1	BEFORE THE HEARING BOARD OF THE					
2	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT					
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4						
5	In the Matter of	Case No. 3014-23				
6	The Termo Company		STIPULATION TO PLACE PETITION FOR SHORT VARIANCE ON CONSENT			
7	[Facility I.D. No. 083508]	CALENDAR				
8	Petitioner,	Hearing Date:	April 22, 2025			
9	V.	Time: Place:	9:30 a.m. South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765			
10	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT.					
11	Respondent.					
12						
13						
14	We, the undersigned parties, hereby agree and stipulate as follows:					
15	1. This matter may be placed on the Hearing Board's Consent Calendar for Tuesday					
16	April 22, 2025, pursuant to District Hearing Board Rule 4(a)(4).					
17	2. The Petitioner seeks a Short Variance from District Rules 203(b), 3002(c)(1),					
18	463(d)(3), 1148.1(d)(8), and 1173(m)(1) and Permit Conditions H23.2, H23.1, E193.1, and E193.2					
19	as applicable to Device Nos. D4, D5, D44, D10, D14, D11, D60, D61, D62, D8, D49, and D18-22.					
20	With no gas sales capacity, VOC or methane emissions may be released to the atmosphere from the					
21	tanks normally under vapor recovery if pressures within the tanks and pipelines exceed the vent					
22	setpoints. This would be beyond Petitioner's control, as the inability to control gas would directly					
23	impact Petitioner's compliance with the applicable District Rule(s). This short variance is to					
24	provide relief from the above-mentioned District Rules and Permit Conditions during the planned					
25	SoCalGas maintenance.					
26	3. The Petitioner does not anticipate the variance will result in a violation of the Health					
27	& Safety Code (H&S) Code Section 41700 (nuisance), or South Coast AQMD Rule 402 (nuisance)					
28						
	The Termo Company - [Facility ID No. 083508] Stipulation to Place Matter on Consent Calendar					

1	4.	4. The Declaration of Ralph Combs (filed concurrently as Exhibit 1 to this Stipulation)			
2	is submitted to the Hearing Board in support of Petitioner's request Short Variance relief.				
3	5. The parties have agreed on a (Proposed) Findings and Decision Order (filed				
4	concurrently as Exhibit 2 with this Stipulation).				
5	6. The parties hereby request that the Hearing Board decide the matter based on this				
6	Stipulation, Declarations, Findings and Decision, and other documents submitted by the parties.				
7	7. Operation under the proposed Order is not expected to result in a violation of Health				
8	and Safety Code Section 41700 (nuisance).				
9	8. Based on all the evidence in this case, the District does not oppose consideration of				
10	the variance on the Consent Calendar for April 22, 2025, or as soon thereafter as the matter may be				
11	heard.				
12	SO STIPULATED				
13	Dated: April 22, 2025 FOR PETITIONER				
14					
15				Ang S. Walfe	
16			By:	Gregory S. Wolffe, CPP	
17				Principal Scientist Yorke Engineering, LLC	
18				Representing The Termo Company	
19					
20	Dated: April 2	22, 2025		FOR RESPONDENT SOUTH COAST AIR QUALITY	
21				MANAGEMENT/DISTRICT	
22					
23			By:	Sheri Manizavareh	
24				Principal Deputy District Counsel	
25 26				SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT	
26					
27					
28		The Termo Company	<u>-2-</u> / - [Fac	cility ID No. 083508]	
	Stipulation to Place Matter on Consent Calendar				