

ACTION SUMMARY
(Unofficial)

September 6, 2017

APCD Hearing Board

9:30 A.M.

Dr. Francis P. Lagattuta, Chair
Robert J. Saperstein
Lee-Volker Cox, Vice-Chair
Terence Dressler
Francis Peters, Jr.

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

I. 9:30 a.m. – Convened by Chair Lagattuta – Roll Call

Present: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.

Absent: 0 - None.

II. Administration of Oath to Participants

The administration of oath was moved to the beginning of each case being heard.

III. Approval of minutes of the July 5, 2017 meeting

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

Ayes: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.

Noes: 0 - None.

Abstain: 0 - None.

Absent: 0 - None.

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

None.

V. Announcements/Staff Reports

Mike McKay informed Hearing Board members that Plains All American Pipeline submitted an application to the county to install a new pipeline along a similar route to line 901.

Hearing Board member Peters inquired about the posting of meeting audio on the District website. In addition, Mr. Peters asked about procedural changes that would be made based on the recent ARB Hearing Board training. The topics will be brought back to a future meeting for discussion.

Clerk of the APCD Board:

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VI. Public Comment Period

There were no public comments.

VII. Public Hearings

1) Case No. – 2016-23-M1

ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

Hearing – To consider an application by ExxonMobil Production Company submitted on July 27, 2017 requesting a Modification of Final Compliance Date for Variances 2016-23-R and 2016-32-R for continued relief from District Rules 311, 325, 328, 331, 342, 359, and 206, Conditions 9.B.12, 9.C.1(b)(iii)(2)(a), 9.C.1(b)(iv)(1), 9.C.1(c), 9.C.1(c)(i), 9.C.1(c)(ii), 9.C.1(c)(iv), 9.C.1(c)(v), 9.C.1(c)(vi), 9.C.1(c)(vii), 9.C.1(c)(viii), 9.C.1(d), 9.C.1(d)(i), 9.C.1(d)(ii), 9.C.1(d)(iii), 9.C.1(d)(iv), 9.C.1(d)(v), 9.C.1(d)(vi), 9.C.1(d)(vii), 9.C.1(d)(viii), 9.C.2(c), 9.C.2(c)(ii), 9.C.2(c)(iii), 9.C.2(c)(iv), 9.C.2(c)(v), 9.C.2(c)(vi), 9.C.2(c)(vii), 9.C.2(c)(x), 9.C.2(d), 9.C.2(d)(i), 9.C.2(d)(ii), 9.C.2(d)(iii), 9.C.2(d)(iv), 9.C.2(d)(v), 9.C.2(d)(vi), 9.C.2(d)(vii), 9.C.2(d)(viii), 9.C.3(b)(i), 9.C.3(c)(i), 9.C.7(a), 9.C.7(b)(ii), 9.C.7(b)(v), 9.C.7(c), 9.C.7(c)(i), 9.C.7(d), 9.C.7(d)(i), 9.C.8(f), 9.C.10(a), 9.C.10(b), 9.C.10(d), 9.C.10(g), 9.C.10(j), 9.C.10(k)(5), 9.C.10(k)(6), 9.C.10(k)(7), 9.C.10(k)(8), 9.C.12, 9.C.12(a), 9.C.12(f), 9.C.13, 9.C.14, 9.C.17, 9.C.19, 9.C.20, 9.C.21, 9.C.25(b), 9.C.25(c)(i), 9.C.25(c)(ii), 9.C.27(a), 9.C.27(b), 9.C.28, 9.C.36(b), and 9.D.3(c) of Part 70/Permit to Operate 8092 and Condition 9.C.4(c)(i) of Part 70/Permit to Operate 9102.. Additionally, the Petitioner is requesting a Modification of Variance for Regular Variances 2016-23-R and 2016-32-R, in order to incorporate them into a single variance. The Petitioner operates the equipment described in this Petition at the POPCO gas processing plant, approximately 25 miles northwest of Santa Barbara, CA.

Patrice Surmeier and Jack Jones appeared on behalf of the Petitioner; Mike McKay and Kaitlin McNally represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Hearing held. Following testimony, a motion was made by Hearing Board member Saperstein, seconded by Hearing Board member Cox that good cause was found to grant the variance as submitted in the draft Findings and Order. Adopted Regular Variance No. 2016-23-M1. The motion carried by the following vote:

Ayes: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

2) Case No. – 2016-24-M1

ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

Hearing – To consider an application by ExxonMobil Production Company submitted on July 27, 2017 requesting a Modification of Final Compliance Date for Variances 2016-24-R, 2016-30-R, 2016-43-R and 2017-01-R for continued relief from District Rules 311, 325, 325.D.1(b), 325.E.1(b), 325.F.4(b), 328, 328.F.2, 328.G.3, 331, 331.F, 342.I.1, 359, 359.F.2, 359.G.1, 359.H.2, 359.H.3, and 206, Conditions 9.B.12, 9.C.1(b)(xi), 9.C.1(c), 9.C.1(c)(i), 9.C.1(c)(ii), 9.C.1(d), 9.C.2(c)(iii), 9.C.2(c)(iv), 9.C.2(c)(v), 9.C.2(d), 9.C.2(d)(i), 9.C.2(d)(ii), 9.C.2(d)(iii), 9.C.3(b)(i), 9.C.3(c)(i), 9.C.3(c)(ii), 9.C.3(c)(iii), 9.C.5(b)(iv), 9.C.5(b)(v), 9.C.5(c), 9.C.6(b), 9.C.6(b)(i), 9.C.6(c)(iii), 9.C.6(c)(iv), 9.C.6(c)(vi), 9.C.6(c)(vii), 9.C.6(c)(viii), 9.C.6(d)(vi), 9.C.6(d)(vii), 9.C.6(d)(viii), 9.C.8(a)(i), 9.C.8(c), 9.C.8(c)(i), 9.C.8(c)(ii), 9.C.8(c)(iii), 9.C.8(d), 9.C.8(d)(i), 9.C.8(d)(ii), 9.C.8(d)(iii), 9.C.8(d)(iv), 9.C.8(d)(v), 9.C.10(a), 9.C.10(b), 9.C.10(d), 9.C.10(e), 9.C.10(h), 9.C.10(j), 9.C.10(k), 9.C.10(m)(iii), 9.C.10(m)(v), 9.C.10(m)(vi), 9.C.10(m)(xi), 9.C.10(m)(xii), 9.C.13(a), 9.C.13(b), 9.C.13(c), 9.C.13(c)(i), 9.C.13(c)(ii), 9.C.14, 9.C.15, 9.C.15(a), 9.C.16, 9.C.17, 9.C.21, 9.C.25(a), 9.C.36(c), 9.C.36(i), 9.C.36(l), 9.C.36(o), and 9.C.43(b) of Part 70/Permit to Operate 5651.

Additionally, the Petitioner is requesting a Modification of Variance for Regular Variances 2016-24-R, 2016-30-R, 2016-43-R, and 2017-01-R, in order to incorporate them into a single variance. The Petitioner operates the equipment described in this Petition at its Las Flores Canyon oil and gas processing plant, approximately 25 miles northwest of Santa Barbara, CA.

Patrice Surmeier and Jack Jones appeared on behalf of the Petitioner; Mike McKay and Kaitlin McNally represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Hearing held. Following testimony, a motion was made by Hearing Board member Dressler, seconded by Hearing Board member Peters that good cause was found to grant the variance as submitted in the draft Findings and Order. Adopted Regular Variance No. 2016-24-M1. The motion carried by the following vote:

Ayes: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

3) Case No. – 2016-25-M1

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

Hearing – To consider an application by ExxonMobil Production Company submitted on July 27, 2017 requesting a Modification of Final Compliance Date for Variances 2016-25-R and 2016-31-R for continued relief from District Rules 325, 328, and 206, Conditions 9.C.1(c), 9.C.6(c)(iv), 9.C.8(c), 9.C.12(a), and 9.C.15 of Part 70/Permit to Operate 5651. Additionally, the Petitioner is requesting a Modification of Variance for Regular Variances 2016-25-R and 2016-31-R, in order to incorporate them into a single variance. The Petitioner operates the equipment described in this Petition at its Las Flores Canyon oil and gas processing plant, approximately 25 miles northwest of Santa Barbara, CA.

Patrice Surmeier and Jack Jones appeared on behalf of the Petitioner; Mike McKay and Kaitlin McNally represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Hearing held. Following testimony, a motion was made by Hearing Board member Cox, seconded by Hearing Board member Dressler that good cause was found to grant the variance as submitted in the draft Findings and Order with modifications to Finding Number 4, notated as follows in ~~strikeout~~/underline:

“This Variance provides continued relief from the requirements associated with ~~monitoring, recordkeeping, and calibrating activities~~ the scheduling and performing of source testing, Relative Accuracy Test Audit (RATA) tests, and Relative Accuracy Audit (RAA) tests the Petitioner is currently receiving...”

Adopted Regular Variance No. 2016-25-M1. The motion carried by the following vote:

Ayes: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.
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.

Pursuant to Hearing Board member Peters' request, items A-1 and A-4 were pulled for brief discussion and then included in the single motion vote.

**A-1) Case No. – 2017-16-E – Greka Oil & Gas, Inc.
P.O. Box 5489, Santa Maria, CA 93456**

On June 23, 2017 Hearing Board member Terence Dressler approved an Emergency Variance allowing for continued operation of Petitioner's Greka Refinery Asphalt Heater #4 in violation of District Rule 331.E.1(f). Said variance provides relief for the period of June 15, 2017 through July 14, 2017, or the date the Petitioner's electric actuator safety valve is in compliance, whichever occurs first, while a faulty electric actuator safety valve is replaced.

**A-2) Case No. – 2017-17-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On August 17, 2017 Hearing Board member Robert Saperstein approved an Emergency Variance allowing for continued operation of Platform Heritage in violation of District Rules 333.D.2 and 206, Condition 9.C.1(b)(v) of Part 70/Permit to Operate 9102. Said variance provides relief for the period of August 15, 2017 through August 29, 2017, or the date the facility returns to compliance, whichever occurs first, while a new tachometer cable is installed.

**A-3) Case No. – 2017-18-E – J&A Santa Maria Marian Medical
1400 East Church Street, Santa Maria, CA 93454**

On August 17, 2017 Hearing Board member Robert Saperstein approved an Emergency Variance allowing for continued operation of J&A Santa Maria, LLC in violation of District Rule 206, Conditions 7 and 7.b of Permit to Operate 13865. Said variance provides relief for the period of August 11, 2017 through September 09, 2017, or the date the facility returns to compliance, whichever occurs first, while waiting for the power to be restored due to an outage created from a fire at the Petitioners facility.

**A-4) Case No. – 2017-19-E – Venoco, LLC
6267 Carpinteria Avenue, Suite 100, Carpinteria, CA 93013**

On August 17, 2017 Hearing Board member Robert Saperstein approved an Emergency Variance allowing for continued operation of Ellwood Onshore Facility in violation of District Rule 206, Condition 9.C.2(c)(v) of Part 70/Permit to Operate 7904. Said variance provides relief for the period of August 18, 2017 through September 01, 2017, or the date the facility returns to compliance, whichever occurs first, while repairs are made to the flare monitoring device.

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

Ayes: 5 - Lagattuta, Saperstein, Cox, Dressler, Peters.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

IX. ADJOURN

The meeting was adjourned at 10:20 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is October 4, 2017, 9:30 a.m. Meeting is subject to cancellation if there are no items to be heard.