

EXHIBIT 9

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Torrance Refining Company LLC

BEFORE THE HEARING BOARD
OF THE
SOUTH COAST AIR QUALITY MANAGE-7
MENT DISTRICT

In the Matter of

TORRANCE REFINING COMPANY, LLC
(Facility ID No. 181667)

Petitioner,

Case No. 6060-20

**DECLARATION OF CRAIG
SAKAMOTO IN SUPPORT OF
TORRANCE REFINING COMPANY'S
PETITION FOR MODIFICATION OF
SHORT VARIANCE AND
ALTERNATIVE OPERATING
CONDITIONS**

Hearing Date: March 14, 2024
Time: Consent Calendar

I, Craig Sakamoto, hereby declare:

1. I am the Environmental Manager for Torrance Refining Company, LLC's ("TORC") Torrance, California petroleum refinery, located at 3700 West 190th Street, Torrance, California 90504 (the "Refinery"). I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto under oath.
2. I am familiar with the contents of the Petition for Modification of an Existing Variance and Alternative Operating Condition ("AOC") ("collectively, "Modification Petitions")

filed by TORC in Case No. 6060-20 on February 2, 2024. Those Petitions and their supporting Exhibits are incorporated herein by reference.

3. This Declaration is submitted pursuant to District Hearing Board (“Board”) Rule 4 in support of TORC’s Modification Petitions, and for its consideration on the Board’s Consent Calendar.

4. TORC owns and operates the Refinery, which is in the business of petroleum refining. Key processes at the Refinery include cracking of heavy petroleum hydrocarbons in the Refinery’s FCCU, processing and treatment of crude oil feed in the Crude Unit, on-site production of hydrogen utilized in refining, storage and loading of gasoline and other finished petroleum products, and operation of numerous air pollution control systems.

5. As reflected in the Modification Petitions, TORC was forced to seek a Variance and AOC in this matter because an unexpected shutdown of CO Boiler 2F-3 (Device ID No. C164) at the Refinery, following state-mandated maintenance, prevented TORC from timely conducting a source test of the FCCU as required by District Rule 1105.1.

6. District Rule 1105.1(e)(2)(A) requires the operator of any FCCU to conduct annual compliance source testing for PM10 and ammonia emissions. Under District Rule 1105.1(e)(2)(A), such testing must occur between nine and 12 calendar months from the completion of the prior FCCU source test. The Refinery’s last Rule 1105.1 source test for the FCCU occurred on September 14, 2022, confirmed the FCCU’s compliance with all applicable PM and ammonia limits, and required the next FCCU source test under Rule 1105.1 to occur by September 2023.

7. Refinery personnel met with Montrose representatives in April 2023 and scheduled the FCCU source testing for the week of August 28, 2023, which was the earliest available date before the scheduled FCCU turnaround work that was the subject of Case No. 6060-18.

8. Because of the sudden shutdown of Compressor 4K-1 in Air Products’ No. 1 Hydrogen Plant on August 30, 2023, and unexpected mechanical issues with the Boiler’s outlet

guillotines in December 2023, TORC applied for and received variance relief from the Hearing Board ultimately extending the FCCU source testing deadline to accommodate Montrose's next soonest available testing dates. The Hearing Board granted this relief by issuing an initial emergency variance (effective December 19, 2023) and a later short variance (effective January 11, 2024), resetting the FCCU source testing deadline to February 14, 2024 and extending the final compliance date of the variance to March 18, 2024. A copy of the minute order reflecting those facts is attached hereto as Exhibit 5.

9. As discussed in the Modification Petitions, the Refinery took all steps necessary after the issuance of the Variance and AOC to have the FCCU and associated equipment ready for the rescheduled February 13-14, 2024 source test.

10. However, beginning on January 13, 2024, the Compressor 8K-1 (Device ID No. D525) turbine started demonstrating unexplained deterioration in axial thrust, thrust bearing temperature, and was producing less than demanded speed. These factors threatened to progress to levels that would trigger automatic compressor shutdown. Compressor 8K-1 is one of two compressors that support operation of the FCCU and must be operating at normal performance levels to allow the FCCU to maintain adequate FCCU feed rates (84 kbd) to run the Rule 1105.1 source test. Without Compressor 8K-1 available at full capacity, the Refinery is only able to maintain roughly 68-70 kbd feed rate in the FCCU, which is below the minimum FCCU feed rate for the source test (84 kpd).

11. As reflected in the Modification Petitions, TORC immediately began troubleshooting the Compressor 8K-1 issues, and took a number of corrective actions to attempt to bring the FCCU throughput to a level that would potentially allow the source testing to proceed as scheduled. Unfortunately, these actions were unsuccessful in restoring adequate operation to Compressor 8K-1, requiring TORC on January 31, 2024 to send the Compressor 8K-1 turbine to the GE subcontractor offsite facility for an overhaul to correct the issue and allow return of the Compressor to full operation.

12. The GE subcontractor informed TORC that overhaul and repair of the turbine, and its return to the Refinery, would take at least until March 1, 2024. TORC estimated that reinstallation of the repaired turbine into Compressor 8K-1 will likely take an additional six to seven days once received back from the repair shop.

13. In the meantime, TORC had been in discussions with Montrose about the first available date to reschedule the source test. Montrose advised that the earliest available date for them to reschedule the FCCU source testing was the week of April 29, 2024. For this reason, TORC determined that it could not meet the February 14, 2024, source test deadline in Condition 1 of the original Variance and AOC conditions, and anticipated that final compliance would not be achievable by March 18, 2024 given the need to both run the source test and send the results to a lab for processing. Thus, TORC filed its Modification Petition seeking a modification of the Variance and AOC Condition 1 to change the Rule 1105.1 source test deadline and the date of final compliance to June 30, 2024, in an attempt to provide some margin for error and to avoid having to return to the Board for further relief if there are minor delays in completing the rescheduled source test due to issues with the equipment or with Montrose's availability.

14. On February 21, 2024, the Hearing Board considered and granted a modification of Condition 1 of the existing variance to extend the FCCU source test deadline to the week of April 29, 2024. *See* Minute Order, Exhibit 8. TORC's second modification request – *i.e.*, to extend the final date of compliance for the variance and AOC – required additional public notice and is scheduled to be heard by the Hearing Board on March 14.

15. As noted in my declaration for the February 21 hearing, TORC has continued to do substantial due diligence seeking a vendor available to conduct the source testing on an earlier date, and was successful in getting a commitment from one vendor to conduct a source test date during the first week of April 2024. TORC has scheduled the company to come to the Refinery to complete the source testing that week, and now is pleased to report that final compliance – including submittal of the source test report to the District – is now anticipated by the week of **April 29, 2024** rather than the original estimated completion date of June 30, 2024.

Accordingly, TORC has amended its Modification request to **seek an extension of final compliance only to the week of April 29, 2024.**

16. As TORC noted in the Modification Petitions, no excess emissions have occurred or are anticipated during the Variance and AOC periods; the request is simply for additional time to achieve final compliance and does not involve any violation of an emission standard or limit. While the FCCU continues operating during the Variance and AOC period, its emissions have been controlled in compliance with the permit and District rules by the 2C-25 Third Stage Separator Cyclone (Device No. C1590) (“TSS”); 2C-26-CY Fourth Stage Separator Cyclone (Device ID No. C2314) (“FSS”); 2D-1 electrostatic precipitator (“ESP”) (Device ID No. C166); 2D-2 ESP (Device ID No. C165); 2D-17 ESP (Device ID No. C2283); 2D-18 ESP (Device ID No. C2284); and the selective catalytic reduction (“SCR”) System (Device ID No. C1772). TORC also has continued its usual monitoring of emissions using its permitted CEMS and other monitoring devices.

17. TORC intends to achieve compliance by continuing to take all actions necessary to ensure that the FCCU is in full operation and ready for the rescheduled April source testing.

18. Denial of the Modification Petitions would cause irreparable harm to TORC and to California’s citizens, with no corresponding benefit in emissions reduction. If the Modification Petitions are not granted to extend the final compliance date to April 29, 2024 to allow TORC to complete the rescheduled source test and submit the test report to the District, TORC’s only alternative to try and maintain strict compliance would be to shut down the FCCU, which is the key unit responsible for production of refined petroleum products from the Refinery. If the FCCU is shut down, TORC would have no choice but to shut down the remainder of the Refinery, which relies on the operation of the FCCU. Such a Refinery shutdown would cause the loss of business and goodwill, likely cause breach of the Refinery’s contracts, and upset the local and regional petroleum supply market. Denial of the Modification Petitions also would prevent TORC from conducting the source testing required by Rule 1105.1 and its permit, which is critical to confirming PM and ammonia emissions from the FCCU.

19. None of these impacts of denying the Modification Petitions would result in any avoidance of excess emissions to the air; indeed, forced shutdown of the FCCU likely would cause excess emissions in the form of flaring, but no excess emissions at all are expected if the variance is granted and the FCCU can continue in its usual emission-controlled operation until the source test can be conducted.

20. Operation under the requested relief in the Modification Petitions is not expected to result in a violation of Health and Safety Code 41700 or any other applicable emissions limits.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 8th day of March 2024, in the County of Los Angeles, State of California.



Craig Sakamoto