

FILED

OCT 04 2016

HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

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

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In the Matter of the Application of)	
)	
CHEVRON PRODUCTS CO.)	No. 3687
)	
For Emergency Variance from Regulation)	ORDER GRANTING
8, Rule 5, Sections 304, 321.1, 321.3, 322.1,)	EMERGENCY VARIANCE
322.3, and 322.5.)	
)	

The above-entitled matter, being an Application for Emergency Variance (EV) from the provisions of Regulation 8, Rule 5, Sections 304 (Requirements for External Floating Roof Tanks), 321.1 (Primary seal requirements—holes, tears, or other openings), 321.3 (Metallic-shoe-type seal requirement), 322.1 (Secondary seal requirements—holes, tears, or other openings), 322.3 (Secondary seal requirements-maximum gap), and 322.5 (Secondary seal requirements—seal gap requirements), was filed on April 11, 2016 after initial contact by telephone at 9:07 a.m. on April 8, 2016, and having been considered by the Hearing Board,

THE HEARING BOARD STATES as the reasons for its decision and FINDS as to those matters in which findings are required:

A. Applicant filed an application under the EV procedures, Hearing Board Rules, Section 2.5. Pursuant to Health and Safety Code Sections 42359 and 42359.5, and the Hearing Board determined that this Application properly could be ruled upon without notice and hearing. Prior to making this determination, and in accordance with Hearing Board Rules Section 2.5.d.2, the Hearing Board requested and received a response to this Application from the Executive Officer/Air Pollution Control Officer for the Bay Area Air Quality Management District (Air District).

B. Applicant operates a Title V refinery that refines crude oil and intermediates for gasoline and diesel fuel located at 841 Chevron Way, Richmond, CA 94801.

1 C. Applicant, on April 6, 2016, discovered a portion of the primary and secondary rim
2 seals on external floating roof tank T-3197, which contained naphtha, were damaged. There was
3 no indication of rim seal problems at the last inspection of T-3197 and the tank has a regular
4 inspection schedule. Once damage to the seals was discovered, Applicant acted promptly to stop
5 product from entering or leaving the tank, informed the Air District of the problem, and injected
6 construction foam to suppress excess VOC emissions from the damaged section of the tank and will
7 use fire foam to reduce excess VOC emissions during decommissioning.

8 D. Applicant requested a variance period of April 8, 2016, at 9:00 a.m., to April 18,
9 2016, (10 days) and estimates the following excess emissions during that period:

10 Hydrocarbon 10 lbs/day

11 E. There would be no corresponding benefit in reducing air contaminants at the
12 Applicants estimate of 10 lbs./day of excess VOC emissions.

13 F. The Applicant meets the good cause standard for issuance of an EV based on
14 Findings C through E.

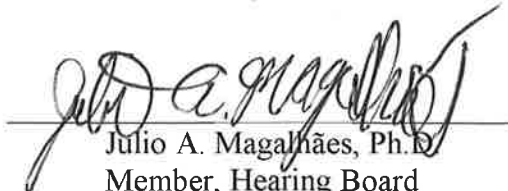
15 **THEREFORE, THE HEARING BOARD ORDERS:**

16 An Emergency Variance from Regulation 8, Rule 5, Sections 304, 321.1, 321.3, 322.1,
17 322.3, and 322.5, be and is hereby granted from April 8, 2016 at 9:00 a.m. to the earlier of 11:59
18 p.m. on April 24, 2016 or date when tank is successfully brought out of service, subject to the
19 following conditions:

- 20 1. Applicant will pay excess emission fees based on 10 pounds/day x number of days out
21 of compliance.
22 2. Applicant will promptly inform District when tank is out of service.
23 3. Applicant will promptly inform District when cause of this incident has been
24 determined.

25
26 DATE:

April 22, 2016


Julio A. Magalhães, Ph.D.
Member, Hearing Board

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HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

In the Matter of the Application of)

CHEVRON PRODUCTS CO)

For Emergency Variance from Regulation 8,)
Rule 5, Sections 304, 321.1, 321.3, 322.1,)
322.3, and 322.5.)

NO. 3687

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)

City and County of San Francisco)

ss.

I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:

That I am a citizen of the United States, over the age of eighteen years and not a party to the above entitled action; that I served a true copy of the attached Order Granting Emergency Variance on:

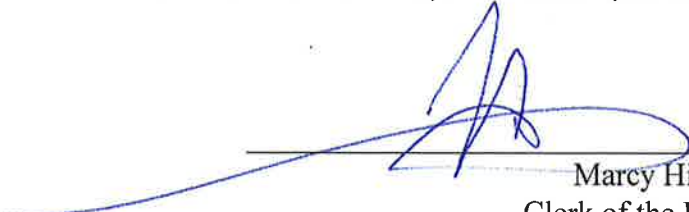
Christopher H. Norton
Attorney
Latham & Watkins LLP
650 Town Center Drive, 20th Fl.
Costa Mesa, CA 92626-1925

by depositing same in the United States first class mail on October 4, 2016; and on

Brian C. Bunger
District Counsel
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

by hand-delivery deposit of same in the in-box of the District Counsel's office, on October 4, 2016.

DATED: October 4, 2016



Marcy Hiratzka
Clerk of the Boards