

 <p><b>Santa Barbara County Air Pollution Control District</b></p>	Case No / Date	2016-29-E	09/21/16
	Petitioner	United States Air Force	
	Permit #	13968	
	Date Rec'd	09/20/16	
	Time Rec'd	15:35	
<b>FOR OFFICIAL USE ONLY</b>			

**BEFORE THE HEARING BOARD  
OF THE SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT**

In The Matter of the Application of )  
 United States Air Force for an Emergency )  
 Variance from District Rule 206, )  
 Conditions 9.C.1(a)(i), 9.C.19, 9.C.20, )  
 9.C.21, 9.C.23, 9.C.24, 9.C.26, 9.C.27 of )  
 Permit to Operate 13968 )

**H.B. Case No. 2016-29-E**

**VARIANCE FINDINGS**

**AND ORDER**

The United States Air Force filed a Petition for an Emergency Variance on September 20, 2016. A hearing regarding the above-entitled matter was held on September 21, 2016 with 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 Vandenberg Air Force Base, located 9.2 miles northwest of Lompoc, California.
4. On September 17, 2016, the Canyon Fire began on Vandenberg Air Force Base and broke containment lines on September 19, 2016. This caused the Petitioners South Vandenberg Power Plant to be evacuated and emergency shutdown procedures to be performed. The Petitioners Continuous Emissions Monitoring System (CEMS) and Ambient Air Monitoring Station are inoperable due to loss of power. There is currently no access to the area and no timeline for containment of the wildfire. Until access and power can be reestablished, the Petitioner is unable to maintain compliance with the above conditions.

5. If, due to reasons beyond the control of the Petitioner, successful equipment repairs are unable to be completed during this Variance period, additional relief will be sought.
6. 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.
7. The District staff supports the Petition as conditioned below.
8. Pursuant to Health and Safety Code section 42359.5, I find that "good cause" exists for the granting of Petitioner's request for an Emergency Variance.

**THEREFORE, THE HEARING BOARD ORDERS,** as follows:

That a 30-Day Emergency Variance be granted for the operation of the Petitioner's facility in violation of Rule 206, Conditions 9.C.1(a)(i), 9.C.19, 9.C.20, 9.C.21, 9.C.23, 9.C.24, 9.C.26, and 9.C.27 of Permit to Operate 13968 from September 20, 2016 through October 19, 2016 with the following conditions:

1. Petitioner shall submit a written report to the Hearing Board and District by November 04, 2016. The report shall include the date compliance was achieved together with a description of the corrective action taken, and emissions, if any, that occurred during the variance.
2. Petitioner shall retain the obligation to comply with all other local, state and federal regulations not specifically referenced in the Order.
3. 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.
4. Each day during any portion of which a violation occurs is a separate offense.

DATED: 21 Sept 2016



David Schmarje, Vice-Chair  
Santa Barbara County Air Pollution Control District  
Hearing Board