

1 LATHAM & WATKINS LLP
2 Christopher H. Norton (Bar No. 180173)
3 650 Town Center Drive, 20th Floor
4 Costa Mesa, CA 92626-1925
5 Telephone: +1.714.755.8084
6 Facsimile: +1.714.755.8290
7 E-mail: chris.norton@lw.com

8 Attorneys for Petitioner
9 Phillips 66 Company

10
11 **BEFORE THE HEARING BOARD OF THE**
12 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

13 In the Matter of

14 PHILLIPS 66 COMPANY,

15 [Facility I.D. No. 171109]

16 Petitioner,

17 vs.

18 SOUTH COAST AIR QUALITY
19 MANAGEMENT DISTRICT,

20 Respondent.

Case No. 4900-115

**JOINT STIPULATION TO PLACE
MATTER ON CONSENT CALENDAR**

Date: December 6, 2022
Time: Consent Calendar

21 We, the undersigned parties, hereby agree and stipulate as follows:

22 1. The Petitioner and Respondent agree to have this matter placed on the South
23 Coast Air Quality Management District Hearing Board (“Hearing Board”) Consent Calendar on
24 Tuesday, December 6, 2022.

25 2. The Petitioner seeks a short variance from District Rules 203(b), 2004(f)(1), and
26 3002(c)(1) [for Section D, Permit Condition Nos. S13.1 and E136.1, and for Section E,
27 Administrative Condition No. 2] and 1158(d)(2) as presented in the attached Proposed Order.
28

1 3. The parties agree to have the Declaration of Lisa Faichney, Environmental
2 Specialist for the Petitioner, admitted into evidence regarding this matter.

3 4. The parties have agreed on a set of Proposed Findings and Decision and a
4 Proposed Order (which includes proposed conditions) that are attached.

5 5. The parties request the Hearing Board to decide this matter based upon the
6 documents submitted by the parties.

7 6. Respondent does not oppose the Petitioner's request for the granting of a variance
8 for the Petitioner.

9 7. The variance sought by the Petitioner is not expected to result in a violation of
10 Health and Safety Code Section 41700.

11 **SO STIPULATED**

12 **FOR PETITIONER:**

13 **REVIEWED AND APPROVED BY:**

14 Dated: November 28, 2022

15
16 By: Christopher H. Norton

17 Christopher H. Norton, Esq.
18 Latham & Watkins LLP
Attorney for Petitioner

19 **FOR RESPONDENT:**

20 Dated: November 28, 2022

21
22 By: Sheri Han Zavareh
23 Sheri Han Zavareh, Esq.
24 Principal Deputy District Counsel
South Coast Air Quality Management District