

1 OFFICE OF THE GENERAL COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
2 NICHOLAS A. SANCHEZ, SBN 207998
SENIOR DEPUTY DISTRICT COUNSEL
3 Email: nsanchez@aqmd.gov
21865 Copley Drive
4 Diamond Bar, California 91765-0940
TEL: 909.396.3400 • FAX: 909.396.2961

'15 DEC 10 P4:25

5 Attorneys for Petitioner
6 South Coast Air Quality Management District

7 ORIGINAL

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

10
11 In the Matter of

12 SOUTH COAST AIR QUALITY MANAGEMENT
13 DISTRICT,

14 Petitioner,

15 vs.

16 SOUTHERN CALIFORNIA GAS COMPANY,
ALISO CANYON STORAGE FACILITY,

17 [Facility ID No. 800128]

18 Respondent.

CASE NO. 137-76

PETITION FOR A CONTESTED ORDER
FOR ABATEMENT

Health and Safety Code § 41700 and
District Rule 402

Hearing Date: January 9, 2016
Time: To Be Determined
Place: To Be Determined

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20 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (hereinafter referred to as
21 "District" or "Petitioner") petitions the District Hearing Board for an Order for Abatement directed to
22 Respondent SOUTHERN CALIFORNIA GAS COMPANY (hereinafter referred to as "Respondent" or
23 "SoCal Gas"). The District alleges as follows:

24 1. Petitioner is a body corporate and politic established and existing pursuant to Health and
25 Safety Code §40000, *et seq.*, and §40400, *et seq.*, and is the sole and exclusive local agency with the
26 responsibility for comprehensive air pollution control in the South Coast Basin.

27 2. SoCal Gas is a public utility engaged in the transmission, storage and distribution of natural
28 gas in the Southern California area. SoCal Gas' Aliso Canyon Storage Facility is located at 12801 Tampa

1 Avenue, Northridge, California 91326 (the "Facility"). It is used to store natural gas in underground
2 reservoirs during periods when demand for gas is low and supplies are plentiful. When demand is high and
3 supplies are scarce, gas is then withdrawn from the Facility and distributed to customers.

4 3. **California Health and Safety Code ("H&S Code") Section 41700 and District Rule**
5 **402** prohibit the discharge from any source whatsoever of such quantities of air contaminants or other
6 material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or
7 to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or
8 which cause, or have a natural tendency to cause, injury or damage to business or property.

9 4. SoCal Gas' Facility is located within the District's jurisdiction and subject to the District's
10 regulations. In the course of operating the Facility, Respondent stores natural gas at Well SS-25 (the
11 "Well"). The Well extends 8,500 feet below the surface of the earth and is one of 115 storage wells at the
12 3,600-acre Facility. The Facility can hold 86 billion cubic feet of natural gas.

13 5. Beginning on or about October 23, 2015, and continuing through the present, the District
14 has received over 1,400 odor complaints alleging the SoCal Gas' Facility as the source.

15 6. The District issued Notice to Comply E-26893 to Respondent on or about November 5,
16 2015 requiring SoCal Gas to provide the following information:

- 17 a. On what date and how did SoCal Gas first become aware of the natural gas leak?
- 18 b. What steps have been taken to repair the affected well injection site and when each step
19 was taken, did it control/eliminate the release of natural gas into ambient air?
- 20 c. What specific recommendations have been made to SoCal Gas to control/eliminate
21 odors from the affected well injection site?
- 22 d. What recommendations have been to SoCal Gas in regards to the air monitoring plan(s)
23 for both onsite and community sampling?
- 24 e. What recommendations have been made by the State of California, Natural Resources
25 Agency, Department of Conservation Division of Oil, Gas and Geothermal Resources
26 or any other regulatory agencies in regards to controlling/eliminating the release of
27 natural gas from the affected injection well site?

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1 f. SoCal Gas is hereby required to safely and as soon as possible stop the release of natural
2 gas resulting from the affected well site and all of its associate appurtenances, so as to
3 prevent odors from natural gas and mercaptans being released impacting the nearby
4 communities. A true and correct copy of Notice to Comply E-26893 is attached hereto
5 as Exhibit A.

6 7. The District alleges that Respondent is in violation and has been in violation of H&S Code
7 Section 41700 and District Rule 402 since October 24, 2015. The District issued Notice of Violation P62646
8 to Respondent on or about November 23, 2015 for violation of H&S Code Section 41700 and District Rule
9 402. A true and correct copy of Notice of Violation P62646 is attached hereto as Exhibit B.

10 8. The District asserts Notice of Violation P62646 includes violations of SoCal Gas' creation
11 of a public nuisance by discharging odor emissions into nearby communities starting on October 24, 2015,
12 and continuing through the present, until SoCal Gas achieves compliance by operating their Facility without
13 creating a public nuisance.

14 9. The District alleges that Respondent is unable to conduct operations at the Facility without
15 being in violation of H&S Code Section 41700 and District Rule 402. SoCal Gas has been unable to stop
16 discharging air pollutant releases impacting the nearby communities and has stated publicly that it will take
17 at least three months to mitigate the situation.

18 10. The Order set forth hereinafter is likely to mitigate the conditions contributing to the
19 nuisance and further compliance with SCAQMD rules and regulations. The Order is intended to help reduce
20 air emissions impacts to the nearby communities and implement adequate steps to remedy the situation.

21 11. Respondent notified the District on December 3, 2015, pursuant to District Rule 1148.2, of
22 their commencement of drilling a relief well at the Facility on December 4, 2015. Respondent has informed
23 the District they intend to drill a second relief well, but is yet to provide the date of drilling.

24 12. The District, by this Petition, seeks an Order for Abatement to impose certain conditions
25 on Respondent's operation of its Facility. The District believes that such conditions will bring Respondent's
26 operation in compliance with the District's rules.

27 13. It is not unreasonable to require Respondent to comply with District rules and regulations.

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1 14. The issuance of an Order for Abatement upon a fully noticed hearing would not constitute
2 a taking of property without due process of law.

3 15. This Order for Abatement is not intended to be nor does it act as a variance.

4 16. It is the District's intention to file Proposed Findings and Decision a few days in advance
5 of the hearing.

6 WHEREFORE, the District prays for an Order for Abatement as follows:

7 1. That this Hearing Board issue an Order for Abatement requiring Respondent to cease and
8 desist from operating its Facility in a manner which violates H&S Code Section 41700 and District Rule
9 402, or, in the alternative, to comply with increments of progress and conditions as the Hearing Board deems
10 appropriate.

11 2. For such other and further relief that this Hearing Board deems just and proper.

12 Dated: December 10, 2015

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
OFFICE OF THE GENERAL COUNSEL
Nicholas A. Sanchez, Senior Deputy District Counsel

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By: 
Nicholas A. Sanchez
Attorney for Petitioner

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EXHIBIT A



South Coast Air Quality Management District
21865 COPLEY DR., P.O. Box 4941, DIAMOND BAR, CA 91765-0941

11/15/15
DATE OF INSPECTION

NOTICE TO COMPLY

Facility Name: So Cal Gas Co	Facility ID: 800128	County: VC
Location Address: 12801 Tampa Ave	City: Northridge	Zip: 91326
Mailing Address: 12801 Tampa Ave	City: Northridge	Zip: 91326

This Notice to Comply is being issued to:

Request additional information needed to determine compliance with clean air requirements.

Correct a minor violation found during an inspection.

Failure to respond or take corrective action, or providing false statements in response to this Notice to Comply can lead to issuance of a Notice of Violation pursuant to the California Health and Safety Code. The facility cited above is subject to re-inspection at any time to ensure compliance.

YOU ARE HEREBY DIRECTED TO COMPLY WITH:

#	AQMD RULE / CALH&S CODE	REQUIREMENT	COMPLIANCE DUE DATE	COMPLIANCE ACHIEVED DATE
1	California Health & Safety Code 42303	On what date and how did Southern California Gas Co first become aware of the natural gas leak occurring at the Aliso Canyon natural gas storage site?	11/10/15	
2		What steps have been taken to repair the affected well injection site and when each step was taken so as to control/eliminate the release of natural gas into ambient air?		
3		What specific recommendations have been made by Borel and Gais Services/Halliburton consultant to Southern California Gas Co to control/eliminate gases from the affected well injection site?		
4		What recommendations have been made by Southern California Gas Co third party contractor(s) in regards to the air monitoring plan(s) for both on-site and community sampling?		
5		What recommendations have been made by DOGGR or any other regulatory agencies in regards to controlling/eliminating the release of natural gas from the affected injection well site?		
6		Southern California Gas Co. is hereby also required to safely and as soon as possible stop the release of natural gas resulting from the affected well site and all of its associated appurtenances so as to prevent additional natural gas and mercaptan from being released into the atmosphere.	11/6/15	

Served To: Glenn La Fevers	Served By: Ping Gu
Title: Storage Operations Manager	Date Served: 11/15/2015
Phone: 818-700-3824	Phone: 909-396-3187
Email Address: glafevers@semprautilities.com	Email Address: ping.gu@aqmd.gov
	Fax: 909-396-3846
	Forms/Applications/Info Available at: www.aqmd.gov

Instructions:

- For each minor violation cited above, compliance shall be achieved by the compliance deadline specified for that particular violation.
- Within a working days of achieving compliance for each respective violation, the owner/responsible officer of the cited facility must complete and return a signed copy of this Notice to Comply to the South Coast Air Quality Management District at the address listed above.
- Please copy and return this Notice to Comply as many times as necessary to provide the required information. On each copy, include the date on which compliance was achieved. Date, sign, and send all completed copies to the attention of the inspector named above.

I hereby certify that the facility cited in this Notice to Comply has achieved compliance with the requirements listed above.

NAME OF OWNER/RESPONSIBLE OFFICIAL: Glenn La Fevers	TITLE: Storage Operations Manager	SIGNATURE: <i>[Signature]</i>	DATE: 11/15/2015
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EXHIBIT B



NOTICE OF VIOLATION

DATE OF VIOLATION		
Month:	Day:	Year:
10	24	15

and on-going

Facility Name: Southern California Gas Company		Facility ID#: 800128	Section: VC
Location Address: 12801 Tampa Avenue		City: Northridge	Zip: 91326
Mailing Address: 12801 Tampa Avenue		City: Northridge	Zip: 91326

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

DESCRIPTION OF VIOLATIONS

#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (if Applicable)	Description of Violation
1	<input checked="" type="checkbox"/> SCAQMD <input checked="" type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	402 41700			<p>"The Southern California Gas Company has created a public nuisance by discharging such quantities of natural gas into the surrounding communities from a leak starting on October 23, 2015, and ongoing to date, at Well #55-25 used for injection/withdrawal of natural gas into/from an underground natural gas storage reservoir at their Aliso Canyon facility, that the air contaminants have caused injury, detriment, nuisance or annoyance to a considerable number of persons or to the public, and/or have endangered the comfort, repose, health or safety of any such persons or the public, in violation of Health & Safety Code Section 41700 and SCAQMD Rule 402.</p> <p>The Southern California Gas Company shall expeditiously and safely stop the leak and expeditiously abate the release of air contaminants that are causing the public nuisance."</p>
2	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
3	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
4	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
5	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				

Served To: JILL TRACY	Phone: (619) 929-1764	Served By: Inspector Lawrence B. Israel	Date Notice Served: 11-23-15
Title: DIRECTOR OF ENVIRONMENTAL SVCS	Email: Jtracy@scgprautilities	Phone No: <input checked="" type="checkbox"/> 909-396-2370 <input type="checkbox"/> 310-233-	Email: l.israel@aqmd.gov

*Key to Authority Abbreviations: SCAQMD - South Coast Air Quality Management District CCR - California Code of Regulations	<p style="text-align: center;">COM</p> CH&SC - California Health and Safety Code CFR - Code of Federal Regulations	Method of Service: <input checked="" type="checkbox"/> In Person <input type="checkbox"/> Certified Mail
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