	Case No / Date	2025-21-N	10/07/2025
	Petitioner	County of Santa Barbara Public Works Department	
	Permit #	ATC 14500-10	
	Date Rec'd	09/02/2025	
	Time Rec'd	1544 hours	
	FOR OFFICIAL USE ONLY		

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

In the Matter of the Application of)
County of Santa Barbara Public Works)
Department for an Interim Variance)
from District Rule 206, ATC)
Mod 14500-10, Conditions 9.C.3.b.vi)
and 9.C.10.b.xviii.)

H.B. Case No. 2025-21-N

VARIANCE FINDINGS

AND ORDER

The County of Santa Barbara Public Works Department (Petitioner) filed a Petition for Interim and 90-Day Variances on September 2, 2025. The Interim Variance hearing was held on September 17, 2025 and granted by Hearing Board Member Terence Dressler. Interim Variance Order 2025-20-I is in effect from September 2, 2025 through November 2, 2025 (not to exceed 90 days), or the date a decision is made on the 90-Day Variance, or the date compliance is achieved, whichever occurs first.

A hearing of the 90-Day Variance was held on October 7, 2025, in accordance with Health and Safety Code Section 40808. Lindsay Cokeley and Travis Spier represented the Petitioner, Aimee Long represented the Santa Barbara County Air Pollution Control District (District), and Terence Dressler represented the Hearing Board for this Interim Variance Hearing.

This matter having been fully presented and duly considered, the Hearing Board makes the following findings and gives the following reasons for its decision.

HEARING

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. A nuisance as defined in District Rule 303 is not expected to occur as a result of this Variance.

4. If, due to reasons beyond the control of the Petitioner, compliance is not achieved during this Variance period, additional relief will be sought.
5. District staff supports the Petition as conditioned below.

BACKGROUND

1. The Petitioner operates the equipment described in the Petition at the Santa Barbara County Tajiguas Landfill (Tajiguas Landfill) located at 14470 Calle Real in Goleta, California.
2. The Petitioner receives refuse from the City of Santa Barbara, City of Goleta, unincorporated areas of Montecito and Summerland, rural areas of southern Santa Barbara County, the Santa Ynez Valley and Cuyama Valley.
3. In an effort to extend the life of the Tajiguas Landfill, reduce the amount of landfilled material, increase the recovery rate of recyclable materials, and generate renewable energy, the Tajiguas ReSource Recovery Project (ReSource Center) equipment was installed at the landfill. In addition, Senate Bill (SB) 1383 required the Tajiguas Landfill to reduce the amount of organic waste disposed of in the landfill by 50% by 2014. It further required a 75% reduction in landfilled organics by 2025.
4. The Petitioner receives municipal solid waste (MSW) in the tipping area inside the Material Recovery Facility (MRF) building at the landfill. The material is subsequently sorted into organics, recyclables, and residue in the material sorting area. Recyclables collected in the materials sorting area are sold to the market, while waste residue is landfilled. The sorted organics are placed in the anaerobic digesters to generate biogas in the Anaerobic Digester Facility (ADF). The biogas is treated and combusted in combined heat and power (CHP) internal combustion (IC) engines for power generation, or an enclosed flare (APCD Device ID 388364) located at the ADF. Following biogas generation, the digestate is processed into soil amendments and compost at the Compost Management Unit (CMU).
5. Biogas from the ADF digesters is sent to two ADF CHP IC engines (APCD Device IDs 388360 and 389006) to produce electricity for the grid and for onsite needs. Anaerobic digesters are necessary to process organic waste. The ADF CHP IC engines, identified by the Petitioner as engine 300 and engine 400, are equipped with Steuler dual Selective Catalytic Reduction (SCR)/oxidation catalyst control systems (APCD Device IDs 388361 and 389007). The oxidation catalysts reduce Carbon Monoxide (CO) and Reactive Organic Compound (ROC) emissions while the SCR system uses urea injection to control NOx emissions. These engines are also equipped with a Continuous Emissions Monitoring Systems (CEMS) and data is telemetered to the District via the Data Acquisition System (DAS).

6. The Petitioner is currently operating under Regular Variance Order 2025-09-R from July 2, 2025 through May 29, 2026. Variance Order 2025-09-R provides coverage for Best Available Control Technology (BACT) emission limits for Anaerobic Digestion Facility (ADF) and Materials Recovery Facility (MRF) combined heat and power (CHP) internal combustion (IC) engines, operational parameters, continuous emissions monitoring system (CEMS) requirements and data telemetry for the ADF and MRF CHP IC engines, and CEMS excursions.
7. On June 27, 2025, during routine portable analyzer monitoring, the Petitioner discovered a component on the ADF flare blower failed. The Petitioner's permit requires any component leak to be tagged out and repaired within ten calendar days. The replacement part required a two-week lead time and pre-authorization before it could be ordered by the Petitioner's contactor, SCS Field Services. Because the repair time exceeds the ten-day period specified in the Petitioner's permit, this is a violation of District Rule 206. Until the repairs can be made, the Petitioner has requested variance coverage.
8. On August 4, 2025, a control panel on one of the ADF CHP IC engines failed, requiring the ADF flare to operate continuously until the ADF CHP IC engine control panel could be repaired. The ADF CHP IC engine is currently under variance coverage, Variance Order 2025-09-R.
9. On August 12, 2025, the ADF flare blower replacement part arrived and was available for installation. However, the repair could not be completed because the ADF flare must be shut off to complete the repair. Shutting off the ADF flare will result in the uncontrolled release of biogas methane emissions into the atmosphere, which is a violation of the Petitioner's permit.
10. The Petitioner's permit requires all collected biogas to be directed either to the ADF CHP IC engines or ADF enclosed flare. However, to conduct the ADF flare blower repair, the biogas line to the flare must be shut off. Because one of the ADF CHP IC engines is also down, the remaining ADF CHP IC engine cannot control all the biogas that would be directed to it. As a result, the excess biogas will be routed to the ADF biofilter instead of releasing it directly to atmosphere. One ADF CHP IC engine will run at full load while the ADF Flare is down, minimizing the amount of biogas that will need to be released to the biofilter. However, releasing biogas to the ADF biofilter is a violation of the Petitioner's permit. As a result, variance coverage is being sought.

FINDINGS

1. Without Variance coverage, the Petitioner will be in violation of District Rule 206, ATC 14500-Mod 10, Conditions 9.C.3.b.vi and 9.C.10.b.xviii.
2. Due to conditions beyond the reasonable control of the Petitioner, requiring compliance would result in either (A) an arbitrary or unreasonable taking of property, or (B) the practical closing and elimination of a lawful business.

Immediate compliance would mean the ADF would need to shut down and all the organic materials would instead be sent to the landfill. This would put the ReSource Center in non-compliance with the diversion requirements under SB 1383 which requires a 75% reduction of organic waste disposal by 2025. Immediate compliance would also mean the County would reach capacity prior to the completion of the landfill expansion project which is expected to be completed in December 2025.

In addition, the Petitioner is a public agency and immediate compliance would impose an unreasonable burden upon an essential public service.

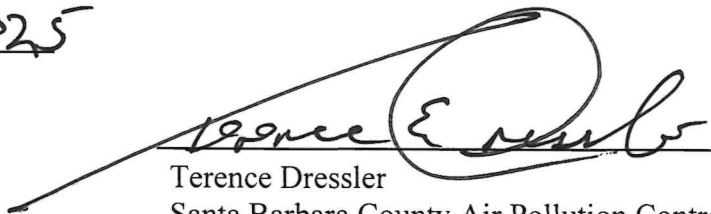
3. The closing or taking would be without a corresponding benefit in reducing air contaminants. If the Petitioner were to bury the organic waste rather than routing it to the ADF digesters, there could be an increase in methane surface emissions, accelerated reduction of available landfill space and non-compliance with Senate Bill 1383 organic waste diversion requirements with CalRecycle.
4. The Petitioner has considered curtailing operations, however, there are significant impacts to curtailing operations. Curtailment, or shutting down the ADF, would accelerate the projected date of reaching landfill capacity prior to the completion of the landfill expansion project which is expected to be completed in December 2025.
5. During the period the Variance is in effect, the Petitioner will reduce emissions from the ADF Flare to the maximum extent possible by operating the one operable ADF CHP IC engine at full load in order to minimize the amount of biogas that will need to be released to the biofilter.
6. The Petitioner will monitor and report the excess emissions associated with the granting of this variance. The Petitioner will monitor the biofilter surface emissions daily while the ADF flare blower is undergoing repairs. Biogas flow to the biofilter will be measured by comparing the initial biogas flow to the ADF CHP IC engine and the flare before the repair to when the equipment is shut off.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That a 90-Day Variance be granted for operating the Petitioner's facility in violation of District Rule 206, ATC 14500-Mod 10, Conditions 9.C.3.b.vi and 9.C.10.b.xviii, from October 7, 2025 through November 30, 2025 (not to exceed 90 days), or the date compliance is achieved, whichever occurs first, with the following conditions:

1. Petitioner shall submit a written report to the Hearing Board and District, to variance@sbcapcd.org, by December 15, 2025, or within 30 days of achieving compliance, whichever occurs first. The report shall include the date compliance was achieved, repairs made, and excess emission calculations (in lbs) for the variance period.
2. Petitioner shall monitor, record, and quantify, on a daily basis, all emissions related to the granting of this Variance.
3. Petitioner shall retain the obligation to comply with all other local, state, and federal regulations not specifically referenced in the Order.
4. 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.
5. In accordance with District Fees Rule 210, the Petitioner shall pay excess emission fees for each additional ton of pollutant emissions, or portion thereof, allowed as the result of the issuance of this Variance.
6. The Environmental Protection Agency does not recognize California's Variance Program; therefore, this Variance does not protect the Petitioner from Federal Enforcement actions.
7. Each day during any portion of which a violation occurs is a separate offense.

DATED: Oct. 7, 2025


Terence Dressler
Santa Barbara County Air Pollution Control District
Hearing Board