)(2)(A) | | | | | | | | | | | | | 0 | |
| 2012(d)(2)(D) | | | | | | | | | | | | | 0 | |
| 2012(e)(2)(B) | 1 | | | | | | 1 | | | | | | 2 | |
| 2012(g)(1) | 1 | 2 | 1 | | | 1 | 1 | 1 | | 1 | | | 8 | |
| 2012(g)(3) | | | | | | | | | | | | | 0 | |
| 2012(h)(3) | | | | | | | | | | | | | 0 | |
| 2012(h)(4) | | | | | | | | | | | | | 0 | |
| 2012(h)(5) | | | | | | | | | | | | | 0 | |
| 2012(h)(6) | 1 | | | | | | | | | | | | 1 | |
| 2012(i) | 1 | | | | | | | | | | | | 1 | |
| 2012(j)(1) | 1 | | | | | | 1 | | | | | | 2 | |
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| 2012, Appen. A, Chp 3, Sec (A)(6) | | | | | | | 1 | | | | | | 1 | |
| 2012(m) | 1 | | | | | 1 | | | | | | | 2 | |
| 2012(m) Appen. A, Chp 2, except S | ections | E & Atta | ach C. | | | | | | | | | | 0 | |
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| 2012(m) Appen. A, Chap. 2, Section | ns 2.A.1 | a-c, e.g | Ι, | | | | | | | | | | | |
| and B. 1-4 and Appendix A, Chapt | er 3, Se | ction C. | 2 a, c & | d | | | | | | | | | 0 | |
| 2012(m) Appen A, Chap 3, Section | (A)(6) | | | | | | | | | | | | 0 | |
| 2012(m) Appen. A., Chap 5, Para G | | 5B and | Att. D | | | | | | | | | | 0 | |
| 3002(c)(1) | 3 | 1 | 2 | 1 | 1 | 3 | 3 | 1 | 1 | 1 | 2 | 1 | 20 | |
| 3002(c)(2) | | | | | | | 1 | | | | | | 1 | |
| H&S 41700 | | | | | | | | | | | | | 0 | |
| H&S 41701 | 3 | 1 | | 1 | | | 1 | 1 | | | | 1 | 8 | |

Report of December 2004 Hearing Board Cases

| Case Name and | | | District Position/ | Type and Length of Variance | Excess Emissions |
|---|--|--|----------------------|---|---------------------|
| Case No. | Rules | Reason for Petition | Hearing Board Action | or Order | LXCC33 LIIII33IOII3 |
| Brea Power Partners Case No. 4966-1 (E. Sernel) | 202(b) 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(III) 1110.2(f)(1)(A) 1110.2(f)(1)(E) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions. | Not Opposed/Granted | SV granted commencing 1/1/05 and continuing through 3/31/05, the FCD. | TBD |
| 2. City of Pasadena Case No. 2244-22 (A. Mednick) | 203(b) 2004(f)(1) 2012(c)(2)(A) | Petitioner did not perform 4th quarter RATA. Test could not be done because generating units inoperative due to lack of demand for power. | Not Opposed/Granted | RV granted commencing 12/8/04 and continuing through 8/31/05, the FCD. | None |
| 3. ExxonMobil Oil Corporation Case No. 1183-386 (A. Mednick) | 203(b) 2004(f)(1) | Petitioner must perform emergency maintenance to remove sulfur blockages and may need to take thermal oxidizer offline if further blockages develop while conducting repairs. | Not Opposed/Granted | Ex Parte granted commencing 12/3/04 and continuing for 30 days or until the EV hearing currently scheduled for 12/14/04, whichever comes first. | None |
| 4. ExxonMobil Oil Corporation Case No. 1183-387 (B. Theis) | 203(b) 2004(f)(1) | Compressor failure resulted in SCR temperature to drop below permitted minimum and stopped ammonia injection resulting in uncontrolled flue gas emissions. | Not Opposed/Granted | Ex Parte granted commencing 12/7/04 and continuing for 30 days or until the EV hearing currently scheduled for 12/21/04, whichever comes first. | NOx: TBD |
| 5. G-P Gypsum Corporation Case No. 3359-7 (B. Theis) | 203(b) 2004(f)(1) 3002(c)(1) | Adjacent facility that supplies heated air for petitioner's production needs shut down in November. This in turn caused petitioner to operate its own heat sources beyond permit limits. | Opposed/Denied | RV denied. | |

| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
|--|--|--|--|--|------------------|
| 6. Orange County Sanitation District Case No. 2048-10 (B. Theis) | 1110.2(d)(1)(C) 1110.2(e)(1(B)(i)(II) 1110.2(e)(1)(B)(i)(III) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions | Not Opposed/Granted | The RV from Rule 1110.2(e)(1)(B)(i)(II) shall commence on 12/22/04 for all engines except engine No. 2. The RV from Rule 1110.2(d)(1)(C) and (e)(1)(B)(i)(III) shall commence 1/1/05 for all engines. The variance end dates shall be as follows: Engine No. 1 3/31/05 Engine No. 2 4/30/05 Engine No. 3 5/31/05 Engine No. 4 6/30/05 Engine No. 5 7/31/05 | TBD |
| 7. Orange County Sanitation District Case No. 2048-11 (B. Theis) | 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(II) 1110.2(e)(1)(B)(i)(III) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions | Not Opposed/Granted | The RV from Rule 1110.2(e)(1)(B)(i)(II) shall commence 12/22/04 for all engines. The RV from Rule 1110.2(d)(1)(C) and (e)(1)(B)(i)(III) shall commence 1/1/05 for all engines. The variance end dates shall be as follows: Engine No. 1. 2/18/05 Engine No. 2. 2/11/05 Engine No. 3. 4/1/05 | TBD |
| 8. Penrose Landfill Gas Conversion, LLC Case No. 5490-1 (A. Mednick) | 1110.2(d)(1)(A) 1110.2(d)(1)(B) 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(II) 1110.2(e)(1)(B)(i)(III) 1110.2(f)(1)(A) 1110.2(f)(1)(B) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions. | Not Opposed/Granted | RV granted commencing 1/1/05 and continuing through 8/31/05, the FCD. | TBD |
| 9. SCAQMD vs. Chevron Products Company Case No. 831-312 (J. Panasiti) | 1189(c)(3) | Petitioner requested 30 day extension for shut down of steam methane reformer due to unexpected startup problems with its replacement. | Stipulated/Issued | Modification O/A issued commencing 12/22/04 and continuing through 1/31/05. The Board shall retain jurisdiction over this matter until 1/31/05. | |

| Case Name and Case No. | Rules | Reason for Petition | District Position/ Hearing Board Action | Type and Length of Variance or Order | Excess Emissions |
|---|--|--|--|---|--|
| 10. SCAQMD vs. Falcon Foam, A Division of Atlas Roofing Corporation Case No. 3529-8 (C. Engelhardt) | 203(b) 1175(c)(2) 1175(c)(4)(B)(i) 1175(c)(4)(B)(ii)(I) 2004(f)(1) | Hearing held to determine facility compliance status. | Not Stipulated/Issued | O/A issued commencing 12/21/04 and continuing through 3/24/05. The Hearing Board shall retain jurisdiction over this matter until 3/24/05. | |
| 11. SCAQMD vs. Frank's Auto Body & Paint Case No. 5473-1 (B. Theis) | 402 1171(c)(1) 1171(c)(4) | Respondent operating auto refinishing business that creates public nuisance. | Opposed/Issued | Modification O/A issued commencing 12/14/04 and continuing through 6/17/06. The hearing Board shall retain jurisdiction over this matter until 6/17/06. | |
| 12. SCAQMD vs. Poly Pak America, Inc. Case No. 4727-4 (A. Mednick) | 203(b) 1130(c)(1) 1130(c)(4) 1171(c) | Explosion in respondent's regenerative thermal oxidizer was previously determined by Hearing Board not to be beyond reasonable control. O/A issued to require repair on expedited basis. | Stipulated/Issued | O/A issued commencing 12/21/04 and continuing through 8/30/05. The Hearing Board shall retain jurisdiction over this matter until 8/30/05. | |
| 13. Tidelands Oil Production Company Case No. 4696-11 (E. Sernel) | 1110.2(d)(1) 1110.2(d)(1)(B) 1110.2(e)(1)(B)(ii) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions with current engines and plans to comply by installing new compliant ICE. Petitioner awaiting issuance of P/C for new engine. | Not Opposed/Granted | RV granted commencing 1/1/05 and continuing through 6/30/05, the FCD. | NOx: 113 lbs/day CO: 116 lbs/day ROG: 43 lbs/day |
| 14. Toyon Landfill Gas Conversion, LLC Case No. 5491-1 (A. Mednick) | 1110.2(d)(1)(A) 1110.2(d)(1)(B) 1110.2(d)(1)(C) 1110.2(e)(1)(B)(i)(II) 1110.2(e)(1)(B)(i)(III) 1110.2(f)(1)(A) 1110.2(f)(1)(B) | Petitioner unable to comply with 12/31/04 deadline for ICE emissions. | Not Opposed/Granted | RV granted commencing 1/1/05 and continuing through to 8/31/05, the FCD. | TBD |

Key to Acronyms

CO: Carbon Monoxide EV: Emergency Variance FCD: Final Compliance Date H&S: Health & Safety Code I/P: Increments of Progress IV: Interim Variance

NO_{X:} Oxides of Nitrogen O/A: Order for Abatement ROG: Reactive Organic Gas RV: Regular Variance

SV: Short Variance TBD: To be determined