



H.B. Case No.:	<u>2020-20-R</u>
Petitioner:	<u>County of Santa Barbara, Public Works, Resource Recovery and Waste Management</u>
Permit No.:	<u>15136</u>
Date Rec'd:	<u>November 19, 2020</u>
Time Rec'd:	<u>1217 hours</u>
Filing Fee Paid:	<u>\$633.00</u>

PETITION FOR VARIANCE

Type of Variance Requested:	
Emergency _____	Interim ¹ <u>X</u>
90-Day _____	Regular <u>X</u>
Length of Variance Requested:	Start Date <u>11/19/2020</u>
	End Date <u>06/30/2021</u>
¹ A 90-Day or Regular Variance must be filed concurrently with an Interim Variance	

1. PETITIONER INFORMATION

A. Please provide the name, address and phone number of the Petitioner.

Name: County of Santa Barbara, Public Works, Resource Recovery and Waste Management
 Address: 14470 Calle Real, Santa Barbara, CA 93117
 Phone Number: 805-882-3600

B. Please provide the name, address and phone number of the person authorized to receive correspondence regarding this Petition if different from response in 1.A.

Name: Jeanette Gonzales-Knight, PE
 Address: 130 E. Victoria Street, Suite 100, Santa Barbara, CA 93101
 Phone Number: 805-882-3627

C. The Petitioner is (please check one):

- 1) An Individual ()
- 2) Partnership ()
- 3) Corporation ()
- 4) Public Agency (X)
- 5) Other Entity (please describe)

2. Location of equipment for which the variance is requested if different from response in 1.A.
N/A

3. List any District permits that are applicable to the equipment subject to this variance request.

Permit to Operate 15136

4. Briefly describe the equipment that is the subject of this Petition.

Enclosed ground flare.

5. **FINDINGS REQUIRED FOR THE GRANTING OF A VARIANCE**

In order for the Hearing Board to grant a variance to a Petitioner authorizing the operation of a source in violation of any rule, regulation or order of the District, the Hearing Board is required to make “findings” in accordance with the requirements specified in California Health and Safety Code §42352, et. seq. and District rules and regulations. The Hearing Board’s variance decision will take into consideration information you provide in this Petition. Please ensure your responses are complete and thorough. Please use additional pages as necessary.

A. Please state 1) what District rule, regulation or order you either are or will be in violation of, and 2) the date said violation will or did occur. Include as appropriate the applicable permit conditions for which variance relief is being sought.

Permit Condition 9.C.2.b.iv. – The enclosed ground flare periods of downtime should not exceed one hour. Condition 9.C.2.b.v. - The enclosed ground flare shall operate at all times when LFG is routed to the flare system. District Rule 206.
Date of Downtime – 11/13/2020

B. Please describe how compliance with the District rule, regulation or order listed in Section A above is beyond your reasonable control. In addition to any other relevant factors, please include in your discussion 1) what actions you have taken to comply or seek a variance, which were timely and reasonable under the circumstances.

Because the permitted enclosed ground flare does not allow an automatic restart feature, a facility operator must be available to inspect and restart the flare manually. Due to the remote location of the Tajiguas Landfill, a facility operator is not able to access the site to remediate the breakdown condition within the one-hour limitation outside of the landfill operating hours.

As a result of the former operator (Fortistar Methane Group) removing the redundant control device (internal combustion engine), a County facility operator and an on-call, contract operator respond to all breakdowns in a timely manner during landfill operating hours and during non-operating daylight hours.

After experiencing a temporary breakdown condition, the County immediately reported the technical difficulties to the District inspector and sought guidance on how to resolve the matter. The County has explored devices that could restart the flare remotely, but ultimately these investments would not eliminate the shutdown conditions, and in some instances increase health and safety risks.

- C. Please describe how you would be impacted if you were required to immediately comply with the District rule, regulation or order the subject of this variance request. In addition to any other relevant factors, please discuss why such impacts would result in 1) an arbitrary or unreasonable taking of property, or 2) the practical closing and elimination of a lawful business.

Immediate compliance with the specified permit conditions may cause a violation of other state and federal requirements, and could also result in excess emissions (see 5.D. for more details). The entire Landfill property provides potential dispersal habitat for the federally threatened California red-legged frog (CRLF). The Tajiguas Landfill is located between two known populations of CRLF. On the east, Arroyo Quemado at the Baron Ranch and, to the west, Arroyo Hondo. Therefore, CRLF may be present on the Landfill property while making overland dispersal movements between these two populations. These movements typically occur at night and/or during or following rain events. Transient CRLF have been observed at the Landfill, primarily in the drainage/storm water quality management facilities including the south sedimentation basin, adjacent to the flare facility. Compliance with the District rule would require the facility operator to perform work activities at night and potentially result in a “take” (harass or harm) of the federally threatened species. Unpermitted take of the CRLF could result in the immediate closing of the landfill, in addition to criminal penalties for killing an endangered species (as serious as a year in prison and \$50,000 in fines), and civil penalties can range up to \$25,000 per violation.

- D. If you were required to immediately comply with the District rule, regulation or order the subject of this variance request, please describe what impact, if any, that would have on air contaminants.

Special configurations to the flare in order for it to operate in a manner that would comply with the District rule and permit conditions specified above could result in excess emissions. Currently, a low temperature condition caused by poor gas quality is resulting in the automated shutdown of the flare. If the flare temperature set point was modified so that the flare could operate continuously, regardless of the gas quality, destruction efficiency would not be achieved and would result in an excess of emissions.

- E. Please describe what consideration you have given to curtailing operations in lieu of obtaining a variance.

The enclosed ground flare treats landfill gas generated at the landfill, whereby curtailing operations to avoid landfill gas generation is not a viable option.

- F. Please describe what steps and measures you will take to reduce excess pollutant emissions the maximum extent feasible during the requested variance period.

The County will have a facility operator respond to shut down events within one hour during landfill operating hours, Monday through Friday from 7 am to 3 pm. The County will have a facility operator attempt to respond to shut down events within two hours but not longer than 4 hours, Saturday and Sunday from 7 am to 3 pm. Shut down events occurring after 3 pm or on landfill holidays (Christmas Day and New Year's Day) will be addressed at 7 am the following day. The County will also increase inspections of the flare and blower station, system controls, the condensate management system, and landfill gas collection system (wells and pipework). The County has provided a backup power supply to ensure continual operation of the flare during public safety power shutoff events.

- G. If requested to do so by the District, please describe how you will monitor or otherwise quantify and report to the District any pollutant emissions associated with the granting of your variance.

The County tracks the estimated Methane Generation and Emissions for Landfills with LFG collection Systems, in compliance with 40 CFR Part 98, Subpart HH. The County estimates emissions from a modeled methane generation rate (and other factors) based on the quantity and types of waste historically disposed in the landfill using the first order decay model (2006 IPCC Guidelines for National Greenhouse Gas Inventories, Volume 5). The volume of methane generated and not recovered by the LFG Collection System during a flare shut down can be calculated and reported to the District. In 2019, the annual modeled methane generation, adjusted for oxidation was reported as 6,279.17 metric tons (17 metric tons/day).

6. **SUPPLEMENTAL FINDINGS IF APPLYING FOR AN EMERGENCY VARIANCE PURSUANT TO RULE 506 (EMERGENCY VARIANCE FOR BREAKDOWNS)**

A. Please provide the date and time the breakdown was reported to the District Date:

11/16/20 Time: 8:48 am

B. Breakdown number (as provided by the District):

Pending.

C. Please provide a description of the “breakdown condition”, including equipment involved and the cause to the extent it is known.

Low temperature alarm at enclosed flare facility resulting in the automated shutdown of the flare was caused by poor gas quality and failures in landfill gas collection system pipework.

D. Please describe why the continued operation of your facility in a “breakdown condition” is not likely to cause an immediate threat or hazard to public health or safety and will not interfere with the attainment or maintenance of any primary national ambient air quality standard.

The emission of any pollutant associated with the breakdown condition of the enclosed ground flare is prevented by valves in the landfill gas collection system pipework automatically closing upon flare shut down to eliminate the release of landfill gas. Based on surface emissions monitoring conducted in the past, the County believes the temporary flare breakdown condition is not likely to cause an immediate threat or hazard to public health or safety and will not interfere with the attainment or maintenance of any primary national ambient air quality standard that could be emitted from the surface of the landfill.

7. Will the operation of the equipment subject to this variance result in violation of District Rule 303, Nuisance?

No

8. Please state whether or not any civil or criminal case involving the equipment subject to this variance is pending any court.

No civil or criminal case involving the equipment subject to this variance is pending any court.

The undersigned is authorized to submit the above Petition on behalf of the Petitioner and further states under penalty of perjury that the above Petition, including any attachments and the items therein set forth, are true and correct.

DATE: 11/19/20

SIGNATURE:

Jeanette Gonzales-Knight

TITLE:

Compliance Manager

PRINT NAME: Jeanette Gonzales-Knight, PE

Variance Filing Fees: All variance Petitions must be accompanied by the requisite filing fee at the time of filing or include a letter from the Petitioner on company letterhead authorizing the District to debit the filing fee from the company’s reimbursable account. You may also pay your filing fees by credit card using the attached form. Current variance filing fees may be found under Rule 210, schedule F, Sections 12a and 12b at <http://www.sbcapcd.org/fees.htm>

Credit Card Payment: The Variance Filing Fee may be paid with a credit card. Please use APCD Form - 01C to pay via credit card. The form may be downloaded at: <http://www.sbcapcd.org/eng/dl/dl01.htm>