

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

In the Matter of the

AIR POLLUTION CONTROL OFFICER of  
the BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

Complainant,

vs.

VALERO REFINING COMPANY –  
CALIFORNIA

Respondent.

Docket No.: 3743

NOTICE OF HEARING



**TO: Air Pollution Control Officer of the Bay Area Air Quality Management District**

**AND**

**VALERO REFINING COMPANY - CALIFORNIA**

**YOU ARE HEREBY NOTIFIED** that a hearing will be held before the Hearing Board of the  
Bay Area Air Quality Management District ("District") **at 375 Beale Street, 1<sup>st</sup> Floor Board  
Room, San Francisco, California, 94105, at the hour of 9:30 A.M. on**

**TUESDAY, OCTOBER 24, 2023**

upon the issues raised in the Accusation of Violation of Regulation 8-28, filed on August 10, 2023.

The Hearing Board members are required to attend in person, but the parties and members of the  
public may participate in/observe the hearing through the live webcast of the hearing or via phone  
(669) 900-6833. Interested members of the public will be allowed an opportunity to testify on this  
matter. The file may be reviewed by contacting the Clerk of the Boards, Marcy Hiratzka, at  
415.749.5073, or [mhiratzka@baaqmd.gov](mailto:mhiratzka@baaqmd.gov). The above hearing date and time may be changed without  
further published notice. Those participating by phone who would like to make a comment can use  
the "raise hand" feature by dialing "\*9". To receive the full Zoom experience, please make sure your  
application is up to date. Individuals representing the parties will receive special links to the  
hearing at a later date, if they wish to participate via Zoom.

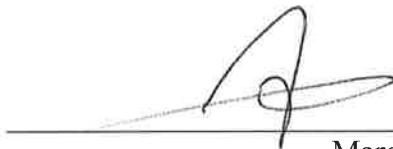
1 You may be, but need not be, represented by counsel. You may present any relevant evidence  
2 and will be given full opportunity to cross-examine all testifying witnesses. You are entitled to the  
3 issuance of subpoenas to compel the attendance of witnesses and the production of books, documents,  
4 and other things by applying to the Clerk of the Boards.

5 The proceeding of the hearing will be electronically recorded, copies of which will be made  
6 available to the parties upon request and payment of records duplication fees. Should either party  
7 desire the services of a court reporter, with the cost to be borne by the requesting party, please contact  
8 the Clerk of the Boards as soon as possible and, in any event, no later than forty-eight (48) hours prior  
9 to the date of the hearings.

10 **If either party determines that a continuance of the hearing is necessary, a written**  
11 **request, including specific reasons for the request, should be made to the Clerk of the Boards**  
12 **at least seventy-two (72) hours prior to the hearing date, pursuant to Hearing Board Rules §**  
13 **6.16.**

14 The hearing will be conducted in accordance with the Hearing Board Rules to the extent  
15 feasible, available via the District website at [http://www.baaqmd.gov/about-the-air-district/hearing-](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms)  
16 [board/rulesforms](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms), or by contacting the Clerk of the Boards at 415.749.5073.

17  
18 DATED: August 28, 2023

19   
20 \_\_\_\_\_  
21 Marcy Hiratzka  
22 Clerk of the Boards

23 Facility Location:

24 3400 East Second Street, Benicia, CA (Contra Costa County)  
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In the Matter of the )  
)  
AIR POLLUTION CONTROL OFFICER of the )  
BAY AREA AIR QUALITY MANAGEMENT )  
DISTRICT )  
)  
Complainant, )  
)  
)  
vs. )  
)  
)  
VALERO REFINING COMPANY- )  
CALIFORNIA )  
)  
)  
Respondent. )

Docket No.: 3743

CERTIFICATE OF SERVICE

FILED

AUG 2

HEARD  
BAY AREA  
MANAGEMENT

**AUG 28 2023**

**HEARING BOARD  
BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**

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 **Notice of Hearing** on:

<p>Parker Wilson, VP of Regulatory Law  The Valero Companies  One Valero Way  San Antonio, TX, 78249  <u><a href="mailto:Parker.wilson@valero.com">Parker.wilson@valero.com</a></u></p>	<p>Rachel Comesky, Counsel  The Valero Companies  One Valero Way  San Antonio, TX, 78249  <u><a href="mailto:rachel.comesky@valero.com">rachel.comesky@valero.com</a></u></p>
<p>Julie Cress, Esq.  Counsel for Valero Refining Co.- CA  Baker Botts LLP  101 California Street, Suite 3200  San Francisco, CA 94111  <u><a href="mailto:Julie.cress@bakerbotts.com">Julie.cress@bakerbotts.com</a></u></p>	

Somerset Perry, Esq., Assistant Counsel  
Bay Area Air Quality Management District  
375 Beale Street, 6<sup>th</sup> Floor  
San Francisco, California 94105  
[sperry@baaqmd.gov](mailto:sperry@baaqmd.gov)

DATED: August 28, 2023

CERTIFICATE OF SERVICE  
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