

ACTION SUMMARY
(Unofficial)

Hearing Board

June 1, 2016

9:30 A.M.

APCD Hearing Board Members:

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

**BOARD OF SUPERVISORS HEARING ROOM
COUNTY ADMINISTRATION BUILDING
105 EAST ANAPAMU STREET
SANTA BARBARA, CA**

I. 9:30 a.m. – Convened by Chair Lavagnino – 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 April 6, 2016 meeting

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

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

Noes: 0 - None.

Abstain: 0 - None.

Absent: 0 - None.

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

None.

V. Announcements/Staff Reports

Chair Lavagnino announced that his term on the Hearing Board expires this month and he would be retiring.

Mike McKay, Inspection Specialist III at the District, let members know that a Hearing Board training is still in the works but would not take place until after a new member is selected. In addition, Mr. McKay introduced District staff from the Engineering Division, David Harris, Engineering Supervisor, and William Sarraf, Air Quality Engineer, who would be assisting with future variance petitions.

Clerk of the APCD Board:

Aeron Arlin Genet

VI. Public Comment Period

There were no public comments.

VII. Public Hearings

1) Case No. – 2016-15-R -

**ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

Hearing – To consider an application by ExxonMobil Production Company submitted on April 12, 2016 for the Modification of a Final Compliance Date of Regular Variance 2015-20-R. The Petitioner is requesting continued relief from District Rule 328 and Rule 206, Conditions 9.C.12 and 9.C.12(b) of Part 70/Permit to Operate 8092. The Petitioner operates the equipment described in this Petition at its gas processing plant, approximately 25 miles northwest of Santa Barbara, CA.

Patrice Surmeier 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 good cause was shown to modify the final compliance date of Regular Variance 2015-20-R. A motion was made by Vice-Chair Ward, 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. Regular Variance number 2016-15-R was granted with conditions as specified in the Findings and Order for the period of June 26, 2016 through June 25, 2017, or within 90 calendar days of POPCO resuming the processing of platform gas, 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. – 2016-17-R -

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

Hearing – To consider an application by Freeport McMoRan (FMOG) submitted on April 6, 2016 for a Regular Variance from District Rule 328 and Rule 206, Condition 9.C.2(c)(iv) of Part 70/Permit to Operate 9106. The Petitioner operates the equipment described in the Petition on Platform Irene located on the Outer Continental Shelf (OCS) lease tract OCS-P-0441 approximately 4 miles offshore Pt. Pedernales, California and is currently operating under Interim Variance Order 2016-16-I.

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 Saperstein, 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. Regular Variance number 2016-17-R was granted with

conditions as specified in the Findings and Order for the period of April 11, 2016 through April 10, 2017, or the date the H₂S analyzer is repaired, or the date the District approves a new method for monitoring H₂S during planned flaring events, whichever occurs first, by the following vote:

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

VII. 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. – 2016-14-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On April 13, 2016 Hearing Board member Larry Lavagnino approved an Emergency Variance for the period of April 7, 2016 through May 6, 2016. Said variance provides relief from District Rule 325 and allows for continued operation of the Petitioner's Well 82 while a leak in the wellhead casing is located and repaired.

**A-2) Case No. – 2016-16-I – Freeport McMoRan Oil & Gas
201 South Broadway, Orcutt, CA 93455**

On April 13, 2016 Hearing Board member David Schmarje approved an Interim Variance for the period of April 11, 2016 through July 9, 2016, or the date of decision on the Petitioner's request for a Regular Variance, whichever occurs first. Said variance provides relief from District Rules 328 and 206, Condition 9.C.2(c)(iv) of Part 70/Permit to Operate 9106 and allows for continued operation of Petitioner's facility without an operable H₂S analyzer while repairs are made.

A motion was made by Hearing Board member Schmarje, seconded by Hearing Board member Lagattuta that Administrative Agenda items A-1 through A-2 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 9:49 a.m.

ANNOUNCEMENTS

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