

ACTION SUMMARY
Official

Hearing Board

December 1, 2010

9:30 A.M.

APCD Hearing Board Members:

Donald R. Ward, Vice-Chair
Dr. Francis P. Lagattuta
Robert J. Saperstein, Chair
David Schmarje
David Van Mullem, Jr.

**BOARD OF SUPERVISORS HEARING ROOM
Betteravia Government Center
511 East Lakeside Parkway
Santa Maria, CA**

- I. 9:35 a.m. - Roll Call – Absent: Schmarje**
- II. Election of Chair and Vice-Chair for 2010**

Saperstein/Van Mullem	Elected Donald Ward as Chair.
Saperstein/Ward	Elected Dr. Frank Lagattuta as Vice-Chair.
- III. Administration of Oath to Participants**

All participants were sworn in.
- IV. Approval of minutes of the October 7, 2009 meeting**

Lagattuta/Van Mullem	Approved.
	Absent: Schmarje
	Abstain: Ward
- V. Receive and File actions taken by the Chair at the December 9, 2009 meeting. No quorum was present to conduct a full meeting.**

Saperstein	Received and Filed.
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- VI. Receive and File actions taken by the Chair at the February 3, 2010 meeting. No quorum was present to conduct a full meeting.**

Saperstein	Received and Filed.
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- VII. Requests for continuance or addition of Ex-Agenda items**

None.

Clerk of the APCD Board:

Terence E. Dressler

XI. Administrative Agenda - Receive and File:

The following Emergency Variance Orders have been approved by the Air Pollution Control District Hearing Board. These orders are available for inspection and reproduction at the Office of the Air Pollution Control District:

- A-1) Case No. 82-09-E – United Launch Alliance, LLC
P.O. Box 5219, Vandenberg AFB, CA 93437**

On September 16, 2009 Hearing Board member Dr. Francis Lagattuta approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Conditions 1, 2, 3(a) and (b), 4(f) and 17 of Permit to Operate 10846 for operation of the M/V Delta Mariner and an assist tug used in the delivery of the ULA Delta IV/EELA systems for offloading and transport to Space Launch Complex (SLC-6) on Vandenberg Air Force Base for the period of September 18, 2009 through October 15, 2009.

- A-2) Case No. 84-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On September 24, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.1(b)(v)(2) of Part 70/Permit to Operate 5651 for operation of a gas turbine generator in violation of the quarterly operational limit of 6 hours/quarter at Las Flores Canyon oil and gas processing plant for the period of September 20, 2009 through October 4, 2009.

- A-3) Case No. 85-09-E – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455**

On October 14, 2009 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2(c)(ii) of Part 70/Permit to Operate 9105 for operation of Turbine Generator G-94 in violation of the one hour limit on Platform Hidalgo for the period of October 14, 2009 through October 15, 2009.

- A-4) Case No. 86-09-E – Greka Oil & Gas, Inc.
P.O. Box 5489, Santa Maria, CA 93456**

On October 15, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1 for operation of the Bell Tank Battery at Cat Canyon Oil Field in violation of the vapor recovery requirements for one day (October 15, 2009).

- A-5) Case No. 87-09-E – Greka Oil & Gas, Inc.
P.O. Box 5489, Santa Maria, CA 93456**

On October 16, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1 and E.1 for operation of the Bell Tank Battery at Cat Canyon Oil Field in violation of the vapor recovery requirements for the period of October 27, 2009 through November 10, 2009.

- A-6) Case No. 88-09-E – Pacific Operators Offshore, LLC
1145 Eugenia Place, Suite 200, Carpinteria, CA 93013**

On October 16, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 359.D.2.b(1) due to a non-operational production flare located on Platform Hogan for the period of October 16, 2009 through October 30, 2009.

A-7) Case No. 91-09-E – BreitBurn Energy Company
1555 Orcutt Hill Road, Orcutt, CA 93455

On November 9, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1.a and Rule 206, Condition 9.C.6 of Part 70 Permit to Operate 8240-R7 as a result of a non-operating vapor recovery system on four tanks due to a PG&E power shutdown at the Newlove Lease, Orcutt Hill for the period of November 10, 2009 through November 12, 2009.

A-8) Case No. 92-09-E – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455

On November 18, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.3(c)(i) of Part 70/Permit to Operate 9105 due to an electronic failure of the flare meter V-23 on Platform Hidalgo for the period of November 18, 2009 through December 4, 2009.

A-9) Case No. 93-09-E – Richards Oil Company
P.O. Box 1715, Santa Maria, CA 93456

On November 18, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325 D.1.a and Rule 206, Condition 6 of Permit to Operate 8252 due to removal of the tank battery vapor recovery system for maintenance at the Peshine Tompkins Tank Battery located in the Casmalia Field for the period of November 17, 2009 through December 1, 2009.

A-10) Case No. 94-09-N – Richards Oil Company
P.O. Box 1715, Santa Maria, CA 93456

Withdrawn on December 11, 2009 due to compliance.

A-11) Case No. 95-09-E – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455

On December 30, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2.(c)(ii)(b)(vii) and 9.C.2(d) of Part 70 Permits to Operate 9103 and 9105 due to failure of the data loggers for Turbine G-91 on Platform Hermosa and G-94 on Platform Hidalgo for the period of December 30, 2009 through January 12, 2010.

A-12) Case No. 01-10-E – MM Tajiguas Energy, LLC
14470 Calle Real, Gaviota, CA 93117

On January 7, 2010 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2(d)(i) of Permit to Operate 9788-R2 due to failure of the data acquisition system (DAS) to record the Caterpillar Model 3616 internal combustion engine operating temperature at the Tajiguas Landfill for the period of January 7, 2010 to January 22, 2010.

A-13) Case No. 02-10-E – BreitBurn Energy Company
1555 Orcutt Hill Road, Orcutt, CA 93455

On February 16, 2010 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1.a and Rule 206, Condition 9.C.2(a) and (b)(ii) and 9.C.3(a) and (b) of Permit to Operate 8502 due to a non-operating vapor recovery system (VRS) for the crude and wash tanks and wastewater tanks of the Pinal Tank Battery for the period of February 16, 2010 to February 26, 2010.

A-14) Case No. 03-10-E – Venoco, Inc.
6267 Carpinteria Ave., Suite 100, Carpinteria, CA 93013

On February 19, 2010 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2(b)(v).b of Part 70 Permit to Operate 7904-R8 due to a malfunctioning control valve resulting in non-compliance of the benzene destruction removal efficiency (DRE) from the H-205 incinerator unit at Ellwood Oil and Gas Processing Facility for the period of February 17, 2010 through March 18, 2010.

A-15) Case No. 04-10-E – Greka Oil & Gas, Inc.
P.O. Box 5489, Santa Maria, CA 93456

On April 19, 2010 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to Petitioner from District Rule 331.E due to a leak in three of its wellhead rams operating at Payne Well #32-7 located at the Bradley Lands/Bradley Consolidated Lease for the period of April 9, 2010 through April 23, 2010.

A-16) Case No. 05-10-I – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455

On May 14, 2010 Hearing Board member David Schmarje approved an Interim Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2.(e)(i) of Part 70 Permit to Operate 9103 for the operation of Platform Harvest with an inoperative NO_x CEMS for the period of May 12, 2010 through June 30, 2010, or the date of decision of the Hearing Board on the application for 90-Day Variance 06-10-N, whichever occurs first.

A-17) Case No. 06-10-N – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455

The Petitioner achieved compliance with PTO 9103 Condition 9.C.2.(e)(i) on May 13, 2010 under Interim Variance Order 05-10-I. Therefore, on May 17, 2010 the Petitioner requested their Petition for continued relief under a 90-Day variance be withdrawn.

A-18) Case No. 07-10-E – Greka Oil & Gas, Inc.
P.O. Box 5489, Santa Maria, CA 93456

On May 28, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.1.(a)(i) of Part 70 Permit to Operate 8036 for operation of a Caterpillar G-342 engine/generator in violation of NO_x emissions concentration limit at the Bell Lease Gas Compressor Plant for the period of May 26, 2010 through June 1, 2010.

A-19) Case No. 08-10-E – Celite Corporation
2500 Miguelito Road, Lompoc, CA 93436

On May 28, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.5.(a) of Permit to Operate 5840 and Condition 9.C.1.(a) of Permit to Operate 12398 due to excess PM₁₀ emissions from Baghouses BH345 and BH125 for the period of May 26, 2010 through June 24, 2010.

**A-20) Case No. 09-10-I – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455**

On June 4, 2010 Hearing Board Member David Van Mullem, Jr. approved an Interim Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.C.2.(a)(iii) of Part 70/Permit to Operate 9103 for operation of sales gas compressor K-200C at Platform Harvest for the period of June 4, 2010 through September 1, 2010 or the date of decision on Petitioner's request for 90-Day Variance 10-10-N, whichever occurs first.

**A-21) Case No. 10-10-N – Plains Exploration & Production Company
201 South Broadway, Orcutt, CA 93455**

The Petitioner achieved compliance with PTO 9103 Condition 9.C.2.(a)(iii) on June 29, 2010 under Interim Variance Order 09-10-I. Therefore, on July 2, 2010 the Petitioner requested their Petition for continued relief under a 90-Day variance be withdrawn.

**A-22) Case No. 11-10-E – United Launch Alliance
P.O. Box 5219, Vandenberg AFB, CA 93437**

On June 8, 2010 Hearing Board Member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Conditions 2 and 14 of Permit to Operate 10846-R2 for operation of the M/V Delta Mariner support tug in South Vandenberg Harbor at VAFB and the California Coastal Waters adjacent to the South Central Coast Air Basin for the period of June 8, 2010 through July 7, 2010.

**A-23) Case No. 13-10-E – BreitBurn Energy Company
1555 Orcutt Hill Road, Orcutt, CA 93455**

On June 14, 2010 Hearing Board Member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1.(a) and Rule 206 Conditions 9.C.6.(a) and (b)(ii) of Permit to Operate 8240 in order to shut down the vapor recovery system at the Diatomite Tank Battery in order to prepare for construction for the period of June 14, 2010 through June 16, 2010.

**A-24) Case No. 14-10-E – Celite
2500 Miguelito Road, Lompoc, CA 93436**

On June 16, 2010 Hearing Board Member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206 Condition 9.C.1.(b)(i) of Permit to Operate 5840 Part II for operation of baghouse CP32 in violation of exceeding opacity for the period of June 15, 2010 through July 14, 2010.

**A-25) Case No. 15-10-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On August 9, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.E.1 of Permit to Operate 8096-R8 for the continued operation of Idle Well #34 located at the Morganti Lease while repairs are made to a leak found on the wellhead for the period of August 6, 2010 through September 4, 2010.

**A-26) Case No. 16-10-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On August 18, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.E.1 of Permit to Operate 8869 for continued operation of the intake scrubber vessel at the Bell Lease Tank Battery while repairs are made to a pinhole leak for the period of August 17, 2010 through August 31, 2010.

**A-27) Case No. 17-10-E – Pacific Operators Offshore
1145 Eugenia Place Suite 200, Carpinteria, CA 93013**

On August 19, 2010 Hearing Board Member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 359 D.2.b.(1) and Rule 206 Condition 9.C.6.(b)(iii) of Permit to Operate 13371 for continued operation of a John Zink KMI 8-1 Production Flare onboard Platform Hogan while repairs are made to a leak in the platform settling tank for the period of August 19, 2010 through August 31, 2010.

**A-28) Case No. 18-10-E – Venoco
6267 Carpinteria Ave., Suite 100, Carpinteria, CA 93013**

On September 1, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206 Condition 9.C.2.(b)(iv) of Permit to Operate 8234-R7 for continued operation of Platform Holly while research is conducted to determine the reason behind an “unplanned flaring” for the period of September 1, 2010 through September 15, 2010.

**A-29) Case No. 19-10-E – Santa Maria Pacific
2400 Professional Parkway, Santa Maria, CA 93456**

On September 9, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206 Condition 8.(d) of Authority to Construct/Permit to Operate 13347 for continued operation of their steam generator located at the Careaga Lease while waiting for a repeat source test for the period of September 3, 2010 through October 2, 2010.

**A-30) Case No. 20-10-I – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On September 8, 2010 Hearing Board Member David Van Mullem approved an Interim Variance providing variance protection to the Petitioner from District Rule 325.E.1 of Permit to Operate 8096-R8 for continued operation of the Idle Well #34 located at the Morganti Lease while repairs are made to a leak found on the wellhead for the period of September 5, 2010 through November 30, 2010 or the date of decision of Petitioner’s request for 90-Day Variance 21-10-N, whichever occurs first.

**A-31) Case No. 22-10-N – Venoco
6267 Carpinteria Ave., Suite 100, Carpinteria, CA 93013**

On September 28, 2010 Hearing Board Member David Schmarje approved a 90-Day Variance providing variance protection to the Petitioner from District Rule 206 Condition 9.C.2.(b)(iv) of Part 70/Permit to Operate 8234-R7 for continued operation of Platform Holly while research is conducted to determine the reason behind an “unplanned flaring” event for the period of September 28, 2010 through December 26, 2010.

**A-32) Case No. 23-10-E – Wm Bolthouse Farms
7200 East Brundage Lane, Bakersfield, CA 93307**

On September 29, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.D.1.(a) of Permit to Operate 11387-01 for continued operation of engine ENG 23 exceeding its NO_x lb/hr emission limit and ENG 89 exceeding its CO lb/hr emission limit, and Condition 9.C.1 of Permit to Operate 12732 for engine ENG 313 exceeding its NO_x lb/hr emission limit, all engines located at the Cuyama Stationary Source, for the period of September 24, 2010 through October 23, 2010.

**A-33) Case No. 24-10-E – Wm Bolthouse Farms
7200 East Brundage Lane, Bakersfield, CA 93307**

On September 29, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Condition 9.D.1.(a) of Permit to Operate 11387-01 for continued operation of engine ENG 59 located at the Cuyama Stationary Source in violation of exceeding its CO lb/hr emission limit for the period of September 27, 2010 through October 26, 2010.

**A-34) Case No. 25-10-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

This Variance request was rescinded.

**A-35) Case No. 26-10-E – ExxonMobil
P.O. Box 4358, Houston, TX 77210-4358**

On October 19, 2010 Hearing Board Member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from District Rule 359.D.1.(a) and Rule 206, Condition 9.C.2.(b)(iii) of Part 70/Permit to Operate 5651 for operation of the Thermal Oxidizer located at the Las Flores Canyon oil and gas processing plant in violation of exceeding H₂S limits for the period of October 17, 2010 through October 21, 2010.

**A-36) Case No. 28-10-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On October 29, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1 of Permit to Operate 10166 for continued operation of crude storage tank 2Z-5 located at Zaca Field at the Chamberlin Lease in order to repair a leak in the tank for the period of October 28, 2010 through November 4, 2010.

**A-37) Case No. 29-10-E – Greka Oil & Gas
P.O. Box 5489, Santa Maria, CA 93456**

On November 9, 2010 Hearing Board Member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 325.D.1 of Permit to Operate 10166 for continued operation of crude storage tank 2Z-5 located at Zaca Field at the Chamberlin Lease without an operable vapor recovery system for the period of November 9, 2010 through November 19, 2010.

Ward/Lagattuta

Received and filed

Absent: Schmarje

X. Adjourn

The meeting was adjourned at 10:13 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is January 5, 2011 at 9:30 a.m.