

FILED

MAR 25 2004

HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BEFORE THE HEARING BOARD
OF THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA

MARY ROMAIDIS
CLERK
HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

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In the matter of the Application of)
)
VALERO REFINING COMPANY -)
CALIFORNIA)
)
For a Variance from Regulation 2, Rule 6,)
Section 307; Regulation 2, Rule 1, Section)
307; Manual of Procedures, Vol. II, Part 3,)
§4.11; and Standard Condition 1.B.2 of the)
Benicia Asphalt Plant's Major Facility)
Review Permit (Insofar as the Foregoing are)
Applicable to Specified Conditions of the)
Benicia Asphalt Plant's Major Facility)
Review Permit))
_____)

No. 3445

ORDER FOR DISMISSAL

The above-entitled matter, being an Application for Variance from Regulation 2, Rule 6, Section 307; Regulation 2, Rule 1, Section 307; Manual of Procedures, Vol. II, Part 3, §4.11; and Standard Condition 1.B.2 of the Benicia Asphalt Plant's Major Facility Review Permit (Insofar as the Foregoing are Applicable to Specified Conditions of the Benicia Asphalt Plant's Major Facility Review Permit), having been filed on December 2, 2003; Notice of Hearing having been filed on December 3, 2003; Application for Intervention from Our Children's Earth (OCE) having been filed on December 22, 2003; Opposition to Application for Intervention having been filed by Applicant on January 16, 2004; Reply in Support of OCE's Application for Intervention having been filed on January 27, 2004; Hearing Board discussions considering request for Application for Intervention and Formal Request for Fee Waiver having been conducted on January 29, 2004; Order Denying Intervention and Request for Fee Waiver having been filed on February 17, 2004; the matter having come on for a pro forma hearing on February 26, 2004; and Applicant's Request

ARB

1 for Withdrawal of Application for Variance having been filed on March 11, 2004;

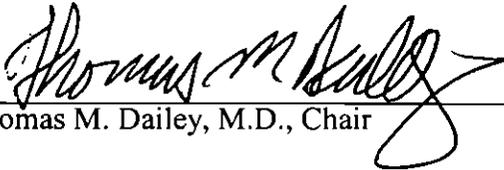
2 FOR GOOD CAUSE, in accordance with Section 5.7 of the Hearing Board Rules, the
3 HEARING BOARD ORDERS that the Application be and is hereby dismissed.

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Thomas M. Dailey, M.D., Chair

3-25-04
Date

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