



**apcd**  
SANTA BARBARA COUNTY

Case No / Date	2019-11-I	6/27/19
Petitioner	Southern California Gas Company	
Permit #	Part 70/PTO 9584-R6	
Date Rec'd	6/26/19	
Time Rec'd	0913 hours	
<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 )  
Southern California Gas Co. for an )  
Interim Variance from District )  
Rules 333.E.1.a, 333.F.3 and 206, )  
Part 70/Permit to Operate 9584-R6, )  
Conditions 9.C.1(a), 9.C.1(b)(iv) and )  
9.C.16(i) )

**H.B. Case No. 2019-11-I**

**VARIANCE FINDINGS**

**AND ORDER**

On June 26, 2019, Southern California Gas Company filed a Petition for an Interim and 90-Day Variances. A hearing on the above-entitled matter was held on June 27, 2019. Edward Wiegman and Andrew Longworth represented the Petitioner, Aimee Long represented the Santa Barbara County Air Pollution Control District and Francis Peters, Jr. appearing for the Hearing Board.

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. Petitioner operates the equipment described in the Petition at 1171 More Ranch Road, Goleta, CA.
4. Southern California Gas Company is the holder of Permit to Operate 9584-R6. This main facility permit authorizes the operation of equipment and processes located at the La Goleta natural gas storage facility.
5. The facility's Main Unit #3, a 650-bhp natural gas-fueled engine, driving an integral

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compressor exceeded the second quarter NOx emissions monitoring on June 13, 2019 (results 177 ppm NOx, limit 50 ppm NOx). The initial NOx emissions exceedance is not considered a violation unless repairs can be made within 15-days of the initial exceedance and compliant results are achieved. Due to gas system conditions, there is insufficient gas pressure to conduct the repairs within the 15-day repair window. As a result, the Petitioner filed an Interim/90-Day Variance request.

6. Without variance coverage, the Petitioner will be in violation of District Rules 333.E.1.a, 333.F.3 and 206, Part 70/Permit to Operate 9584-R6, Conditions 9.C.1(a), 9.C.1(b)(iv) and 9.C.16(i).
7. Due to conditions beyond the reasonable control of the Petitioner, compliance would result in an arbitrary or unreasonable taking of property, as immediate compliance is not possible due to the unavailability of gas within the system. In addition, Main Unit #3 would be required to be removed from service indefinitely and will directly impact the Petitioners overall gas system reliability, which is required by the California Public Utilities Commission.
8. The taking would be without a corresponding benefit in reducing air contaminants as the Main Unit #3 has ceased operations, other than to troubleshoot, repair, tune and test.
9. The Petitioner has given consideration to curtailing operations of the equipment in lieu of obtaining a variance, but this would require the Petitioner to shut down the Main Unit #3 indefinitely.
10. During the period the variance is in effect, the Petitioner will reduce emissions to the maximum extent feasible by limiting the runtime to 100 hours during the requested coverage.
11. During the period the variance is in effect, the Petitioner will continue to record runtime hours and fuel consumed. Emissions can be calculated using AP-42 factors for an uncontrolled engine of this type, size and fuel category. Based on this information, the worst-case scenario if the engine operated for the 100 hours, would result in 1,380 lbs of excess emissions of NOx.
12. The Petitioner filed for a 90-day Variance in conjunction with this Interim Variance. 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.
13. 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.

14. The District staff supports the Petition.

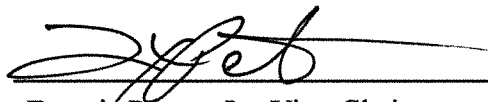
**THEREFORE, THE HEARING BOARD ORDERS,** as follows:

That an Interim Variance be granted for the operation of Petitioner's Main Unit #3 in violation of District Rules 333.E.1.a, 333.F.3 and 206, Part 70/Permit to Operate 9584-R6, Conditions 9.C.1(a), 9.C.1(b)(iv) and 9.C.16(i) from June 29, 2019 through September 25, 2019, or the date a successful NOx emissions reading is achieved, or the date of decision of the Petitioner's request for a 90-Day Variance, whichever occurs first, with the following conditions:

1. The engine runtime shall not exceed 100 hours.
2. Petitioner will record runtime hours, fuel consumed, and all related emissions associated with Main Unit #3 during the variance period. The data shall be submitted to the District and Hearing Board within one calendar week following compliant NOx emissions monitoring or the end the variance, whichever occurs first.
3. If operation of the engine creates a public nuisance, the engine must cease operating until the nuisance can be mitigated.
4. Petitioner shall retain the obligation to comply with all other local, state and federal regulations not specifically referenced in this Order.
5. Failure to abide by all conditions of this Order shall subject the Petitioner receiving the variance to penalties set forth in Health & Safety Code §42402.
6. Each date during any portion of which a violation occurs is a separate offense.
7. The Environmental Protection Agency does not recognize California's Variance program, therefore, this Variance does not protect the Petitioner from Federal Enforcement actions.

DATED: 6-27-2019

3:29 pm



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Francis Peters, Jr., Vice-Chair  
Santa Barbara County Air Pollution Control District  
Hearing Board