

ACTION SUMMARY
(Unofficial)

Hearing Board

December 2, 2015

9:30 A.M.

APCD Hearing Board Members:

Donald R. Ward
Dr. Francis P. Lagattuta
Robert J. Saperstein, Chair
David Schmarje
Larry Lavagnino, Vice-Chair

**BOARD OF SUPERVISORS HEARING ROOM
BETTERAVIA GOVERNMENT CENTER
511 EAST LAKESIDE PARKWAY
SANTA MARIA, CA**

I. 9:31 a.m. – Convened by Chair Saperstein – Roll Call

Present: 5 - Ward, Lagattuta, Saperstein, Schmarje,
Lavagnino.

Absent: 0 - None.

II. Administration of Oath to Participants

All participants were sworn in.

III. Approval of minutes of the November 4, 2015 meeting

A motion was made by Hearing Board member Lavagnino, seconded by Hearing Board member Ward that the minutes be approved. The motion carried by the following vote.

Ayes: 4 - Ward, Lagattuta, Saperstein, Lavagnino.

Noes: 0 - None.

Abstain: 1 - Schmarje.

Absent: 0 - None.

IV. Requests for continuance or addition of Ex-Agenda items.

None.

V. Announcements/Staff Reports

There were no announcements or staff reports.

VI. Public Comment Period

Public comments were received.

Clerk of the APCD Board:

Louis D. Van Mullem, Jr.

VII. Public Hearings

1) Case No. – 2015-32-R -

**Venoco, Inc.
6267 Carpinteria Avenue, Carpinteria, CA 93013**

Hearing – To consider an application by Venoco, Inc. submitted on October 20, 2015 for a Regular Variance from District Rule 206, Condition 9.C.17 of Part 70/Permit to Operate 7904. The Petitioner operates the equipment described in the Petition at the Ellwood Onshore Facility (EOF) located approximately 14 miles west of the City of Santa Barbara, California and is currently operating under Interim Variance Order 2015-31-I.

John Garnett appeared on behalf of the Petitioner; Mike McKay represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Following testimony by the Petitioner and the District, the Hearing Board unanimously agreed that the six findings had been met. A motion was made by Hearing Board member Lagattuta, seconded by Hearing Board member Schmarje to accept the findings as stated by the Hearing Board and that the variance be granted as submitted in the draft Findings and Order with the exception that the Petitioner provide increments of progress reports monthly, rather than quarterly. Regular Variance number 2015-32-R was granted with conditions as specified in the Findings and Order for the period of October 22, 2015 through October 21, 2016, or the date compliance is achieved, whichever occurs first, by the following vote:

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

2) Case No. – 2015-35-R -

**Freeport McMoRan Oil & Gas
201 South Broadway, Orcutt, CA 93455**

Hearing – To consider an application by Freeport McMoRan Oil & Gas submitted on November 2, 2015 for a Regular Variance from District Rules 359 and 206, Condition 9.C.3 of Part 70/Permit to Operate 9105. The Petitioner operates the equipment described in the Petition on Platform Hidalgo located on the Outer Continental Shelf (OCS) lease tract OCS-P-0450 approximately 7 miles offshore Pt. Arguello, California.

Glenn Oliver appeared on behalf of the Petitioner; Mike McKay represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Following testimony by the Petitioner and the District, the Hearing Board unanimously agreed that the six findings had been met. A motion was made by Hearing Board member Ward, seconded by Hearing Board member Lagattuta to accept the findings as stated by the Hearing Board and that the variance be granted as submitted in the draft Findings and Order with the inclusion of minor clerical modifications. Regular Variance number 2015-35-R was granted with conditions as specified in the Findings and Order for the period of December 2, 2015 through December 1, 2016, or the date the facility resumes platform operations, whichever occurs first, by the following vote:

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

3) Case No. – 2015-36-R -

Freeport McMoRan Oil & Gas
201 South Broadway, Orcutt, CA 93455

Hearing – To consider an application by Freeport McMoRan Oil & Gas submitted on November 2, 2015 for a Regular Variance from District Rules 328, 359, and Rule 206, Conditions 9.C.2 and 9.C.3 of Part 70/Permit to Operate 9103. The Petitioner operates the equipment described in the Petition on Platform Harvest located on the Outer Continental Shelf (OCS) lease tract OCS-P-0315 approximately 10 miles offshore Pt. Arguello, California.

Glenn Oliver appeared on behalf of the Petitioner; Mike McKay represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Following testimony by the Petitioner and the District, the Hearing Board unanimously agreed that the six findings had been met. A motion was made by Hearing Board member Lavagnino, seconded by Hearing Board member Lagattuta to accept the findings as stated by the Hearing Board and that the variance be granted as submitted in the draft Findings and Order with the inclusion of minor clerical modifications. Regular Variance number 2015-36-R was granted with conditions as specified in the Findings and Order for the period of December 2, 2015 through December 1, 2016, or the date the facility resumes platform operations, whichever occurs first, by the following vote:

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

4) Case No. – 2015-37-R -

Freeport McMoRan Oil & Gas
201 South Broadway, Orcutt, CA 93455

Hearing – To consider an application by Freeport McMoRan Oil & Gas submitted on November 2, 2015 for a Regular Variance from District Rule 206, Condition 9.C.1(b) and the approved CEMS Plan of Part 70/Permit to Operate 5704. The Petitioner operates the equipment described in the Petition at the Gaviota Oil & Heating Facility (GOHF), located at 17100 Calle Mariposa Reina, Gaviota, CA.

Glenn Oliver appeared on behalf of the Petitioner; Mike McKay represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

During testimony, Mr. McKay stated that relief of the CEMS plan (Rule 328) requested in the petition was inadvertently omitted from the draft Findings and Order, but should be included. Following testimony by the Petitioner and the District, the Hearing Board unanimously agreed that the six findings had been met. A motion was made by Hearing Board member Lavagnino, seconded by Hearing Board member Ward to accept the findings as stated by the Hearing Board and that the variance be granted as submitted in the draft Findings and Order with the inclusion of minor clerical modifications, as well as the addition of Rule 328. Regular Variance number 2015-37-R was granted with conditions as specified in the Findings and Order for the period of December 2, 2015 through December 1, 2016, or the date the facility resumes platform operations, whichever occurs first, by the following vote:

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

5) Case No. – 2015-38-R -

Freeport McMoRan Oil & Gas
201 South Broadway, Orcutt, CA 93455

Hearing – To consider an application by Freeport McMoRan Oil & Gas submitted on November 2, 2015 for a Regular Variance from District Rules 359 and 206, Condition 9.C.3 of Part 70/Permit to Operate 9104. The Petitioner operates the equipment described in the Petition on Platform Hermosa located on the Outer Continental Shelf (OCS) lease tract OCS-P-0316 approximately 10 miles offshore Pt. Arguello, California.

Glenn Oliver appeared on behalf of the Petitioner; Mike McKay represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Following testimony by the Petitioner and the District, the Hearing Board unanimously agreed that the six findings had been met. A motion was made by Hearing Board member Ward, seconded by Hearing Board member Lagattuta to accept the findings as stated by the Hearing Board and that the variance be granted as submitted in the draft Findings and Order with the inclusion of minor clerical modifications. Regular Variance number 2015-38-R was granted with conditions as specified in the Findings and Order for the period of December 2, 2015 through December 1, 2016, or the date the facility resumes platform operations, whichever occurs first, by the following vote:

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

VIII. ADMINISTRATIVE AGENDA

Approved by vote on one motion. These items read only on request of Hearing Board members.

The following Variance Orders have been approved by the Air Pollution Control District Hearing Board. These orders are available for inspection and reproduction during normal business hours at the office of the Air Pollution Control District, 260 North San Antonio Rd., Suite A, Santa Barbara, California 93110.

A-1) Case No. – 2015-31-I – Venoco, Inc.
6267 Carpinteria Avenue, Carpinteria, CA 93013

On October 23, 2015 Hearing Board member Donald Ward approved an Interim Variance for the period of October 22, 2015 through January 19, 2016, or the date of decision on Petitioner's request for a Regular Variance, whichever occurs first. Said variance provides relief from District Rule 206, Condition 9.C.17 of Part 70/Permit to Operate 7904 and allows for continued operation of the Petitioner's EOF facility without meeting the air station monitoring requirements.

A-2) Case No. – 2015-33-I – Imerys
2500 Miguello Road, Lompoc, CA 93436

On November 6, 2015 Hearing Board member Larry Lavagnino approved an Interim Variance for the period of November 2, 2015 through January 30, 2016, or the date of decision regarding the Petitioner's request for a 90-Day Variance, whichever occurs first. Said variance provides relief from District Rule 206, Condition 9.C.1(a) of Permit to Operate 5840-R4 and allows for continued operation of the 370 Scrubber while the cause of excess emissions is found, and repairs and retesting are completed.

**A-3) Case No. – 2015-34-N – Imerys
2500 Miguello Road, Lompoc, CA 93436**

On November 17, 2015 Hearing Board member Larry Lavagnino approved a 90-Day Variance for the period of November 2, 2015 through January 30, 2016, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rule 206, Condition 9.C.1(a) of Permit to Operate 5840-R4 and allows for continued operation of the 370 Scrubber while the cause of excess emissions is found, and repairs and retesting are completed.

**A-4) Case No. – 2015-39-E – Greka
P.O. Box 5489, Santa Maria, CA 93458**

On November 12, 2015 Hearing Board member Larry Lavagnino approved an Emergency Variance for the period of November 3, 2015 through November 17, 2015. Said variance provides relief from District Rules 325.D and E and Rule 206, Conditions 9.C.1(b)(1) and 9.C.3(b)(1) of Permit to Operate 8076 and allows for operation of Petitioner's Blochman Lease Tank Battery without an operable Vapor Recovery Compressor while repairs are made on the compressor.

A motion was made by Hearing Board member Schmarje, seconded by Hearing Board member Ward that Administrative Agenda items A-1 through A-4 be received and filed. The motion carried by the following vote.

Ayes: 5 - Ward, Lagattuta, Saperstein, Schmarje, Lavagnino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

ADJOURN

The meeting was adjourned at 10:34 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is January 6, 2016, 9:30 a.m.