



ACTION SUMMARY
(Unofficial)

February 3, 2021

9:30 A.M.

APCD Hearing Board

Dr. Steven Colome
Robert J. Saperstein
Lee-Volker Cox, Chair
Terence Dressler
Francis Peters, Jr., Vice-Chair

Counsel of the Hearing Board:
Maria Salido Novatt
Paul Lee

REMOTE VIRTUAL PARTICIPATION ONLY
Zoom Hearing Board Meeting

A. CALL TO ORDER – ROLL CALL

Convened by Chair Cox at 9:30 a.m.

Present: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Absent: 0 - None.

B. ELECTION OF CHAIR AND VICE-CHAIR FOR 2021

Elect the Chair and Vice-Chair to serve as APCD Hearing Board Officers for calendar year 2021.

A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Peters to reelect Lee-Volker Cox as Chair for calendar year 2021. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Saperstein to elect Francis Peters, Jr. as Vice-Chair for calendar year 2021. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

C. APPROVAL OF MINUTES

Approve minutes of the June 3, 2020 meeting.

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Dressler that the minutes be approved. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

Clerk of the APCD Board
Aeron Arlin Genet

D. REQUESTS FOR CONTINUANCE OR ADDITION OF EX-AGENDA ITEMS

Chair Cox requested an approval of the agenda.

A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Peters that the agenda be approved. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

E. ANNOUNCEMENTS / STAFF REPORTS

Receive announcements or reports from staff on matters of interest to the Hearing Board. There will be no Hearing Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

Kaitlin McNally, Manager for the District Compliance Division, gave the following announcement:

- Following up the announcement during the June 3, 2020 Hearing Board meeting, the District has made good progress in updating the Hearing Board Policies and Procedures. Revisions and edits are almost complete. The updated document will be brought to the Hearing Board for consideration at a later date.

Eric Kett, Supervisor for the District Compliance Division, gave the following announcement:

- Following the hearing and approval of Variance 2020-13-N for Southern California Gas from the emissions requirements District Rule 333.E.1.a, and per the request of the Hearing Board, the District reviewed the possibility of including an engine break-in period in future permitting. Based on the review, modifying a permit to include the proposed alternative operating scenario which would allow these engines to operate after an over hall, for approximately 150 hours, during the break-in period, is not possible. District Rule 333, last revised in 2018, does not provide provision for operating any engine, subject to the Rule, outside of the Section E emissions standards. Therefore, operations of the subject engine without the catalyst and air fuel ratio controller would violate the Rule 333.E requirements. The District is prohibited from permitting operations that would violate a District Rule. As such, the alternative operating scenario cannot be applied. For now, variance coverage should be petitioned for whenever break-in operations are needed. If Rule 333 undergoes a future revision, Petitioner has been encouraged to comment during the Rule making process.

F. PUBLIC COMMENT PERIOD

Persons desiring to address the Hearing Board on any subject within the jurisdiction of the Hearing Board not included as part of the agenda may do so at this time.

There were no public comments.

G. PUBLIC HEARINGS - Administration of Oath to be conducted prior to each hearing.

**G-1) Case No. – 2020-20-R (Regular Variance)
County of Santa Barbara, Public Works, Resource Recovery and Waste Management
14470 Calle Real, Santa Barbara, CA 93117**

To consider a Petition for a Regular Variance from District Rule 206, Part 70 Permit to Operate 15136, Conditions 9.C.2.b.iv and 9.C.2.b., submitted on November 19, 2020, for the enclosed ground flare. The Petitioner operates the equipment described in the Petition at the Tajiguas Landfill located approximately 26 miles west of the City of Santa Barbara.

Representatives for the District: Aimee Long, Kaitlin McNally, Eric Kett, and Maria Salida Novatt (Counsel).
Representatives for the Petitioner: Jeanette Gonzales-Knight.

Petitioner withdrew request for variance on February 2, 2021. A motion was made my Hearing Board member Dressler, seconded by Hearing Board member Peters to approve withdrawal of Petition. The motion carried the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

G-2) Case No. – 2021-01-RE (Permit Revocation)
California Asphalt Production, Inc. a California Corporation
1660 Sinton Road, Santa Maria, CA 93458

To consider a petition by the Air Pollution Control Officer of the Santa Barbara County Air Pollution Control District submitted on January 12, 2021, for issuance of an Order of Revocation for Permit to Operate 8259-R11, Permit to Operate 11651-R4, Permit to Operate 15241, Permit to Operate 15361, and Authority to Construct 15342 pursuant to Health and Safety Code sections 42307 and 42309(e)(4).

California Asphalt Production, Inc. is the holder of said permits to operate and authority to construct of the air pollution emitting equipment located at 1660 Sinton Road, Santa Maria, CA 93458. Respondent has failed to pay properly assessed fees and penalties pursuant to state law and District Rule 210.V(A)(1) and (2).

Representatives for the District: Aeron Arlin Genet, Kristina Aguilar, and William Sarraf.
Jenna Richardson (Counsel).
Representatives for the Petitioner: None present.

Petitioner withdrew request for variance on February 1, 2021. A motion was made by Hearing Board member Dressler, seconded by Hearing Board member Colome to approve withdrawal of Petition. The motion carried the following vote

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

G-3) Case No. – 2021-04-R (Regular Variance)
Beacon West Energy Group, LLC 1145 Eugenia Place #101, Carpinteria, CA 93013

Postponed per Petitioner's request.

Petitioner requested continuance to the March 3, 2021 Hearing Board meeting. A motion was made my Hearing Board member Dressler, seconded by Hearing Board member Peters to approve the continuance to the March 3, 2021 Hearing Board Meeting. The motion carried the following vote

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

G-4) Case No. – 2021-05-R (Regular Variance)
Beacon West Energy Group, LLC 1145 Eugenia Place #101, Carpinteria, CA 93013

Postponed per Petitioner's request.

Petitioner requested continuance to the March 3, 2021 Hearing Board meeting. A motion was made my Hearing Board member Dressler, seconded by Hearing Board member Colome to

approve the continuance to the March 3, 2021 Hearing Board Meeting. The motion carried the following vote

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

H. ADMINISTRATIVE AGENDA - Approved by vote on one motion. These items read only on request of Hearing Board members.

Approved by vote on one motion. Below are summaries of single-member variance cases heard since the last Hearing Board meeting. These items read only on request of Hearing Board members.

**H-1) Case No. – 2020-15-E
HVI Cat Canyon Inc., 2601 Skyway Dr. Ste. A-1, Santa Maria, CA 93455**

On August 10, 2020 Hearing Board member Robert J. Saperstein approved an Emergency Variance for the period of July 31, 2020 through August 14, 2020, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rule 325.E.1, 206, Permit to Operate 08096-R11, Condition 11, and allows for continued operation of the Morganti Lease while a leak at Production Well Morganti #71 is identified and repaired.

**H-2) Case No. – 2020-16-E
Terracore Operating Company, 6085 Cat Canyon Rd., Santa Maria, CA 93454**

On August 21, 2020 Hearing Board member Lee-Volker Cox approved an Emergency Variance for the period of August 16, 2020 through August 30, 2020, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 325.D.1, 206 and Condition 9 of Permit to Operate 9554-R7, and allows for continued operation of the the Williams Holding Long Canyon Lease without a vapor recovery system while power to the facility and the vapor recovery system is restored.

**H-3) Case No. – 2020-17-N
California Asphalt Production, 201 S. Broadway, Orcutt, CA 93455**

On October 7, 2020 Hearing Board member Robert J. Saperstein approved a 90-Day Variance for the period of September 11, 2020 through October 15, 2020, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 364.D.1 and 364.H.1.a. and allows for continued operation of the Santa Maria Asphalt Refinery without submittal of a *Fenceline Air Monitoring Plan* and fee.

**H-4) Case No. – 2020-18-E
Maria Joaquin Basin LLC, Team Maria Joaquin, LLC, and Team Operating, LLC,
2601 Skyway Dr. Ste. A-1, Santa Maria, CA 93455**

On November 24, 2020 Hearing Board member Terence Dressler approved an Emergency Variance for the period of November 6, 2020 through November 21, 2020, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 325.D.1 and 206, and Permit to Operate 7053-R11, Condition 2.f. and allows for operation of the Bradley Lands/Consolidated Lease without a vapor recovery system.

**H-5) Case No. – 2020-19-I
County of Santa Barbara, Public Works, Resource Recovery and Waste Management
14470 Calle Real, Santa Barbara, CA 93117**

On December 10, 2020 Hearing Board member Terence Dressler approved an Interim Variance for the period of November 19, 2020 through February 16, 2021, or the date a

decision is made on the Regular Variance, or the date the equipment ceases operation, whichever occurs first. Said variance provides relief from District Rule 206, and Part 70 Permit to Operate 15136, Condition 9.C.2.b.iv and 9.C.2.b.v and allows for operation of the Petitioner's enclosed ground flare at the Tajiguas Landfill beyond the allowable downtime.

**H-6) Case No. – 2020-21-E
Beacon West Energy Group, LLC 1145 Eugenia Place #101, Carpinteria, CA 93013**

On December 23, 2020 Hearing Board member Francis Peters Jr. approved an Emergency Variance for the period of December 17, 2020 through December 31, 2020, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 325 D.1, 359.D.2.b, 206 and Conditions 9.C.6.b.ii, 9.C.6.b.iii, 9.C.6.b.iv, and 9.C.9 of Permit to Operate 9109-R4, and allows for continued operation of Platform Houchin with no operational flare to control the emissions from a pinhole hydrocarbon leak, while the leak is being repaired.

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Dressler that Administrative Agenda items H-1 through H-6 be received and filed. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

I. ADJOURN

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Dressler that the Hearing Board meeting be adjourned. The motion carried by the following vote:

Ayes: 5 - Colome, Cox, Peters, Saperstein, Dressler.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 0 - None.

The meeting was adjourned at 9:57 p.m. to March 3, 2021. Meeting is subject to cancellation if there are no items to be heard.