

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

TO: Chairperson John Gioia and Members of the Executive Committee
FROM: Chairperson Thomas M. Dailey, M.D., and Members of the Hearing Board
DATE: October 9, 2012
RE: Hearing Board Quarterly Report – January through March 2012

RECOMMENDED ACTION:

None; receive and file.

DISCUSSION:

During the first quarter of 2012 (January through March), the Hearing Board:

- Held one (1) hearing consisting of zero (0) Accusations, one (1) Appeal (3624), zero (0) Variances, and zero (0) Emergency Variances;
- Processed a total of one (1) order consisting of zero (0) Accusations, zero (0) Appeals, zero (0) Variances, zero (0) Emergency Variances and one (1) Request for Withdrawal/Dismissal (3624); and
- Collected a total of \$5,607.45

Below is a detail of Hearing Board activity during the first quarter of 2012 (January through March):

Location: Contra Costa County; City of Martinez

Docket: 3624 – TESORO REFINING AND MARKETING COMPANY, GOLDEN EAGLE REFINERY (B2758) AND AMORCO TERMINAL (B2759) – *Appeal from Final Major Facility Review Permit issued June 28, 2011.*

Regulation(s): Final Major Facility Review Permit

Status: Appeal filed 07-27-2011; pro forma hearing scheduled for 09-22-2011 in conjunction with Docket 3532 Tesoro Refining and Marketing Company, et al; pro forma hearing rescheduled for 10-13-2011 and again for 11-10-2011; pro forma hearing held 11-10-2011 and continued for further pro forma hearing to 01-19-2012; pro forma hearing held 01-19-2012 wherein a briefing schedule was established and continued for further pro forma hearing to 07-12-2012.

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: \$0

Location: Contra Costa County; City of Rodeo

Docket: 3628 – CONOCOPHILLIPS COMPANY, SAN FRANCISCO REFINERY – *Appeal from Issuance of Final Major Facility Review Permit for Facility No. A0016, issued September 1, 2011.*

Regulation(s): Final Major Facility Review Permit

Status: Appeal filed 09-29-2011; pro forma hearing held 10-27-2011 wherein an evidentiary hearing was scheduled for 01-26-2012; hearing canceled pursuant to withdrawal of appeal filed on 01-19-2012; Order for Dismissal filed on 01-30-2012.

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: \$0

Location: Contra Costa County; City of Martinez

Docket: 3630 – AIR PRODUCTS AND CHEMICALS, INC. – *Appeal from Issuance of Final Major Facility Review Permit for Facility No. B0295, issued January 1, 2012*

Regulation(s): Final Major Facility Review Permit

Status: Appeal filed 02-17-2012; pro forma hearing scheduled for 03-08-2012

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: \$2,744.00 (Filing fee) and \$119.45 (Publication)

Location: Santa Clara County; City of San Jose

Docket: 3631 – JDS UNIPHASE CORPORATION – *Application for Variance (Interim and Regular)*

Regulation(s): 2-1-307; Permit Conditions A7 – A10 of Application for Permit # 23600

Status: Application filed 03-15-2012; interim variance hearing scheduled for 04-05-2012 and regular variance hearing scheduled for 05-03-2012

Period of Variance: Requested for 03-12-2012 through 05-03-2012

Estimated Excess Emissions: 31 lbs./day of non-methane hydrocarbon

Fees collected this quarter: \$2,744.00 (Filing fee)

Respectfully submitted,

Thomas M. Dailey, M.D.
Chair, Hearing Board

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