

BOARD MEETING DATE: September 9, 2005

AGENDA NO. 15

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of June 1 through July 31, 2005.

COMMITTEE: Not Applicable

RECOMMENDED ACTION:

Receive and file this report.

Edward Camarena
Chairman of Hearing Board

EC:RJ

Three summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2005 and June 2005 and July 2005 Hearing Board Cases**. It should be noted that 21 of the 50 cases heard in June and July 2005 were Group Order for Abatement petitions involving 327 gasoline dispensing facilities not in compliance with enhanced vapor recovery (EVR) requirements which became effective April 1, 2005.

The total number of appeals filed during the period June 1 to June 30, 2005 is 3; the total number of appeals filed during the period July 1 to July 31, 2005 is 0; and total number of appeals filed during the period of January 1 to July 31, 2005 is 8.

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
461(e)(1)						1								1		
461(e)(2)						1	20							21		
461(e)(2)(A)						4		2						6		
461(e)(2)(A)(i)														0		
461(e)(2)(B)(i)						4	20	2						26		
461(e)(2)(C)														0		
461(e)(3)						4	20	2						26		
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)						1								1		
463(c)(3)(C)						3								3		
462(c)(4)(B)(i)														0		
462(c)(7)(A)(ii)														0		
462(d)														0		
462(d)(1)														0		
462(d)(1)(A)						2								2		
462(d)(1)(A)(ii)														0		
462(d)(1)(C)						2								2		
462(d)(1)(E)(ii)														0		
462(d)(1)(F)														0		
462(d)(2)(A)(i)														0		
462(e)(1)														0		
462(e)(1)(E)						2								2		
462(e)(1)(E)(ii)														0		
462(e)(2)(A)(i)														0		
462(e)(4)														0		
462(h)(1)						2								2		
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)														0		
463(c)(1)(E)														0		
463(c)(2)														0		
463(c)(3)														0		
463(c)(3)(A)														0		
463(c)(3)(B)							1							1		
463(c)(3)(C)							1							1		
463(d)(2)														0		
463(e)(3)(C)														0		
463(e)(4)			2											2		
464(b)(1)														0		
468														0		
468(a)						1								1		
468(b)														0		
1102								1						1		
1102(c)(2)					1									1		
1104(c)(1)														0		
1106(c)(1)														0		
1106.1(c)(1)														0		
1106.1(c)(1)(A)														0		
1107(c)(1)		1												1		
1107(c)(2)		1												1		
1107(d)														0		
1110.1														0		
1110.2			1											1		
1110.2(d)(1)														0		
1110.2(d)(1)(A)		2												2		
1110.2(d)(1)(B)		3												3		
1110.2(d)(1)(C)		2		1										3		
1110.2(e)(1)(A)														0		
1110.2(e)(1)(B)(i)(II)		2		1										3		
1110.2(e)(1)(B)(i)(III)		2												2		
1110.2(e)(1)(B)(ii)														0		
1110.2(f)(1)(A)		2		1										3		
1110.2(f)(1)(B)		2												2		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1110.2(f)(1)(E)														0		
1113(c)(2)														0		
1115(c)(3)							1							1		
1118(d)(1)(2)														0		
1118(d)(1)(3)														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(e)														0		
1118(f)														0		
1121														0		
1122(c)(2)(A)														0		
1122(c)(2)(E)														0		
1122(d)(1)(A)						1								1		
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		
1122(k)(1)(D)						1								1		
1124														0		
1124(c)(1)(A)														0		
1124(c)(1)(E)														0		
1124(c)(4)														0		
1125(c)(1)														0		
1128(c)(1)				1										1		
1128(c)(2)														0		
1130														0		
1130(c)(1)			1		1		1	1						4		
1130(c)(4)			1		1		1	1						4		
1131														0		
1131(d)								1						1		
1132(d)(2)														0		
1132(d)(3)														0		
1134(c)														0		
1134(c)(1)														0		
1134(d)														0		
1134(d)(1)														0		
1134(d)(2)(B)(iii)														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		
1136							1							1		
1137(d)(2)				1										1		
1145(c)(2)														0		
1145(c)(6)														0		
1145(h)(1)(E)														0		
1145(h)(1)(E)														0		
1146														0		
1146(c)(3)(A)														0		
1146(c)(5)			1	1										2		
1146.1														0		
1146.1(a)(2)						1								1		
1146.1(a)(8)						1								1		
1146.1(b)						1								1		
1146.1(c)(1)						1								1		
1146.1(c)(2)(B)														0		
1146.1(c)(3)														0		
1146.1(e)						1								1		
1146.1(e)(1)(B)														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1146.2														0		
1146.2(c)(1)														0		
1146.2(c)(3)														0		
1150.1														0		
1150.1(d)(1)(C)(i)														0		
1150.1(d)(4)		1		1	1									3		
1150.1(d)(5)		1												1		
1150.1(d)(6)		1												1		
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)(C)					1									1		
1150.1(e)(2)(C)														0		
1150.1(e)(3)(C)														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(c)(1)(B)														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)						1								1		
1153(c)(1)(B)								1						1		
1158														0		
1158(d)(2)														0		
1158(d)(5)														0		
1158(d)(7)														0		
1158(d)(7)(A)(ii)														0		
1158(d)(8)														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(c)(2)														0		
1171					1									1		
1171(c)								1						1		
1171(c)(1)		1	1	2		1	1							6		
1171(c)(1)(A)(i)														0		
1171(c)(1)(b)(i)														0		
1171(c)(4)		1		2		1	1							5		
1171(c)(5)														0		
1171(c)(5)(A)(i)														0		
1171(c)(6)														0		
1173(c)														0		
1173(d)(1)														0		
1173(d)(1)(D)														0		
1173(d)(1)(D)(iii)														0		
1173(f)(1)														0		
1173(g)(1)														0		
1175(c)(2)		1	1	2				2						6		
1175(c)(4)(B)			1											1		
1175(c)(4)(B)(i)				1			1	1						3		
1175(c)(4)(B)(ii)														0		
1175(c)(4)(B)(ii)(I)				1			1	1						3		
1175(c)(4)(B)(ii)(II)		1		1										2		
1176(e)(1)														0		
1176(e)(2)														0		
1176(e)(2)(B)														0		
1176(e)(3)(A)														0		
1176(e)(6)														0		
1178(d)(1)(B)														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
1189(c)(1)														0		
1189(c)(3)														0		
1193(d)(1)(B)														0		
1303														0		
1303(a)(1)							2							2		
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)						1								1		
1418(d)(2)(A)														0		
1421														0		
1421(d)														0		
1421(d)(1)(C)														0		
1421(d)(1)(G)														0		
1421(d)(3)(A)														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								1						1		
1469(c)														0		
1469(c)(8)							1							1		
1469(d)(5)							1							1		
1469(e)(1)														0		
1469(e)(2)														0		
1469(h)														0		
1469(l)														0		
1189(c)(3)														0		
2004														0		
2004(b)(1)		1					1							2		
2004(b)(4)		1					1							2		
2004(c)(1)		1					1							2		
2004(c)(1)(C)		1					1							2		
2004(f)(1)		8	10	11	2	8	6	5						50		
2004(k)														0		
2009(b)(2)		1												1		
2009(c)														0		
2009(f)(1)														0		
2009(f)(2)		1												1		
2009.1														0		
2009.1(c)														0		
2009.1(f)(1)														0		
2009.1(f)(2)														0		
2009.1(f)(3)														0		
2011 Appendix A														0		
2011 Attachment C														0		
2011(c)(2)							1							1		
2011(c)(2)(A)				1										1		
2011(c)(3)(A)														0		
2011(e)(1)							1							1		
2011(f)(3)														0		
2011(g)														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 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 Appen. A, Attach. C														0		
2012 Appen. A, Attach. C, Chap. 2, Sec. B														0		

	2005	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Action		
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. 2, Sec. E														0		
2012(c)(2)					1	1								2		
2012(c)(2)(A)						2								2		
2012(c)(2)(C)														0		
2012(c)(3)					1									1		
2012(c)(3)(A)		1				1	1							3		
2012(c)(3)(B)		1					1							2		
2012(c)(10)														0		
2012(d)(2)														0		
2012(d)(2)(A)														0		
2012(d)(2)(D)														0		
2012(e)(2)(B)														0		
2012(g)(1)		1				1	1							3		
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, Appen. A, Chp 3, Sec (A)(6)														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, 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(c)						1								1		
3002(c)(1)			2	2	2	1	1	+						11		
3002(c)(2)														0		
H&S 39152(b)						1								1		
H&S 41510						1								1		
H&S 41700				1										1		
H&S 41701		2						2						4		

Report of June 2005 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. Air Products and Chemicals, Inc. Case #4276-7 (Consent Calendar; No Appearance)	203(b) 2004(b)(1) 2004(b)(4) 2004(c)(1) 2004(c)(1)(C) 2004(f)(1) 2012(c)(3)(A) 2012(c)(3)(B) 2012(g)(1)	Petitioner requires additional time to reprocess and correct data generated by faulty old RTU that has been replaced.	Not Opposed/Granted	MFCD/EXT granted commencing 6/9/05. The variance ending dates were modified as follows: 9/15/05 for Wilmington facility 9/28/05 for Carson facility	None
2. Berry Petroleum Company Case #5364-2 (J. Panasiti)	203(b) 2004(f)(1) 3002(c)(1) 1303(a)(1)	Quarterly source test showed failure to comply with ammonia slip limit for SCR serving a turbine.	Not Opposed/Granted	Ex Parte EV granted commencing 6/28/05 and continuing until 7/7/05 or until the EV hearing currently scheduled for 7/5/05, whichever comes first.	NH3 95.39 lbs/day
3. BP West Coast Products, LLC Case #5357-27 (Consent Calendar; No Appearance)	203(b) 463(c)(3)(B) 463(c)(3)(C) 2004(f)(1)	Petitioner must disconnect piping between vapor recovery system and tanks storing organic liquids in order to install new piping as a leak preventive measure.	Not Opposed//Granted	SV granted for four consecutive days, commencing on the date specified in the notice given pursuant to Condition No. 2 of the Order. The four-day variance shall occur between 6/8/05 and 9/6/05.	NO _x 18.65 lbs/day CO 4.93 lbs/day SO ₂ 1.72 lbs/day PM 0.91 lb/day VOC 0.85 lbs/day
4. Fleetwood Motor Homes of California Case #5535-1 (J. Panasiti)	203(b) 1115(c)(3)	Oxidizer for control of VOC from spray coating operations failed.	Not Opposed/Granted	Ex Parte EV granted commencing 6/22/05 and continuing through 6/23/05.	VOC 262.02 lbs/day
5. Group O/A Rule 461 EVR Class 1 Case #5516-2 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/23/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
6. Group O/A Rule 461 EVR Class 1 Case #5516-3 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/22/05; the Board shall retain jurisdiction over this matter until 9/1/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
7. Group O/A Rule 461 EVR Class 1 Case #5516-4 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/23/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
8. Group O/A Rule 461 EVR Class 2 Case #5517-2 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/8/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
9. Group O/A Rule 461 EVR Class 2 Case #5517-2 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/29/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
10. Group O/A Rule 461 EVR Class 2 Case #5517-3 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/8/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
11. Group O/A Rule 461 EVR Class 2 Case #5517-4 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/22/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
12. Group O/A Rule 461 EVR Class 3 Case #5521-2 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/8/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
13. Group O/A Rule 461 EVR Class 3 Case #5521-3 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/8/05; the Board shall retain jurisdiction over this matter until 9/1/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
14. Group O/A Rule 461 EVR Class 3 Case #5521-3 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/29/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
15. Group O/A Rule 461 EVR Class 3 Case #5521-4 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/7/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
16. Group O/A Rule 461 EVR Class 3 Case #5521-5 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/9/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
17. Group O/A Rule 461 EVR Class 3 Case #5521-6 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/9/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
18. Group O/A Rule 461 EVR Class 3 Case #5521-7 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/14/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
19. Group O/A Rule 461 EVR Class 3 Case #5521-8 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/14/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
20. Group O/A Rule 461 EVR Class 3 Case #5521-9 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/16/05; the Board shall retain jurisdiction over this matter until 9/1/05.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
21. Group O/A Rule 461 EVR Class 3 Case #5521-10 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/16/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
22. Group O/A Rule 461 EVR Class 3 Case #5521-11 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/22/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
23. Group O/A Rule 461 EVR Class 3 Case #5521-12 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	Group O/A issued commencing 6/23/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
24. HisLife Woodwork Case #5539-1 (B. Theis)	1136	Petitioner cannot do warranty refinishing after 7/1/05 on wood products finished with previously compliant coating.	Opposed/Denied	Ex Parte EV denied.	
25. Mil-Spec Plating Corporation Case #4894-1 (J. Panasiti)	1469(c)(8) 1469(d)(5)	Petitioner does not meet hexavalent chrome emission limit.	Opposed/Denied	RV denied.	
26. Paramount Petroleum Corporation Case #2914-76 (B. Theis)	202(b) 2004(f)(1)	Petitioner must shut down boiler #7 for state required inspection. Needs to use boiler # 8 as backup beyond its permit limit while #7 is down for inspection.	Not Opposed/Granted	SV granted for 5 days commencing on the date specified in the notice given pursuant to Condition No. 1 and ending no later than 7/31/05.	CO 107.5 lbs/total NO _x 49.8 lbs/total PM 1.8 lbs/total VOC 1.3 lbs/total SO _x 2.7 lbs/total
27. SCAQMD vs. Eastern Municipal Water District Case #4937-17 (E. Sernel)	203(a)	Respondent operating five ICEs that cannot be issued a permit to operate because they do not meet BACT.	Stipulated/Issued	O/A issued commencing 6/14/05; the Board shall retain jurisdiction over this matter until 5/30/08.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
28. SCAQMD vs. Falcon Foam, a Division of Atlas Roofing Corp. Case #3529-8 (C. Engelhardt)	203(b) 1175(c)(2) 1175(c)(4)(B)(i) 1175(c)(4)(B)(ii)(I) 2004(f)(1)	Respondent needs additional time to evaluate compliance methods and to gather data regarding compliance feasibility.	Not Stipulated/Issued	Mod. O/A issued commencing 6/7/05; the Board shall retain jurisdiction over this matter until 11/30/05.	
29. SCAQMD vs. Frank T. Sato, individually, and dba Asahi Cleaners Case #5528-1 (B. Theis)	203(a)	Respondent operating dry cleaning equipment without a permit to operate.	Stipulated/Issued	O/A issued commencing 6/22/05; the Board shall retain jurisdiction over this matter until 6/22/06.	
30. SCAQMD vs. Frank's Auto Body & Paint Case #5473-1 (B. Theis)	402 1171(c)(1) 1171(c)(4)	Status report on odor control project.	Not Stipulated/Issued	Mod. O/A issued commencing 6/9/05; the Board shall retain jurisdiction over this matter until 6/17/06.	
31. SCAQMD vs. Johnny Foster, individually and dba Weaverly Dry Cleaners Case #5506-1 (B. Theis)	203(a) 1102	Respondent has been operating dry cleaning equipment without a valid permit to operate since at least January 1, 2003.	Not Stipulated/Issued	Mod. O/A issued commencing 6/16/05; the Board shall retain jurisdiction over this matter until 6/22/06.	
32. SCAQMD vs. Southern California Gas Company Case #137-59 (Consent Calendar; No Appearance)	202(a) 2004(f)(1)	Required source test has not been conducted due to unforeseen problems with innovative effort to reduce energy consumption.	Stipulated/Issued	O/A issued commencing 6/23/05; the Board shall retain jurisdiction over this matter until 10/1/05.	
33. Southern California Edison Company Case #1262-85 (Consent Calendar; A. Mednick)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	O/A issued commencing 6/7/05; the Board shall retain jurisdiction over this matter until 9/1/05.	
34. Trend Offset Printing Services, Inc. Case #3518-4 (C. Engelhardt)	1130(c)(1) 1130(c)(4) 1303(a)(1)	Catalytic oxidizer out of service.	Not Opposed/Denied	Ex Parte EV denied.	

Key to Acronyms

CO: Carbon Monoxide

EV: Emergency Variance

FCD: Final Compliance Date

H&S: Health & Safety Code

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

Mod./Variance: Modification of a Variance

NH₃: Ammonia

O/A: Order for Abatement

PM: Particulate Matter

RV: Regular Variance

SV: Short Variance

TBD: To be determined

TOC: Total Organic Compounds

VOC: Volatile Organic Compound

Report of July 2005 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. BP West Coast Products, Inc. Case #5357-30 (N. Feldman)	203(b) 401 404(a) 405(a) 2004(f)(1) H&S 41701	The boiler must be removed from service to conduct a state mandated safety inspection contrary to a permit condition in order.	Not Opposed/Granted	SV granted for 21 days commencing on the date and time specified in the notice to be given to the District pursuant to Condition No. 1 and ending no later than 3/12/06, the FCD.	Opacity: TBD PM: TBD
2. B.P. West Coast Products, LLC Case #5357-33 (B. Theis)	203(b) 2004(f)(1)	The bypass valve in the fourth stage separator malfunctioned.	Not Opposed/Granted	EV granted commencing 7/14/05 and continuing through 8/12/05, the FCD.	None
3. Bimbo Bakeries USA, Inc. Case #5536-1 (B Theis)	203(b) 2004(f)(1) 1153(c)(1)(B) 3002(c)(1)	Three oxidizers failed to show compliance with the 95 percent emission reduction requirement.	Not Opposed/Granted	IV granted commencing 7/5/05 and continuing for 90 days or until the RV hearing currently scheduled for 8/9/05, whichever comes first.	VOC: 216.7 lbs/day
4. ConocoPhillips Company Case #4900-73 (J. Panasiti)	203(b) 2004(f)(1) 401(b) 404(a) 405(a)	The FCCU was shut down when the heat exchanger experienced a leak. Emission violations may occur during the restart of the FCCU.	Opposed/Granted	Ex Parte granted commencing 7/29/05 and continuing until the variance hearing currently scheduled for 8/3/05.	Opacity: TBD
5. Costco Wholesale Corporation Case #5055-1 (C. Engelhardt)	203(b) 461	Petitioner seeks to operate the vapor recovery system pending the acquisition of CARB approved breakaway equipment.	Not Opposed/Granted	Ex Parte granted commencing 7/15/05 and continuing for 30 days or until the EV currently scheduled for 7/26/05, whichever comes first.	None
6. Eastern Municipal Water District Case #4937-19 (E. Sernel)	203(b)	Petitioner seeks to operate the ICE pending the appeal of new permit conditions.	Not Opposed/Granted	SV granted commencing 7/26/05 and continuing through 10/24/05, the FCD.	None
7. Eastern Municipal Water District Case #4937-21 (E. Sernel)	203(b)	Petitioner seeks to operate the ICE pending the appeal of new permit conditions.	Not Opposed/Granted	SV granted commencing 7/26/05 and continuing through 10/24/05, the FCD.	None

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
8. Gold Shield, Inc. Case #5530-1 (N. Feldman)	203(b) 1132(d) 3002(c)(1)	Petitioner seeks to continue operating while investigating compliance status after a new higher emission rate is applied to the facility. The recently amended rule requires the use of a new emission factor.	Not Opposed/Granted	RV granted commencing 7/12/05 and continuing through 3/1/06, the FCD.	VOC: 40 lbs/day
9. Group O/A Rule 461, EVR, Class 1 Case #5516-2 (Consent Calendar Item)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 9/30/05.	
10. Group O/A Rule 461, EVR, Class 1 Case #5516-4 (Consent Calendar Item)	203(b) 461(c)(1)(A) 461(c)(1)(B) 461(e)(2)(A) 461(e)(2)(B)(i) 461(e)(3)	Respondents failed to comply with the 4/1/05 deadline for enhanced vapor recovery at gasoline dispensing facilities.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 10/25/05.	
11. Premier Industries, Inc. dba Insulfoam Case #5333-3 (J. Panasiti)	1175(c)(2) 3002(c)(1)	Petitioner sought a variance to allow the facility to continue operating while the emission control system is shut down for repair.	Opposed/Denied	Ex Parte denied. EV currently scheduled for 8/3/05.	VOC: 873 lbs/day
12. SCAQMD vs. Ertun Harry Sekeroglu, dba Flamingo Cleaners Case #5503-1 (E. Sernel)	203(a)	Respondent is operating dry cleaning equipment without a permit to operate.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 3/20/06.	
13. SCAQMD vs. Falcon Foam, a division of Atlas Roofing Corp. Case #3529-8 (C. Engelhardt)	203(b) 2004(f)(1) 1175(c)(2) 1175(c)(4)(B)(i) 1175(c)(4)(B)(ii)(I)	Respondent cannot comply with the emission control requirements. The District seeks an order to shut down operations.	Not Stipulated/Issued	Mod O/A issued. The Hearing Board shall retain jurisdiction over this matter until 1/31/06.	

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance	Excess Emissions
14. SCAQMD vs. Hard Chrome Plating, Inc. Case #5525-2 (A. Mednick)	1469	The hard chrome plating operation does not comply with the hexavalent chrome emission control requirements.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 11/1/05.	
15. SCAQMD vs. Mil-Spec Plating Corporation Case #4894-2 (A. Mednick)	1469	The hard chrome plating operation does not comply with the hexavalent chrome emission control requirements.	Stipulated/Issued	O/A issued. The Hearing Board shall retain jurisdiction over this matter until 10/15/05.	
16. SCAQMD vs. Poly Pak America, Inc. Case #4727-4 (A. Mednick)	203(b) 1130(c)(1) 1130(c)(4) 1171(c)	Respondent requested a change to the condition requiring the purchase of ERCs.	Stipulated/Issued	Mod. O/A issued. The Hearing Board shall retain jurisdiction over this matter until 8/30/05.	

Key to Acronyms

EV: Emergency Variance
FCD: Final Compliance Date
H&S: Health & Safety Code
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
NMOC: Non-Methane Organic Compound
O/A: Order for Abatement
RV: Regular Variance
SV: Short Variance
TBD: To be determined