

 <div>air pollution control district SANTA BARBARA COUNTY</div>	Case No / Date	2024-15-E	11/26/2024
	Petitioner	Anishan Services Inc., DBA Anita's VP Racing	
	Permit #	15346	
	Date Rec'd	11/19/2024	
	Time Rec'd	1432 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)
Anishan Services Inc. (DBA Anita's)
VP Racing) for an Emergency)
Variance from District Rules 316.C.2,)
C.3, and G and 206, Permit to)
Operate 15346, Conditions 2, 4, 6 and)
8.)

H.B. Case No. 2024-15-E

VARIANCE FINDINGS

AND ORDER

Anishan Services Inc., DBA Anita's VP Racing (Petitioner) filed a Petition for an Emergency Variance on November 19, 2024. A hearing of the above-entitled matter was held on November 26, 2024. Tom Prichard represented the Petitioner, Aimee Long represented the Santa Barbara County Air Pollution Control District (District), and Terence Dressler represented the Hearing Board for this Emergency 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 42359.5, "good cause" exists for the granting of Petitioner's request for an Emergency 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 operates the equipment described in the Petition at 1611 S. Broadway in Santa Maria, California.
2. The Petitioner operates a gasoline dispensing facility (GDF) which consists of three 10,000-gallon underground storage tanks, four dispensers, eight nozzles and associated vapor recovery equipment.
3. The above equipment is required to operate as certified by the California Air Resources Board (CARB) pursuant to section 41954 of the California Health and Safety Code.
4. To ensure the equipment is operating as certified by CARB the equipment must undergo vapor recovery testing; passing results must be achieved. These requirements are specified in the facility's permit to operate and District Rule 316.
5. As part of the certified vapor recovery equipment, the facility is equipped with a Healy Clean Air Separator (CAS). The CAS prevents excess emissions and product loss by controlling gasoline storage tank pressure. The unit works in combination with the nozzles as part of a system that increases the overall performance and efficiency.
6. The CAS undergoes annual vapor recovery testing to quantify the vapor tightness of the CAS pressure management system installed as part of a gasoline dispensing facility, as identified in Exhibit 4, Static Pressure Performance of the Healy Clean Air Separator test procedures.
7. On November 19, 2024, there was an initial vapor recovery test failure on Exhibit 4, the static pressure performance of the Healy CAS.
8. The Petitioner isolated the CAS to prevent breathing losses from the CAS. Instead, any breathing losses will be routed and vented through the PV cap when the pressure exceeds the equipment rating.
9. According to the Petitioner, the initial test failure on Exhibit 4, the static pressure performance of the Healy CAS, is due to a failure on the internal bladder of the CAS. Until the repairs can be made, the Petitioner is requesting continued operation of the gas station. As a result, the Petitioner is seeking variance coverage.

FINDINGS

1. Without Variance coverage, the Petitioner will be in violation of District Rules 316.C.2, C.3 and G and 206, Permit to Operate 15346, Conditions 2, 4, 6, and 8.
2. During the period the Variance is in effect, the Petitioner will reduce emissions by informing the delivery drivers of the situation and requesting they take appropriate action during fuel deliveries.
3. The Petitioner's service station contractor, Paradise Services, will monitor this situation until the equipment is repaired.
4. If, due to reasons beyond the control of the Petitioner, compliance cannot be achieved during this Variance period, additional relief will be sought.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That an Emergency Variance be granted for continued operation of the gasoline dispensing facility without properly operating vapor recovery equipment in violation of District Rules 316.C.2, C.3 and G and 206, Permit to Operate 15346, Conditions 2, 4, 6, and 8 from November 19, 2024, through December 18, 2024, or the date compliance is achieved, whichever occurs first, with the following conditions:

1. Petitioner shall submit a written report to the Hearing Board and District, to variance@sbcapcd.org, by January 10, 2024. The report shall include gasoline tank level at the beginning and end of variance coverage (in gallons), daily gasoline tank volume (in gallons) for each day during the variance period, description and documentation of repairs made, and results of vapor recovery testing.
2. Petitioner shall retain the obligation to comply with all other local, state, and federal regulations not specifically referenced in the Order.
3. 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.
4. 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.
5. Each day during any portion of which a violation occurs is a separate offense.

DATED: 11/26/2024

Terence E. Dressler
Terence E. Dressler (Nov 26, 2024 15:39 PST)

Terence Dressler
Santa Barbara County Air Pollution Control District
Hearing Board