

**ACTION SUMMARY**  
**(Unofficial)**

October 4, 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  
COUNTY ADMINISTRATION BUILDING  
105 EAST ANAPAMU STREET  
SANTA BARBARA, CA**

**I. 9:34 a.m. – Convened by Chair Lagattuta – Roll Call**

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

Absent: 0 - None.

**II. Approval of minutes of the September 6, 2017 meeting**

A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Peters 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.

**III. Requests for continuance or addition of Ex-Agenda items.**

None.

**IV. Announcements/Staff Reports**

Mike McKay informed Hearing Board members that staff is working on a presentation regarding changes to Hearing Board procedures as well as the posting of meeting audio to the website, and will bring it for discussion at a future meeting.

Chair Lagattuta inquired about personal email use for Hearing Board business. The topic will be brought back to a future meeting if more information becomes available.

Clerk of the APCD Board:

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**V. Public Comment Period**

There were no public comments.

**VI. Public Hearings – Administration of Oath conducted prior to each hearing.**

**1) Case No. – 2016-27-M1**

**Venoco, LLC.**

**6267 Carpinteria Ave., Carpinteria, CA 93013**

**Hearing – To consider an application by Venoco, LLC. submitted on September 12, 2017 for a Modification of the Final Compliance Date of Regular Variance No. 2016-27-R. The Petitioner is requesting continued relief from District Rule 206, Conditions 9.C.17, 9.C.18, and 9.C.19 of Part 70/Permit to Operate 7904. Additionally, the District is recommending a Modification of Variance, should the owner or operator change over the course of the variance period. The Petitioner operates the equipment described in the Petition at the Ellwood Onshore Facility located approximately 14 miles west of the City of Santa Barbara, California.**

Keith Wenal appeared on behalf of the Petitioner; Mike McKay, Kaitlin McNally and David Harris represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Hearing held. Following testimony, a motion was made by Hearing Board member Peters, seconded by Hearing Board member Dressler that good cause was found to grant the modification of final compliance date of Variance No. 2016-27-R as submitted in the draft Findings and Order, with modifications notated in a track-changes draft Findings and Order presented at the meeting, including an increase in the allowance of days from 90 to 180 after a *Transfer of Owner or Operator* application is deemed complete. Adopted Variance No. 2016-27-M1. The motion carried by the following vote:

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

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

**A-1) Case No. – 2017-20-E – Sierra Resources  
P.O. Box 2788, Mammoth Lakes, CA 93456**

**On September 14, 2017 Hearing Board member Lee-Volker Cox approved an Emergency Variance allowing for continued operation of Petitioner's facility in violation of District Rules 325.D.1.a and 206, Conditions 1, 2.f, and 7 of Permit to Operate 8269 without a vapor recovery system due to three blown transformers after a lightning strike. Said variance provides relief for the period of September 11, 2017 through September 25, 2017, or until the facility returns to compliance, whichever occurs first, while the transformers are replaced.**

A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Peters that Administrative Agenda item A-1 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.

#### **VIII. ADJOURN**

The meeting was adjourned at 10:09 a.m. to November 1, 2017. Meeting is subject to cancellation if there are no items to be heard.