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8
9 **BEFORE THE HEARING BOARD OF THE**
10 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

11 **In The Matter Of**

12 BETA OFFSHORE OPERATING, LLC
13 [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: November 7, 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. At a status/modification hearing held on July 18, 2024, the Hearing Board granted
7 limited calendar date extensions for Beta to complete retrofitting two of the three Centaur Turbines
8 (Condition 5, subparts a and b).

9 5. Petitioner requests additional modifications to Condition 5 (date and duration
10 deadlines for retrofitting the third Centaur Turbine) and Condition 7 (source testing of the
11 Centaur Turbines, as well as removal of Rig Engine D83 from the Variance and extension of
12 the Final Compliance Date, as set forth in the attached (Proposed) Order.

13 6. The parties agree to incorporate herein the evidence and testimony received at the
14 related regular variance hearing held on December 7, 2023 and status/modification hearings
15 held on April 23, 2024 and July 18, 2024 in Case No. 5855-7.

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

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

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

25 10. The parties agree that the granting of the modification to the regular variance under
26 the Proposed Order is not expected to result in a violation of Health and Safety Code Section
27 41700.

1 11. The South Coast AQMD does not oppose the Petitioner's request for the granting
2 of the modifications, removal of Rig Engine D83 from the Variance, and extension of the final
3 compliance date to the regular variance for the Petitioner.

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

6
7 **SO STIPULATED.**

8
9 Dated: October 22, 2024

FOR PETITIONER

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

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14 Dated: October 23, 2024

FOR RESPONDENT

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