



ACTION SUMMARY
(Unofficial)

December 7, 2022

9:30 A.M.

REMOTE VIRTUAL PARTICIPATION ONLY
Zoom Hearing Board Meeting

APCD Hearing Board

Dr. Steven Colome, Vice-Chair
Robert J. Saperstein
Lee-Volker Cox
Terence Dressler, Chair
Francis Peters, Jr.

Counsel of the Hearing Board:
Maria Salido Novatt
Paul Lee

A. CALL TO ORDER – ROLL CALL

Convened by Chair Dressler at 9:30 a.m.

Present: 4 - Colome, Dressler, Peters, Saperstein (left at approx. 12:08 p.m.).
Absent: 1 - Cox.

B. REPORT ON CIRCUMSTANCES OF THE COVID-19 STATE OF EMERGENCY

1. Reconsider the circumstances of the COVID-19 state of emergency;
2. Consider whether state or local officials continue to impose or recommend measures to promote [social distancing](#);
3. Find that the legislative body has reconsidered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
4. Direct staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3).

A motion was made by Hearing Board member Colome, seconded by Hearing Board member Peters, that the Hearing Board has reconsidered the circumstances of the state of emergency, that State or local officials continue to impose or recommend measures to promote social distancing, and directed staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3). The motion carried by the following vote:

Ayes: 4 - Colome, Dressler, Peters, Saperstein.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 1 - Cox.

Clerk of the APCD Board
Aeron Arlin Genet

C. APPROVAL OF MINUTES

- Approve minutes of the May 4, 2022 regular meeting;
- Approve minutes of the June 1, 2022 regular meeting;
- Approve minutes of the July 1, 2022 special meeting;
- Approve minutes of the July 25, 2022 special meeting;
- Approve minutes of the August 23, 2022 special meeting;
- Approve minutes of the September 19, 2022 special meeting;
- Approve minutes of the October 12, 2022 special meeting; and
- Approve minutes of the November 9, 2022 special meeting.

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Saperstein that all the minutes be approved. The motion carried by the following vote:

Ayes: 4 - Colome, Peters, Dressler, Saperstein.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 1 - Cox.

D. ANNOUNCEMENTS / STAFF REPORTS

Receive announcements or reports from staff on matters of interest to the Hearing Board. There will be no Hearing Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

Aimee Long of the District informed the Hearing Board that there are no staff reports or announcements at this time.

E. PUBLIC COMMENT PERIOD

Persons desiring to address the Hearing Board on any subject within the jurisdiction of the Hearing Board not included as part of the agenda may do so at this time.

There were no public comments.

F. PUBLIC HEARINGS - Administration of Oath to be conducted prior to each hearing.

**F-1) Case No. 2021-04-M2 (Modification of Final Compliance Date and Schedule of Increments of Progress)
Beacon West Energy Group, LLC, 1145 Eugenia Place #101, Carpinteria, CA 93103**

To consider a Petition for Modification of Regular Variance from District Rules 325.E, 331.D - I, 359.D.2.b, and 206, Part 70 Permit to Operate 9109-R4, Conditions 9.C.2.a, 9.C.2.b, 9.C.2.c, 9.C.2.d, 9.C.6.b.ii, 9.C.6.b.iii, 9.C.6.b.iv, and 9.C.9 submitted on November 7, 2022, for continued relief from emission control, maintenance, and monitoring requirements and provide new increments of progress. The Petitioner operates the equipment described in the Petition at Platform Houchin, located on offshore lease tract OCS-P-166, approximately 7 miles southeast from the City of Santa Barbara.

Representatives for the Hearing Board: Maria Salido Novatt (Counsel).
Representatives for the District: Aimee Long, Eric Kett, and Kaitlin McNally.
Representatives for the Petitioner: Keith Wenal and John Garnett.

Hearing held. Following testimony, the Hearing Board determined that the six findings were made. A motion was made by Hearing Board member Colome, seconded by Hearing Board member Saperstein to accept the findings with the proposed updates to the Modification of Final Compliance Date and Schedule of Increments of Progress of Regular Variance 2021-04-M2 and be granted as updated in the draft Findings and Order for the period of December 31, 2022 through July 30, 2023, or the date compliance is achieved, whichever occurs first. The motion carried the following vote:

Ayes: 4 - Colome, Dressler, Peters, Saperstein.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 1 - Cox.

**F-2) Case No. 2021-05-M2 (Modification of Final Compliance Date and Conditions)
Beacon West Energy Group, LLC, 1145 Eugenia Place #101, Carpinteria, CA 93103**

To consider a Petition for Modification of Regular Variance from District Rules 331.D - I and 206, Part 70 Permit to Operate 9108-R4, Conditions 9.C.2.a, 9.C.2.b, 9.C.2.c and 9.C.2.d submitted on November 7, 2022, for continued relief from fugitive leak and repair requirements. The Petitioner operates the equipment described in the Petition at Platform Hogan, located on offshore lease tract OCS-P-166, approximately 8 miles southeast from the City of Santa Barbara.

Representatives for the Hearing Board: Maria Salido Novatt (Counsel).
Representatives for the District: Aimee Long, Eric Kett, and Kaitlin McNally.
Representatives for the Petitioner: Keith Wenal and John Garnett.

Hearing held. Following testimony, the Hearing Board determined that the six findings were made. A motion was made by Hearing Board member Peters, seconded by Hearing Board member Saperstein to accept the findings with the proposed updates to the Modification of Final Compliance Date and Conditions of Regular Variance 2021-05-M2 and be granted as updated in the draft Findings and Order for the period of December 31, 2022 through July 30, 2023, or the date compliance is achieved, whichever occurs first. The motion carried the following vote:

Ayes: 4 - Colome, Dressler, Peters, Saperstein.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 1 - Cox.

Hearing Board member Saperstein left at this time.

**F-3) Case No. 2021-12-M1 (Modification of Final Compliance Date and Conditions)
Mustang Renewable Power Ventures, LLC, 17 Corporate Plaza Drive, Suite 200, Newport Beach, CA 92660**

To consider a Petition for Modification of Regular Variance from District Rule 206, Authority to Construct 14500-05, Conditions 9.C.1.b.vii, 9.C.2.b.iii, 9.C.4.a.i, 9.C.4.a.ii, 9.C.4.a.iii, 9.C.4.a.v, 9.C.4.a.vi, 9.C.4.a.viii, 9.C.4.a.x, 9.C.4.a.xi, 9.C.4.b.i, 9.C.4.b.ii, 9.C.4.b.iii, 9.C.4.c.i, 9.C.4.c.ii, 9.C.4.c.iii, 9.C.5.b.i, 9.C.5.b.ii, 9.C.5.b.iii, 9.C.5.b.v, 9.C.5.b.vi, 9.C.5.b.viii, 9.C.5.b.xi, 9.C.5.b.xii, 9.C.5.c.i, 9.C.5.c.ii, 9.C.5.c.iv, 9.C.5.c.v, 9.C.5.c.vi, 9.C.5.c.vii, 9.C.5.c.viii, 9.C.5.c.ix, 9.C.5.d.i, 9.C.5.d.ii, 9.C.5.d.v, 9.C.5.d.vi, 9.C.5.d.vii, 9.C.5.d.viii, 9.C.5.d.ix, 9.C.6.a.i, 9.C.6.a.ii, 9.C.6.a.iii, 9.C.6.a.iv, 9.C.6.b.i, 9.C.6.b.ii, 9.C.6.b.iii, 9.C.6.c.i, 9.C.6.c.ii, 9.C.6.c.iii, 9.C.33.a, and 9.C.33.f, submitted on October 3, 2022, for continued operations of the Material Recovery Facility (MRF) without the following equipment that was damaged by the Alisal Fire: MRF baghouses, MRF scrubbers, and MRF biofilters. The Petitioner operates the equipment described in the Petition at the Santa Barbara County Tajiguas Landfill located at 14470 Calle Real in Goleta, California

Representatives for the Hearing Board: Maria Salido Novatt (Counsel).
Representatives for the District: Aimee Long, Eric Kett, and Kaitlin McNally.
Representatives for the Petitioner: John Dewey.

Hearing held. Following testimony, the Hearing Board determined that the six findings were made. A motion was made by Hearing Board member Peters, seconded by Hearing Board member Colome to accept the findings with the proposed updates to the Modification of Final Compliance Date and Conditions of Regular Variance 2021-12-M1 and be granted as proposed in the draft Findings and Order for the period of October 15, 2022 through October 14, 2023 or the date compliance is achieved, whichever occurs first. The motion carried the following vote:

Ayes: 3 - Colome, Dressler, Peters.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 2 - Cox, Saperstein.

G. ADMINISTRATIVE AGENDA

**G-1) Case No. – 2022-04-I
Beacon West Energy Group, LLC, 1145 Eugenia Place #101, Carpinteria, CA 93013**

On June 22, 2022, Hearing Board member Terence Dressler approved an Interim Variance for Platform Hogan from May 10, 2022 through August 7, 2022, or the date a decision is made on the Regular Variance, whichever occurs first. Said variance provides relief from District Rules 325.E.1 and 206, Part 70 Permit to Operate 9108-R4, Condition 9.C.9 and allows for continued operations while venting gas through the flare header without an emission control device.

**G-2) Case No. – 2022-06-I
Sierra Resources, Inc., PO Box 1484, Santa Barbara, CA 93102**

On June 22, 2022, Hearing Board member Terence Dressler approved an Interim Variance for the Soladino Lease from May 11, 2022 through August 8, 2022, or the date a decision is made on a 90-day Variance, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 361.F.2 and 206, Permit to Operate 7744-R12, Conditions 3.d.i and 6.a for continued operation of the boiler without conducting the biennial source test.

**G-3) Case No. – 2022-07-N
Sierra Resources, Inc., PO Box 1484, Santa Barbara, CA 93102**

On July 6, 2022, Hearing Board member Terence Dressler approved a 90-Day Variance for the Soladino Lease from June 22, 2022 through August 8, 2022 or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 361.F.2 and 206, Permit to Operate 7744-R12, Conditions 3.d.i and 6.a for continued operation of the boiler without conducting the biennial source test.

**G-4) Case No. – 2021-04-MS
Beacon West Energy Group, LLC, 1145 Eugenia Place #101, Carpinteria, CA 93013**

On September 7, 2022, Hearing Board member Terence Dressler approved a Modification of Increments of Progress to Regular Variance 2021-04-M1 for Increment of Progress 1.c for Platform Houchin extending the due date from September 30, 2022 to January 4, 2023. Said modification provides extended coverage to install a bull frog crane or approved device.

**G-5) Case No. – 2022-08-N
Southern California Gas Company, 1171 More Ranch Road, Goleta, CA 93117**

On September 7, 2022, Hearing Board member Terence Dressler approved a 90-Day Variance for the La Goleta Facility from September 26, 2022 through December 24, 2022, or the date compliance is achieved, whichever occurs first. Said variance provides relief from District Rules 333.E.1.a, 333.F.3 and 206, Part 70/Permit to Operate 9584-R7, Conditions 9.C.1.a, 9.C.1.b.iv, 9.C.1.b.v, 9.C.1.b.viii.A, 9.C.1.b.viii.C, 9.C.1.c.ii, 9.C.1.c.iii.A, 9.C.16.a, 9.C.16.c and 9.C.16.e for operation of Main Unit #8 during a break in period without emission controls.

A motion was made by Hearing Board member Peters, seconded by Hearing Board member Colome that Administrative Agenda items G-1 through G-4 be received and filed. The motion carried by the following vote:

Ayes: 3 - Colome, Dressler, Peters.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 2 - Cox, Saperstein.

H. ADJOURN

The meeting was adjourned at 12:32 p.m to January 4, 2023.