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7 South Coast Air Quality Management District

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

11
12 **In The Matter Of**

13 BETA OFFSHORE OPERATING, LLC
[Facility ID No. 166073],

14 Petitioner,

15 vs.

16 SOUTH COAST AIR QUALITY
17 MANAGEMENT DISTRICT,

18 Respondent.

Case No. 5855-7

STIPULATION TO PLACE MATTER ON
CONSENT CALENDAR

[Filed in support of Status Report and/or
Modification Hearing for a Regular Variance]

Date: July 18, 2024

Time: 9:30 am

Place: 21865 Copley Drive
Diamond Bar, CA 91765

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20 The parties, the South Coast Air Quality Management District (“South Coast AQMD”
21 or “Respondent”) and Beta Offshore Operating, LLC (“Beta Offshore” or “Petitioner”) do hereby
22 stipulate and agree as follows:

- 23 1. This matter may be placed on the Hearing Board’s Consent Calendar to be heard on
24 July 18, 2024;
- 25 2. The South Coast AQMD Hearing Board granted Petitioner a Regular Variance
26 from the provisions of South Coast AQMD Rules 203(b), 2004(f)(1) and 3002(c)(1) for the
27 specific permit conditions listed in the attached (Proposed) Order, as well as provisions of
28 Rules 1100, 1110.2, 1134, and 2012 as specified in the attached (Proposed) Order.

1 3. At a status/modification hearing held on April 23, 2024, the Hearing Board
2 granted limited calendar date extensions for Beta to complete retrofitting the three Centaur
3 Turbines (Condition 5, subparts a, b and c) and for retrofitting the fourth Rig Engine (Condition 12,
4 subpart d). The Hearing Board also clarified the breadth of the emergency exception to the limit in
5 Variance Condition 9 on operating more than two of the three Centaur Turbines at a given time.

6 4. Petitioner requests additional limited modifications to Conditions 5 (date
7 deadlines for retrofitting the first two Centaur Turbines), as set forth in the attached (Proposed)
8 Order.

9 5. Petitioner does not seek an extension of the variance, currently scheduled to
10 end no later than November 16, 2024 as set forth in the South Coast AQMD's Minute Order
11 for Case No. 5855-7.

12 6. The parties agree to incorporate herein the evidence and testimony received at
13 the related regular variance hearing held on December 7, 2023 and status/modification hearing
14 held on April 23, 2024 in Case No. 5855-7.

15 7. The Declaration of Jeff Ortloff may be submitted to the Hearing Board and entered
16 into evidence in support of the proposed Findings and Decision and Proposed Order.

17 8. The Declaration of Ivan Tether may be submitted to the Hearing Board and entered
18 into evidence in support of the proposed Findings and Decision and Proposed Order.

19 9. The parties request the Hearing Board to decide this matter based upon the
20 documents submitted by the parties, before the Hearing Board of the South Coast Air Quality
21 Management District; the Declaration of Jeff Ortloff, the Declaration of Ivan Tether, the Proposed
22 Findings, Decision and Order, and prior evidence and testimony before the Hearing Board.

23 10. The parties have agreed on the proposed Findings and Decision and Proposed
24 Order (filed concurrently with Stipulation) which have been submitted to the Hearing Board in
25 support of the Status Report and/or Modification Hearing for a Regular Variance.

26 11. The parties agree that the granting of the modification to the regular variance
27 under the Proposed Order is not expected to result in a violation of Health and Safety Code
28

1 Section 41700.

2 12. The South Coast AQMD does not oppose the Petitioner's request for the
3 granting of the modification to the regular variance for the Petitioner.

4 13. Based on all of the evidence in this case, the parties stipulate the Hearing Board
5 decide this matter on the Consent Calendar.

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7 **SO STIPULATED.**

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10 Dated: July 10, 2024

FOR PETITIONER

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Josephine Lee, Senior Deputy District Counsel
South Coast Air Quality Management District

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15 Dated: July 19, 2024

FOR RESPONDENT

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Ivan Tether, Attorney at Law
for Beta Offshore Operating, LLC

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