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Attorneys for SANTA BARBARA COUNTY AIR  
POLLUTION CONTROL DISTRICT

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

AERON ARLIN GENET, Santa Barbara  
County Air Pollution Control Officer

H.B Case No:

**[PROPOSED]**

v.

**ORDER OF ABATEMENT**

HVI CAT CANYON, INC., f/k/a GREKA  
OIL & GAS, INC., as equipment owner  
and operator at the LOS FLORES LEASE,  
CAT CANYON OIL FIELD, SANTA  
MARIA, CA

Date: August 1, 2018  
Time: 9:30 a.m.  
Place: Board of Supervisors Hearing Room,  
511 East Lakeside Parkway, Santa Maria, CA  
93455

**INTRODUCTION**

1. On July 10, 2018, Petitioner Aeron Arlin Genet, Air Pollution Control Officer ("CONTROL OFFICER") of the Santa Barbara County Air Pollution Control District ("District"), filed with this Hearing Board a Petition for Order of Abatement pursuant to Health and Safety Code section 42450 *et seq.* against Respondent HVI Cat Canyon, Inc., formerly known as Greka Oil & Gas, Inc.
2. Respondent HVI Cat Canyon, Inc. ("GREKA") is an oil and gas production company that was incorporated in 1997 in the State of Colorado as Greka Oil & Gas, Inc. In 2011, Greka Oil & Gas, Inc. filed Articles of Amendment with the State of Colorado to change its name to HVI Cat Canyon, Inc. HVI Cat Canyon, Inc. has not updated its name on any of its District permits; therefore, is referred to as GREKA herein and in the Petition for Order of Abatement.

- 1 3. The Petition for Order of Abatement was heard by the District Hearing Board on August 1,  
2 2018 pursuant to noticing in accordance with the provisions of Health and Safety Code section  
3 40823. Appearances were made by both parties and public testimony was taken.
- 4 4. This matter having been fully presented and duly considered, pursuant to Health and Safety  
5 Code section 42451, the Hearing Board makes the following findings and determinations and  
6 issues the following Order of Abatement pursuant to the terms and conditions set forth herein.

7  
8 **FINDINGS**

- 9 5. The Hearing Board finds that GREKA is operating its emergency pits (Device Numbers 8526  
10 and 8527) for 30 or more days per calendar year at the Los Flores Lease (6151 Dominion  
11 Road, Santa Maria, CA 93454), in violation of the conditions of its Permit to Operate 07307-  
12 R10 and District Rule 344.B.3.b, which limits the discharge of air contaminants into the air by  
13 allowing only limited use of emergency pits without emission reduction, covers, operator  
14 inspection and maintenance, and recordkeeping.
- 15 6. The Hearing Board finds that the evidence establishing the violation is detailed in Paragraphs  
16 9 through 44 of the "PETITION FOR ABATEMENT ORDER REGARDING EMERGENCY  
17 PITS AT THE LOS FLORES LEASE, OWNED AND OPERATED BY HVI CAT  
18 CANYON, INC., f/k/a GREKA OIL & GAS, INC." filed by the CONTROL OFFICER on  
19 July 10, 2018 and incorporated by reference.
- 20 7. The Hearing Board finds that based on the above violation and evidence, an Order of  
21 Abatement may properly be ordered pursuant to Health and Safety Code section 42450.

22 **ORDER**

- 23 8. **NOW, THEREFORE, the DISTRICT HEARING BOARD ORDERS** that Respondent  
24 GREKA shall:
- 25 a. Refrain from storing petroleum product in the emergency pits in violation of District  
26 Rule 344.
- 27  
28

b. Satisfaction of this Order of Abatement shall be demonstrated by emptying the emergency pits of petroleum product and arranging for and completing a District inspection in order to verify compliance within 30 days of this Order of Abatement.

9. This Order shall become effective immediately and shall remain in full force and effect until and unless modified or rescinded by further order of this Hearing Board.

10. All reasonable District costs for the implementation of this order shall be paid by GREKA pursuant to fees assessed under Rule 210 and pursuant to the District permits issued to GREKA.

11. Nothing in this Order shall be construed as authorizing GREKA to violate the Health and Safety Code, District Rules, or any other applicable rule or law.

12. This Order shall bind GREKA, its officers, agents and employees. The Order shall also bind GREKA's heirs, successors, and assigns who acquire ownership or control of the facilities. GREKA shall notify in writing any successor in interest of the requirements of this Order. GREKA shall also provide a copy of this Order to any successors and assigns prior to transfer of ownership or control of the facilities.

13. The Hearing Board shall maintain continuing jurisdiction over this matter.

**THIS ORDER IS ISSUED** by Air Pollution Control District Hearing Board of the County of Santa Barbara, State of California on this 1<sup>st</sup> day of August, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ATTEST:**

SARA HUNT  
HEARING BOARD CLERK

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
LEE-VOLKER COX  
CHAIRPERSON  
Santa Barbara Air Pollution  
Control District Hearing Board

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APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By: \_\_\_\_\_  
Deputy  
Attorney for the Hearing Board