


** DRAFT **

	Case No / Date	2016-13-R	04/06/16
	Petitioner	ExxonMobil Production Company	
	Permit #	Part 70/PTO 8092	
	Date Rec'd	03/11/16	
	Time Rec'd	15:45	
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**BEFORE THE HEARING BOARD
OF THE SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT**

In The Matter of the Application of)
 ExxonMobil Production Company for a)
 Regular Variance from District Rules)
 328 and Rule 206, Conditions)
 9.C.7(a)(i), 9.C.12 and 9.C.12(a) of)
 Part 70/Permit to Operate 8092.)

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H.B. Case No. 2016-13-R

VARIANCE FINDINGS

AND ORDER

On March 11, 2016, ExxonMobil Production Company filed a Petition for Regular Variance 2016-13-R, requesting a Modification of the Final Compliance Date for 2015-15-R. The Regular Variance was heard on April 6, 2016 in accordance with Health and Safety Code Section 40808 with Patrice Surmeier appearing for the Petitioner and Mike McKay appearing for the Santa Barbara County Air Pollution Control District.

This matter having been fully presented and duly considered, the Hearing Board makes the following findings and gives the following reasons for its decision.

1. Notice of the Hearing was duly given in the manner and for the time required by law.
2. Sworn testimony and argument on behalf of the Petitioner and the Air Pollution Control Officer were made, received and considered.
3. The Petitioner operates the equipment described in the Petition at POPCO's gas processing plant located approximately 25 miles northwest of the City of Santa Barbara, California.
4. The Petitioner operates the equipment described in the Petition at 12000 Calle Real, Goleta, CA.

5. ExxonMobil Production Company, a division of Exxon Mobil Corporation, is the holder of Permit to Operate 8092-R8. This main facility permit authorizes the operation of the equipment and processes located at the Pacific Offshore Pipeline Company (POPCO) Gas Plant, which is part of the Exxon – Santa Ynez Unit Project.
6. As a result of the Plains All American Pipeline (AAPL) Line 901 failure on May 19, 2015, ExxonMobil Production Company has experienced facility impacts. On July 01, 2015, the Hearing Board heard and issued Regular Variance Order 2015-15-R, providing relief from the above conditions through June 5, 2016.
7. At this time, it is unclear when the restart of the Petitioners facility may occur. Adequate verification of proper operation of a new H₂S analyzer is only feasible if installed just prior to operation and in-service testing completed to ensure proper operation. If the analyzer is installed now, there is no way of verifying that the unit will read accurately under normal operating conditions because this verification can only be performed once tail gas is present. Per Health and Safety Code §42357, the Petitioner is requesting a Modification of Final Compliance Date, extending variance coverage through June 5, 2017. There are no expected emissions related to the granting of the Petitioners request.
8. A nuisance as defined in District Rule 303 is not expected to occur as a result of this variance and continued operation is not likely to create an immediate threat or hazard to public health or safety.
9. The District staff supports the Petition as conditioned below.
10. Pursuant to Health and Safety Code section 42359.5, it is found that “good cause” exists for the granting of Petitioner’s request for a Modification of the Final Compliance Date set forth in 2015-15-R.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That a Regular Variance be granted for the operation of the Pacific Offshore Pipeline Company facility in violation of Rules 328 and Rule 206, Conditions 9.C.7(a)(i), 9.C.12 and 9.C.12(a) of Part 70/Permit to Operate 8092 from June 6, 2016 through June 5, 2017, or the date the facility resumes platform gas processing, whichever occurs first, with the following conditions:

1. Petitioner shall submit increments of progress to the Hearing Board and District on the first day of every calendar quarter after the date of approval of the Regular Variance beginning July 1, 2016. The increments of progress report shall include: status of compliance, any corrective action taken to date, and the dates, times, volumes and actual emissions, if any, that occurred during the variance.

2. Petitioner shall submit a final report to the Hearing Board and District within thirty (30) days of the facility returning to compliance. The report shall include the date compliance was achieved together with the corrective actions taken and the dates, times, volumes and actual emissions, if any, that occurred during the variance period. If corrective action would be subject to District permits, then permits must be obtained prior to initiating corrective action.
3. Petitioner shall retain the obligation to comply with all other local, state and federal regulations not specifically referenced in the Order.
4. Failure to abide by all conditions of this Order shall subject the Petitioner receiving the variance to penalties set forth in Health and Safety Code section 42402.
5. Each day during any portion of which a violation occurs is a separate offense.

DATED: _____

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair
Santa Barbara County Air Pollution Control District
Hearing Board