

ACTION SUMMARY
(Unofficial)

June 3, 2009

Hearing Board

BOARD OF SUPERVISORS HEARING ROOM
County Administration Building
105 East Anapamu Street
Santa Barbara, CA

APCD Hearing Board Members:

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

I. 9:30 a.m. - Roll Call – Absent: Schmarje, Saperstein

II. Administration of Oath to Participants

All participants present at this time were sworn in, and those not present were sworn in prior to testifying.

III. Approval of minutes of the following special meetings:

1) March 18, 2009; and

Van Mullem/Lagattuta Approved.

2) March 25, 2009.

Van Mullem/Lagattuta Approved.

IV. Requests for continuance or addition of Ex-Agenda items

None; agenda item #5 was moved to the end of the hearing to allow time for Respondent to arrive from Santa Maria.

V. Announcements/Staff Reports

Mike Goldman, APCD Engineering and Compliance Division Manager, asked the Board members if they would like a report on the status of variances listed on the Administrative Agenda. Board Vice-Chair, Donald Ward, responded that each member can state their preference to APCD staff at the time of the variance hearing. All members present were in agreement with this procedure.

VI. Public Comment Period

There were no public comments.

VII. Public Hearings – continued from March 18, and March 25, 2009

Staff Status Report and Respondents' reports regarding failure to install Phase II Enhanced Vapor Recovery (EVR) equipment by June 3, 2009 as required by the following Stipulated Orders of Abatement:

Clerk of the APCD Board:

Terence E. Dressler

Mike Goldman and Mike Broughton represented the District, and Bill Dillon acted as Counsel for the District. Jerry Czuleger acted as Counsel for the Hearing Board. Mike Goldman, of the APCD, gave a status report regarding Phase II EVR compliance in Santa Barbara County and statewide.

Bill Dillon, County Counsel for the APCD, stated that even though twenty-two gas stations were now in compliance only those cases appearing on the agenda could be granted rescissions.

Lagattuta/Van Mullem Place cases to be rescinded on next agenda.

Absent: Schmarje, Saperstein

All respondents or a designated representative appeared except Case No. 51-09-SA, Respondent Elian Hanna did not appear. Keith Slocum of B & T Service Station Contractors appeared on behalf of many of the Respondents and testified as to the status of installing the Phase II Enhanced Vapor recovery equipment.

- 1) Case No. 17-09-SA - Respondent: R. Craig Lincoln, Fastrup Oil Company
752 Guadalupe Street, Guadalupe

Van Mullem/Lagattuta Granted continuance to August 5, 2009.

Absent: Schmarje, Saperstein

- 2) Case No. 18-09-SA - Respondent: Saleem Patel, Anishan Services, Inc.
1337 N. H Street, Lompoc

Van Mullem/Lagattuta Granted continuance to August 5, 2009.

Absent: Schmarje, Saperstein

- 3) Case No. 19-09-SA - Respondent: David F. Cosley, Guadalupe 76
1080 Guadalupe Street, Guadalupe

Van Mullem/Lagattuta Due to compliance, Stipulated Order of Abatement was rescinded.

Absent: Schmarje, Saperstein

- 4) Case No. 20-09-SA - Respondent: John Letters, Santa Maria Car Wash
2301 S. Broadway, Santa Maria

Van Mullem/Lagattuta Granted continuance to August 5, 2009.

Absent: Schmarje, Saperstein

- 5) Case No. 21-09-SA - Heard last.

- 6) Case No. 23-09-SA - Respondent: Jon K. McConnel, The Village Service Station
1476 E. Valley Road, Santa Barbara

Van Mullem/Lagattuta Granted continuance to August 5, 2009.

Absent: Schmarje, Saperstein

- 7) Case No. 25-09-SA - Respondent: Jon Winther, John's Chevron

Van Mullem/Lagattuta

Granted continuance to August 5, 2009.

Absent: Schmarje, Saperstein

VIII. Administrative Agenda - Receive and File:

The following Emergency and 90-Day 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. 08-09-N – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On February 20, 2009 Hearing Board Chair David Schmarje approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rules 342.D.1 and 206, Condition 9.C.2(a) of Part 70/Permit to Operate 9101 as a result of the central process heater on Platform Harmony failing a biennial source test due to exceeding carbon monoxide emission limits for the period of February 20, 2009 through May 20, 2009.

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

On February 20, 2009 Hearing Board Chair David Schmarje approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rules 342.D.1 and 206, Condition 9.C.2(a) of Part 70/Permit to Operate 9102 as a result of the central process heater on Platform Heritage failing a biennial source test due to exceeding carbon monoxide emission limits for the period of February 20, 2009 through May 20, 2009.

- A-3) Case No. 12-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On February 20, 2009 Hearing Board Chair David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from District Rule 206, Conditions 9.C.2(c)(i) and 9.C.2(c)(iv) of Part 70/Permit to Operate 5651 due to failure of the low pressure flare meter on the thermal oxidizer located at Las Flores Canyon oil and gas processing plant for the period of February 20, 2009 through March 6, 2009.

- A-4) Case No. 13-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On February 26, 2009 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rules 359.D.1(a) and 206, Condition 9.C.2(b)(iv) of Part 70/Permit to Operate 8092 due to excess H₂S concentration in the acid gas flare header as a result of failed pressure safety relief valves at the POPCO plant for the period of February 25, 2009 through March 11, 2009.

- A-5) Case No. 14-09-E – Plains Exploration and Production Company
201 S. Broadway, Orcutt, CA 93455

On March 3, 2009 Hearing Board Chair David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2(c)(ii) of Part 70/Permit to Operate 9105 due to violation of permitted CO and NO_x emission limits for Turbine Generator G-94 and exceeding CO emission limits for

Turbine Generators G-92 and G-93 on Platform Hidalgo for the period of March 5, 2009 through March 31 2009.

A-6) Case No. 32-09-N – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On March 20, 2009 Hearing Board member David Schmarje approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Conditions 9.C.2(c)(i) and 9.C.2(c)(iv) of Part 70/Permit to Operate 5651 due to malfunction of the flare header flow meter on the Thermal Oxidizer at Las Flores Canyon oil and gas processing plant for the period of March 20, 2009 through June 4, 2009.

A-7) Case No. 54-09-N – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On March 23, 2009 Hearing Board member David Van Mullem, Jr. approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rules 359.D.1(a) and 206, Condition 9.c.2(b)(iv) of Part 70/Permit to Operate 8092 due to elevated H₂S concentration gas that is leaking into the acid gas flare header on the Thermal Oxidizer at the POPCO gas processing plant for the period of March 23, 2009 through June 9, 2009.

A-8) Case No. 55-09-E – BreitBurn Energy Company
1515 Orcutt, CA 93455

On March 17, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2.i of Permit to Operate 12084 due to exceeding SO₂ emission limits of a gas-fired steam generator at the Newlove Lease on Orcutt Hill production field for the period of March 13, 2009 through April 11, 2009.

A-9) Case No. 56-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On March 16, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Conditions 9.C.1(b)(v)(2), 9.C.1(b)(ix) and 9.C.1(b)(xi) of Part 70/Permit to Operate 5651 regarding usage limits and pollutant emissions during all Cogeneration Power Plant Startup/Shutdown Operations at the Las Flores Canyon oil and gas processing plant for the period of March 14, 2009 through March 28, 2009.

A-10) Case No. 57-09-N – Plains Exploration and Production Company
201 S. Broadway, Orcutt, CA 93455

On March 31, 2009 Hearing Board member David Schmarje approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2(c)(ii) of Part 70/Permit to Operate 9105 due to violation of hourly, daily and quarterly CO emission limits of Turbine Generator G-92 on Platform Hidalgo for the period of April 1, 2009 through June 29, 2009.

A-11) Case No. 58-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117

On March 26, 2009 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.1(a) of Part 70/Permit to Operate 8092 due to excess NO_x emissions after the start-up of two boilers at the POPCO gas processing plant for the period of March 20, 2009 through March 22, 2009.

**A-12) Case No. 59-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On March 23, 2009 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2(b)(iii) of Part 70/Permit to Operate 5651 due to H₂S leaking into the header of the Thermal Oxidizer at the Las Flores Canyon oil and gas processing plant for the period of March 23, 2009 through April 6, 2009.

**A-13) Case No. 60-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On March 26, 2009 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 202.F.2 for the operation of two 65 kw CARB registered portable equipment generator sets on Platform Harmony in violation of the 14-day advanced notification requirements for the period of March 27, 2009 through April 10, 2009.

**A-14) Case No. 61-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On April 2, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 202.F.2 for the operation of a CARB registered portable equipment hydro-blaster powered by a 260 BHP engine on Platform Harmony in violation of the 14-day advanced notification requirements for the period of April 3, 2009 through April 17, 2009.

**A-15) Case No. 62-09-E – Plains Exploration and Production Company
201 S. Broadway, Orcutt, CA 93455**

On April 16, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.6(ii)(d) of Part 70/Permit to Operate 6708 for the operation of tank T-280 for the storage of crude oil emulsion in volumes exceeding 75,000 barrels at the Lompoc Oil and Gas Plant for the period of April 17, 2009 through May 17, 2009.

**A-16) Case No. 63-09-E – Venoco, Inc.
6267 Carpinteria Avenue, Suite 100, Carpinteria, CA 93013**

On April 28, 2009 Hearing Board Chair Robert Saperstein approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2(b)(v).b of Part 70/Permit to Operate 7904-R8 due to a failed source test of Thermal Oxidizer H-205 indicating the benzene destruction removal efficiency is below the permitted level at the Ellwood Oil and Gas Processing Facility for the period of April 28, 2009 through May 27, 2009.

**A-17) Case No. 64-09-E – ExxonMobil Production Company
12000 Calle Real, Goleta, CA 93117**

On May 11, 2009 Hearing Board member David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 331.E.1(c) for the operation of the CZZ-310 Injection Gas Compressor located on Platform Heritage in violation of the 5-day leak repair requirements for the period of May 10, 2009 through June 8, 2009.

**A-18) Case No. 65-09-E – MM Tajiguas Energy, LLC
14470 Calle Real, Gaviota, CA 93117**

On May 13, 2009 Hearing Board Chair Robert Saperstein approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 9.C.2(a) of Part 70/Permit to Operate 9788-R2 for the continued operation of a Caterpillar model 3616 internal combustion engine operated on landfill gas at the Tajiguas Landfill for the period of May 13, 2009 through June 13, 2009.

Lagattuta/Van Mullem

Received and filed.

IX. Adjourn

The meeting was adjourned at 10:58 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is July 1, 2009.