

 <div>air pollution control district SANTA BARBARA COUNTY</div>	Case No / Date	2024-13-I	11/26/2024
	Petitioner	United States Space Force	
	Permit #	PT 70/PTO 13968-R3	
	Date Rec'd	12/18/2024	
	Time Rec'd	1227 hours	
	FOR OFFICIAL USE ONLY		

BEFORE THE HEARING BOARD OF THE SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

In the Matter of the Application of)
United States Space Force for an)
Interim Variance from District Rules)
361.G.1 and 206, Part 70 Permit to)
Operate 13968-R3, Condition)
9.C.2.c.ii.4.a.)

H.B. Case No. 2024-13-I

VARIANCE FINDINGS

AND ORDER

United States Space Force (Petitioner) filed a Petition for Interim and 90-Day Variances on November 18, 2024. A hearing of the above-entitled matter was held on November 26, 2024, in accordance with Health and Safety Code Section 40808. Kimberlee Harding and Andy Edwards, Vandenberg Space Force Base (VSFB), Mark Inguaggiato and Peter Heitmann, Lockheed Martin and Michael Anderson National Reconnaissance Office (NRO) represented the Petitioner, Aimee Long represented the Santa Barbara County Air Pollution Control District (District), and Terence Dressler represented the Hearing Board for this Interim Variance Hearing.

This matter having been fully presented and duly considered, the Hearing Board makes the following findings and gives the following reasons for its decision.

HEARING

1. Notice of the Hearing was duly given in the manner and for the time required by law.
2. Sworn testimony and argument on behalf of the Petitioner and the Air Pollution Control Officer were made, received, and considered.
3. A nuisance as defined in District Rule 303 is not expected to occur as a result of this Variance.
4. Pursuant to Health and Safety Code section 42351, "good cause" exists for the granting of Petitioner's request for an Interim Variance.

5. If, due to reasons beyond the control of the Petitioner, compliance is not achieved during this Variance period, additional relief will be sought.
6. District staff supports the Petition as conditioned below.

BACKGROUND

1. The Petitioner is the permit holder for the equipment operated by Lockheed Martin Space at Vandenberg Space Force Base located at the National Reconnaissance Office (NRO), 2520 Nevada Avenue, Building 2520, VSFB, California.
2. The equipment operator, Lockheed Martin Space, operates two 4.6 MMBtu/hr boilers for hot water and climate control for the building.
3. District Rule 361 and the Petitioner's permit requires boilers rated between 2 – 5 MMBtu/hr to be tuned-up at least twice per year at intervals from 4 to 8 months apart.
4. The boilers were last tuned-up on March 18, 2024. As a result, the next tune-up is due by November 18, 2024.
5. One of the 4.6 MMBtu/hr boilers (APCD Device ID 386176), has been out of service since August 22, 2024, and is awaiting parts.
6. The parts were expected to be received and installed before the November 18, 2024, tune-up deadline. However, the parts did not arrive by October 31, 2024, and the repairs could not be made. The parts are expected to arrive mid-December 2024.
7. Because the boiler (APCD Device ID 386176) is not operational and cannot be tuned, the Petitioner is requesting Variance relief from the bi-annual tune-up requirements specified in District Rule 361 and the Petitioner's permit to operate.

FINDINGS

1. Without Variance coverage, the Petitioner will be in violation of District Rules 361.G.1 and 206, Part 70 Permit to Operate 13968-R3, Condition 9.C.2.c.ii.4.a.
2. No excess emissions are expected with the granting of this Variance.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That an Interim Variance be granted for relief from the boiler tune-up requirements for APCD Device ID 386176, until the repairs can be made and the tune-up can be conducted, in violation of District Rules 361.G.1 and 206, Part 70 Permit to Operate 13968-R3, Condition 9.C.2.c.ii.4.a from November 18, 2024 through February 16, 2025 (not to exceed 90 days), or the date a decision is made on the 90-Day variance, or the date compliance is achieved, whichever occurs first, with the following conditions:

1. Tune-up for APCD Device ID 386176 shall be conducted within 15-days of the equipment returning to service.
2. Petitioner shall submit a written report to the Hearing Board and District, to variance@sbcapcd.org, by March 14, 2025, or within 30 calendar days of achieving compliance, whichever occurs first. The report shall include the date the repairs were made, the date the equipment was returned to service, the date the tune-up was conducted, and the tune-up report.
3. Petitioner shall retain the obligation to comply with all other local, state, and federal regulations not specifically referenced in this Order.
4. Failure to abide by all conditions of this Order shall subject the Petitioner receiving the Variance to penalties set forth in Health and Safety Code section 42402.
5. In accordance with District Fees Rule 210, the Petitioner shall pay excess emission fees for each additional ton of pollutant emissions or portion thereof allowed as the result of the issuance of this Variance.
6. Each day during any portion of which a violation occurs is a separate offense.
7. The Environmental Protection Agency does not recognize California's Variance Program; therefore, this Variance does not protect the Petitioner from Federal Enforcement actions.

DATED: 11/26/2024

Terence E. Dressler
Terence E. Dressler (Nov 26, 2024 15:37 PST)

Terence Dressler
Santa Barbara County Air Pollution Control District
Hearing Board