

	Case No / Date	2017-16-E	06/23/17
	Petitioner	Greka Refining Company	
	Permit #	PTO 8259	
	Date Rec'd	06/14/17	
	Time Rec'd	16:50	
FOR OFFICIAL USE ONLY			

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

In The Matter of the Application of)
Greka Refining Company for an)
Emergency Variance from District)
Rule 331.E.1(f).)

H.B. Case No. 2017-16-E

VARIANCE FINDINGS

AND ORDER

Greka Refining Company filed a Petition for an Emergency Variance on June 14, 2017. A hearing regarding the above-entitled matter was held on June 23, 2017 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 the Greka Refining Company, located at 1660 Stinton Road, Santa Maria, CA 93458. The equipment in the subject of this Petition is an electric actuator safety valve on Asphalt Heater #4.
4. On June 13, 2017 a District Inspector discovered a leak greater than 50,000ppm emanating from the electrical conduit connection on an electric actuator safety valve on the incoming fuel gas line to Asphalt Heater #4. The Petitioner contacted the manufacturer, Honeywell, on June 13, 2017 and was informed there were no replacement valves in stock. The Petitioner ordered a replacement part and anticipates delivery on June 26, 2017, with replacement taking place by the end of June 27, 2017. District Rule 331.E.1(f) requires hydrocarbon leaks greater than 50,000ppm found at onshore facilities be repaired within 1 calendar day of leak detection. Without this emergency variance, the Petitioner would need to completely remove Asphalt Heater #4 from service, or be in

violation beginning June 15, 2017 and continuing every day until the leak is repaired. If repairs take longer than the variance period allows, the Petitioner will need to submit an Interim and 90-Day variance petition in order to request continued variance protection.

5. During the hearing, Mr. Dressler asked the Petitioner if Greka Refining Company has an inspection and maintenance plan in place to detect leaks outside of the District's random inspections. The Petitioner noted they have a quarterly inspection and maintenance program and said they will provide the District with a copy of this plan at the same time as the final report conditioned below.
6. The continued operation of Asphalt Heater #4 in violation of Rule 331.E.1(f) is not expected to result in a public nuisance.
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 an Emergency Variance be granted for the continued operation of Petitioner's Greka Refinery Asphalt Heater #4 in violation of District Rule 331.E.1(f) from June 15, 2017 through July 14, 2017 or the date the Petitioners electric actuator safety valve is in compliance, whichever occurs first, with the following conditions:

1. Petitioner shall keep District staff informed regarding their efforts to achieve compliance. By no later than July 28, 2017 the Petitioner shall submit a final report to the District and Hearing Board documenting the date the facility returned to compliance along with all emissions related to the granting of this 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: June 23, 2017



Terry Dressler, Member
Santa Barbara County Air Pollution Control District
Hearing Board