



ACTION SUMMARY
Official

October 1, 2008

Hearing Board

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

APCD Hearing Board Members:

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

- I. **9:30 a.m. - Roll Call – All members present.**
- II. **Administration of Oath to Participants**

All participants were sworn in.
- III. **Approval of minutes of the July 2, 2008 meeting**

Lagattuta/Van Mullem, Jr. **Approved.**

Abstain: Ward
- IV. **Requests for continuance or addition of Ex-Agenda items**

None
- V. **Announcements/Staff Reports**

Board member Saperstein reported that he and Clerk Beard had recently attended the Air Resources Board Advanced Hearing Board Workshop and found it very informative.
- VI. **Public Comment Period**

None.
- VII. **Public Hearings**
 - 1) **Case No. 26-08-R – ExxonMobil Production Company
P.O. Box 4358, Houston, TX 77210-4358**

Hearing – To consider an application by ExxonMobil Production Company (Petitioner) for a Regular Variance from District Rule 359.D.2.b.1. The Petitioner operates a flare for the purpose of burning high pressure sour produced gas on Platform Heritage and is seeking variance relief to operate the flare system without the #2 pilot being lit. Two of the three pilots are still operational, and the igniter system for the extinguished pilot can be used to re-light the flare flame while the pilot/igniter assembly is being

Clerk of the APCD Board:

Terence E. Dressler

repaired. The granting of Petitioner's variance request will not result in excess pollutant emissions in that the #2 pilot remains plugged and not capable of emitting any air contaminants. On July 24, 2008 the Petitioner sought and was granted Interim Variance 25-08-I until October 19, 2008, or the date of decision of the Hearing Board on this application.

Sandra Combe, Steve Shively, Justin Pace, and Jim Nedry appeared on behalf of the Petitioner; Craig Strommen represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Following testimony by the Petitioner and the District, the Hearing Board discussed the six findings as presented by the Petitioner.

Van Mullem, Jr./Ward

Six findings had been met.

Unanimously agreed.

Ward/Saperstein

Granted a Regular Variance for the period of October 1, 2008 through April 30, 2009 with conditions as specified in the Findings and Order to include a statement that repairs meet all compliance requirements by April 30, 2009.

Unanimously approved.

VIII. Administrative Agenda - Receive and File:

The following Emergency, Interim, 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. 18-08-E –City of Lompoc Wastewater Treatment Plant
1801 W. Central Avenue, Lompoc, CA 93438

On June 19, 2008 Hearing Board Chair David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Condition 2.f of Permit to Operate 8691 due to a small volume of digester gas being emitted into the atmosphere during the replacement of a corroded digester pipe for a 1-hour period between June 23-34, 2008 at the Lompoc Wastewater Treatment Plant.

A-2) Case No.19-08-I – WM Bolthouse Farms, Inc.
7200 East Brundage Lane, Bakersfield, CA 93307-3016

On July 16, 2008 Hearing Board member David Van Mullem, Jr. approved an Interim Variance providing variance protection to the Petitioner from the requirements of District Rules 333 and 206, Condition 9.C.1.(a)(i) and (ii) of Part 70/Permit to Operate 11387 due to two natural gas fired engines exceeding allowable NOx and CO emission limits on WM Bolthouse Farms, Cuyama, CA for the period of June 26, 2008 through August 12, 2008, the scheduled date for consideration of 90-Day Variance 20-08-N.

A-3) Case No. 20-08-N– WM Bolthouse Farms, Inc.
7200 East Brundage Lane, Bakersfield, CA 93307-3016

On August 12, 2008 Hearing Board member David Van Mullem, Jr. approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rules 333 and 206, Condition 9.C.1.(a)(i) and (ii) of Part 70/Permit to Operate 11387 due to two natural gas fired engines exceeding allowable NOx and CO emission limits on WM Bolthouse Farms, Cuyama, CA for the period of August 12, 2008 through November 9, 2008, or the date electrification of the engines is complete, whichever occurs first.

A-4) Case No. 21-08-E– BreitBurn Energy Company
1555 Orcutt Hill Road, Orcutt, CA 93455

On June 30, 2008 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 325.D.1.a and Rule 206, Conditions 9.C.2 and 9.C.3 and C.7 of Permits to Operate 8240 and 8502 and Condition 9.C.3 of Permits to Operate 11909 and 11982 due to the lack of an operative vapor recovery system while installing new electrical accounting meters at the Newlove and Pinal tank batteries for the period of July 1, 2008 through July 7, 2008.

(A-5) Case No. 22-08-E – ExxonMobil Production Company
P.O. Box 4358, Houston, TX 77210-4358

On July 9, 2008 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 359.D.2.b.1 of Part 70/Permit to Operate 9102 as a result of inability to relight #2 pilot light/igniter assembly on Platform Heritage for the period of July 7, 2008 through July 21, 2008.

(A-6) Case No. 23-08-E – ExxonMobil Production Company
P.O. Box 4358, Houston, TX 77210-4358

On July 9, 2008 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)(i), 9.C.1(b)(ii), 9.C.1(b)(vi), 9.C.2(a), 9.C.2(b)(iii) and (iv), 9.C.2(c)(i), (iv), (v), and 9.C.8(a)(i) of Part 70/Permit to Operate 5651, and Rule 359.D.2.b.a, 1, 2, and 3 due to excess emissions as a result of loss of power to the Cogeneration Power Plant at the Las Flores Canyon Oil and Gas Treating Facilities during the “Gap Fire” for the period of July 4, 2008 through July 18, 2008.

A-7) Case No. 24-08-E – Santa Barbara City Fire Department
925 De La Vina Street, Santa Barbara, CA 93101

On July 10, 2008 Hearing Board member David Van Mullem, Jr. approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District 313.B while conducting firefighting training on a “No Burn Day” by setting small fires inside a house scheduled for demolition at 514 Bath Street on July 11, 2008.

A-8) Case No. 25-08-I – ExxonMobil Production Company
P.O. Box 4358, Houston, TX 77210-4358

On July 24, 2008 Hearing Board member Dr. Francis Lagattuta approved an Interim Variance providing variance protection to the Petitioner from the requirements of District Rule 359.D.2.b.1 of Part 70/Permit to Operate 9102 due to a faulty #2 pilot light/igniter assembly which is one of three pilots of the flare system on Platform Heritage for the period of July 22, 2008 through October 19, 2008, or the date of decision of the Hearing Board on the application for Regular Variance 26-08-R, whichever occurs first.

A-9) Case No. 27-08-E – Plains Exploration & Production Company

201 S. Broadway, Orcutt, CA 93455

On July 28, 2008 Hearing Board member Donald Ward approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 206, Conditions 9.C.15 and 9.C.16 of Part 70/Permit to Operate 9106 and Condition 9.C.31 of Part 70/Permit to Operate 6708 due to the failure of the Daniel Industries 500 Gas Chromatograph H₂S analyzer on Platform Irene for the period of July 29, 2008 through August 28, 2008.

A-10) Case No. 28-08-E – Greka Oil and Gas, Inc.
6527 Dominion Road, Santa Maria, CA 93454

On July 31, 2008 Hearing Board member Donald Ward approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 325 of Permit to Operate 8219 due to damaged piston and rings on the tank battery which serves the vapor recovery system at the Battles Lease for the period of July 30, 2008 through August 13, 2008.

A-11) Case No. 29-08-E – WM Bolthouse Farms Inc.
7200 East Brundage Lane, Bakersfield, CA 93307-3016

A Petition was filed on July 31, 2008 and withdrawn on August 4, 2008.

A-12) Case No. 30-08-E – BE Conway Energy, Inc.
P.O. Box 2050, Orcutt, CA 93457

On August 15, 2008 Hearing Board Chair David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 325.D.1 of Permit to Operate 8212-R7 due to excess ROC emissions while the wastewater tank connected to the vapor recovery system is repaired at the Magenheimer Lease in the Cat Canyon Field for the period of August 19, 2008 through September 2, 2008.

A-13) Case No. 31-08-N – University of California Santa Barbara (UCSB)
Santa Barbara, CA 93106

On September 11, 2008 Hearing Board Vice-Chair Robert Saperstein approved a 90-Day Variance providing variance protection to the Petitioner from the requirements of District Rule 206, and the State Air Toxics Control Measure (ATCM) for Stationary Diesel Engines due to the use of standby diesel generators as “prime” engines during an interruption of grid power for the installation of a power upgrade to the UCSB campus for the period of September 14, 2008 to September 16, 2008.

A-14) Case No. 32-08-E – ExxonMobil Production Company
P.O. Box 4358, Houston, TX 77210-4358

On September 9, 2008 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.15 of Permit to Operate 5651 due to a hole in the sample line connected to the SO₂ analyzer which in turn yielded erroneous SO₂ readings from the Waste Gas Incinerator at the Santa Ynez Las Flores Canyon Oil and Gas Treating Facilities for the period of September 8, 2008 through October 7, 2008.

Ward/Saperstein

Received and filed.

IX. Adjourn

The meeting was adjourned at 9:55 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is November 5, 2008.