

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

In The Matter Of
EQUILON ENTERPRISES LLC dba SHELL
OIL PRODUCTS US
[Facility ID No. 800372]

Petitioner.

Case No. 4982-137
**DECLARATION OF CHRISTOPHER
SHERMAN IN SUPPORT OF PETITION
FOR SHORT VARIANCE**

Hearing Date: March 18, 2025
Time: 9:30 am
Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

I, Christopher Sherman, declare as follows:

1. I am of sufficient age and am competent to testify in this proceeding. I make this declaration based upon personal knowledge and am competent to testify to the facts set forth herein.
2. I am an Environmental Advisor for Shell. I provide guidance and manage environmental permits including air, water, and waste for assets in California. I provide advice to assist the Carson Terminal to comply with environmental regulations and permits.
3. I am familiar with Shell's Petition for Short Variance filed on February 26, 2025 in this case, including the District Rules involved in the petition.
4. Shell is petitioning for a short variance from District Rules 203(b), 2004(f)(1), and 3002(c)(1) to allow for an afterburner (C764) to be taken out of service for necessary maintenance. Shell intends to continue to control emissions during this period using a portable thermal oxidizer

1 operating pursuant to a Various Locations Permit issued by South Coast AQMD. Shell will resume
2 compliance when the afterburner is able to be placed back into service.

3 5. This declaration is submitted pursuant to Hearing Board Rule 4(a)(3) in support of
4 Shell's Petition for Short Variance filed on February 26, 2025.
5

6 **Background**

7 6. Shell operates the Carson Terminal, which is located at 20945 S. Wilmington
8 Avenue, Carson, California 90810, South Coast AQMD Facility ID No. 800372. The Carson
9 Terminal is a bulk storage and loading terminal. The facility receives bulk petroleum and chemical
10 products by pipeline and rail, stores these products onsite in bulk storage tanks, and transfers
11 products offsite via pipeline and tank truck. No petroleum product manufacturing occurs onsite.
12 To control emissions from storage tanks at the facility, Shell uses a permitted afterburner (C764) in
13 accordance with its Title V/RECLAIM permit.
14

15 7. Based on recommendations from the afterburner's (C764) Original Equipment
16 Manufacturer, John Zink, components of the afterburner are nearing the end of their design life and
17 require replacement and/or modification in order to keep the unit operating safely and reliably. To
18 perform this work, the afterburner must be shut down to allow for the safe retrofit of internal parts
19 of the unit. The afterburner is used to control vapors and comply with the applicable VOC
20 emission limits. Shell will rent a portable thermal oxidizer that operates under a Various Locations
21 Permit issued by the South Coast AQMD, which will operate in place of Shell's afterburner.
22

23 8. Maintenance of the afterburner (C764) is planned to commence on March 24, 2025.
24 During the period over which this maintenance occurs, Shell will be in violation of District Rules
25 203(b), 2004(f)(1), and 3002(c)(1) because it will be in violation of Condition E336.3 and the
26 "Connected To" column of Section D of its Title V/Reclaim Permit. These conditions require that
27 all vent gases from tanks D330 and D763 be vented to afterburner C764. Afterburner C764 will be
28

1 taken out of service for maintenance, and vent gases from tanks 7011 and/or 7012 (D330 and
2 D763) will be routed to a permitted portable thermal oxidizer.

3
4 **H&S Code, § 42352(a)(1). The Petitioner is, or will be, in violation of 41701 or of any rule,**
5 **regulation, or order of the District.**

6 9. Shell will be in violation of District Rules 203(b), 2004(f)(1), and 3002(c)(1) because
7 it will be in violation of Condition E336.3 and the "Connected To" column of Section D of its Title
8 V/Reclaim Permit. These conditions require that all vent gases from tanks D330 and D763 be vented
9 to afterburner C764. Afterburner C764 will be taken out of service for maintenance, and vent gases
10 from tanks 7011 and/or 7012 (D330 and D763) will be routed to a permitted portable thermal
11 oxidizer.
12

13 **H&S Code, § 42352(a)(2). Non-compliance is due to conditions beyond the reasonable**
14 **control of the Petitioner.**

15 10. Based on recommendations from the afterburner's Original Equipment Manufacturer
16 (OEM), John Zink, components of the afterburner are nearing the end of their design life and require
17 replacement and/or modification in order to keep the unit operating safely and reliably. To perform
18 this work, the afterburner must be shut down to allow for the safe retrofit of internal parts of the unit.
19 The afterburner is used to control vapors and comply with the applicable VOC emission limits. Shell
20 will rent a portable thermal oxidizer that operates under a Various Locations Permit issued by the
21 South Coast AQMD, which will operate in place of Shell's afterburner. Use of the portable thermal
22 oxidizer will violate Condition E336.3 and the "Connected To" column for the respective vapor
23 tanks and afterburner. However, use of the portable thermal oxidizer will not result in excess
24 emissions or the exceedance of applicable emission limits.
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1 **H&S Code, § 42352(a)(2). Requiring compliance would result in either (A) an arbitrary or**
2 **unreasonable taking of property, or (B) the practical closing and elimination of a lawful**
3 **business.**

4
5 11. Denial of the variance petition would require Shell to cease multiple facility
6 operations. This includes delivery of chemicals into storage tanks and loading of diesel, renewable
7 diesel, and biodiesel into tank trucks. In addition, the vapor tanks (D330 and D763) and the
8 afterburner (C764) receive and process vapors from the neighboring facility's, Univar's, operations.
9 Shell is contracted to process vapors from Univar's operations and failure to do so risks violating
10 contract terms between the two entities.

11 **H&S Code, § 42352(a)(3). The closing or taking would be without a corresponding benefit in**
12 **reducing air contaminants.**

13
14 12. Ceasing the above-described operations would result in a significant loss of chemical
15 and fuel supplies to the area and significant economic losses without any corresponding benefit in
16 reducing air contaminants, as use of a portable thermal oxidizer in lieu of the afterburner is expected
17 to result in no excess emissions.

18 **H&S Code, § 42352(a)(4). The Petitioner has given consideration to curtailing operations of**
19 **the source in lieu of obtaining a variance.**

20
21 13. Shutting the facility down to allow for maintenance of the afterburner or otherwise
22 curtailing operations would not mitigate all emissions, as storage tanks will continue to vent
23 breathing losses passively to vapor holding tanks 7011 (D330) and/or 7012 (D763). If a temporary
24 portable thermal oxidizer is not used, the vapor holding tanks will eventually overpressure and vent
25 to the atmosphere, causing excess emissions. Granting of this variance will allow Shell to continue
26 to control vapors within permitted limits, therefore ensuring the safety of workers onsite and the
27 general public, all while continuing operations.
28

1 **H&S Code, § 42352(a)(5). During the period the variance is in effect, the Petitioner will**
2 **reduce excess emissions to the maximum extent feasible.**

3 14. Usage of a portable thermal oxidizer ensures no excess emissions will be released
4 because the portable thermal oxidizer will achieve greater than the afterburner's required 99% control
5 efficiency. The portable thermal oxidizer, which operates under a Various Locations Permit issued
6 by the South Coast AQMD, is expected to meet the emission limits and control efficiency
7 requirements of Petitioner's Title V permit.

9 **H&S Code, § 42352(a)(6). During the period the variance is in effect, the Petitioner will**
10 **monitor or otherwise quantify emission levels from the source, if requested to do so by the**
11 **District, and report these emission levels to the District pursuant to a schedule established by**
12 **the District.**

13 15. Pursuant to the stipulated conditions between Shell and South Coast AQMD, Shell,
14 intends to conduct a performance test to determine the control efficiency of the portable thermal
15 oxidizer (Condition No. 4) and report the results of that performance test within forty-five (45) days
16 of completing the test (Condition No. 5).

18 **Rule 4. Operation under the order is not expected to result in a violation of Health and Safety**
19 **Code Section 41700.**

20 16. Use of the portable thermal oxidizer during the maintenance of the afterburner is not
21 expected to create a nuisance in violation of Health and Safety Code Section 41700 as the portable
22 thermal oxidizer is expected to control emissions at least as effectively as the currently-permitted
23 afterburner.

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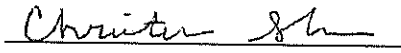
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to my personal knowledge.

Executed on this 12th day of March, 2025, in Carson, California.



Christopher Sherman
Environmental Advisor – Southern California
Trading and Supply Operations HSSE
Shell Pipeline Company LP
on behalf of Equilon Enterprises LLC dba
Shell Oil Products US