



ACTION SUMMARY
(Unofficial)

December 3, 2008

Hearing Board

BOARD OF SUPERVISORS HEARING ROOM
County Administration Building
105 East Anapamu Street
Santa Barbara, 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 – Absent: Van Mullem, Jr., Lagattuta

II. Administration of Oath to Participants

All participants were sworn in.

III. Approval of minutes of the October 1, 2008 meeting

Ward/Saperstein

Approved.

Absent: Van Mullem, Jr.,
Lagattuta

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

None.

V. Announcements/Staff Reports

None.

VI. Public Comment Period

None.

VII. Public Hearings

1) Case No. 36-08-R – MM Tajiguas Energy, LLC
14470 Calle Real, Gaviota, CA 93117

Clerk of the APCD Board:

Terence E. Dressler

Hearing – To consider an application by MM Tajiguas for a Regular Variance from Permit Conditions 9.C.2(b)(iv), 9.C.3(b)(vi), and 9.C.3(b)(vii) of Permit to Operate 9788-R2. MM Tajiguas operates a combustion system for collected landfill gas at the Tajiguas Landfill. An increase in the heat content of the landfill gas has resulted in exceedances of heat input limits for an internal combustion (IC) engine and flare, and exceedances of the minimum residence time limit for the flare. Petitioner wishes to obtain a variance to continue to combust the landfill gas in the IC engine and flare while permit modifications are made. No excess emissions are anticipated during the variance period.

Suparna Chakladar and Bryan Lawrence appeared on behalf of the Petitioner; Mike Broughton, Brian Shafritz and Ben Ellenberger represented the District; Jerry Czuleger acted as Counsel for the Hearing Board.

Mike Broughton of the District requested that the Hearing Board consider Interim Variance Case No. 35-08-I simultaneously with Case No. 36-08-R since the testimony given would apply to both cases.

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

Saperstein/Ward

Six findings had been met.

Unanimously agreed.

Absent: Van Mullem, Jr., Lagattuta

Ward/Saperstein

Granted an Interim Variance for the period of November 14, 2008 through December 3, 2008 with conditions as specified in the Findings and Order.

Absent: Van Mullem, Jr., Lagattuta

Ward/Saperstein

Granted a Regular Variance for the period of December 3, 2008 through July 1, 2009 with conditions as specified in the Findings and Order.

Absent: Van Mullem, Jr., Lagattuta

VIII. Administrative Agenda - Receive and File:

The following Emergency Variance Order has been approved by the Air Pollution Control District Hearing Board. This order is available for inspection and reproduction at the Office of the Air Pollution Control District:

A-1) Case No. 33-08-E – Plains Exploration and Production Company
201 South Broadway, Santa Maria, CA 93455

On September 18, 2008 Hearing Board Chair David Schmarje approved an Emergency Variance providing variance protection to the Petitioner from the requirements of District Rule 325.D, Conditions 9.C.2 and 9.C.3 of Part 70/Permit to Operate 7126 due to small holes in the top of the crude oil stock tank and produced water tank while tank tops are replaced at Lompoc Oil Field, La Purisima Lease for the period of September 22, 2008 through October 21, 2008.

Ward/Saperstein

Received and filed.

Absent: Van Mullem, Jr., Lagattuta

IX. Adjourn

The meeting was adjourned at 10:15 a.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Hearing Board is January 7, 2009.