

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members of the Executive Committee
From: Chairperson Terry Trumbull, Esq., and Members of the Hearing Board
Date: July 7, 2014
Re: Hearing Board Quarterly Report – April through June 2014

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

During the second quarter of 2014 (April through June), the Hearing Board:

- Held one hearing on one Accusation (3661). There were no hearings on Appeals or Variances;
- Processed a total of three orders, including one Accusation (3661) and two Requests for Withdrawal/Dismissal (3660 and 3662). There were no orders relative to Appeals, Variances or Emergency Variances; and
- Collected a total of \$0.00 in filing fees.

Below is a detail of Hearing Board activity during the same period:

Location: Contra Costa County; City of Richmond

Docket: 3660 CHEVRON PRODUCTS COMPANY – *Appeal*

Regulation(s): Permit to Operate Abatement Equipment, A-629, Temporary Carbon System for Abating No. 17 Pump Station Fugitive Emissions

Synopsis: In 1992, Appellant applied for a permit to install eight thermal oxidizers to abate various pump seal fugitive emissions and applied to use thermal oxidizers for the exemptions. In August 2013, Appellant found the thermal oxidizer operating at less than the minimum required temperature and filed emergency variance docket number 3653. During the course of an Enforcement investigation, Appellant was found not to have done any preventative maintenance of the thermal oxidizer since installation in 1992 (over 20 years of operation). The emergency variance request was denied on September 12, 2013. In January 2014, Respondent issued the permit to operate with new Permit Condition # 8869 Part 5 (requiring continual abatement with the thermal oxidizers) and new Permit Condition # 25708.

Status: Hearing postponed from April 17, 2014 to May 8, 2014; Order for Dismissal filed May 8, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: \$3,260.00

Location: Contra Costa County; City of San Pablo

Docket: 3661 AIR POLLUTION CONTROL OFFICER OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT VS. ALEX AGUILAR – *Accusation*

Regulation(s): 2-1-302

Synopsis: Respondent is alleged to own and operate a body shop since at least 2012 without a permit to operate, failed to install a spray booth or use any filtration device for the coating operations, and failed to maintain volatile organic compounds, coating, or solvent records, as required per District regulations.

Status: Stipulated Conditional Order for Abatement submitted at hearing held April 10, 2014, and filed April 26, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: N/A

Location: San Mateo County; City of South San Francisco

Docket: 3662 AIR POLLUTION CONTROL OFFICER OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT VS. TIMOTHY SIMPSON; and D. J. SIMPSON COMPANY – *Accusation*

Regulation(s): 2-1

Synopsis: Respondent is alleged to own and operate a paint manufacturing facility since 1988, failed to pay the required permit fees for February 2010 – 2011, and the permit expired.

Status: Order for Dismissal filed June 27, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: N/A

Respectfully submitted,

Terry Trumbull, Esq.
Chair, Hearing Board

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