

PETITION FOR A HEARING
BEFORE THE HEARING BOARD OF THE
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

☐ Northern Region Office
4800 Enterprise Way
Modesto, CA 95356

☐ Central Region Office
1990 E. Gettysburg Ave.
Fresno, CA 93726

☒ Southern Region Office
34946 Flyover Court
Bakersfield, CA 93308

	<u>TYPE OF HEARING</u>	<u>FEES (Non-Refundable)</u>
☒	A. Short Variance (90 Days or Less)	\$ 987.00
☐	B. Interim & Short Variance	\$1443.00
☐	C. Emergency Variance	\$ 343.00
☐	D. Regular Variance	\$1136.00
☐	E. Interim & Regular Variance	\$1592.00
☐	F. Appeal Hearing	\$1136.00
☐	G. Extension of Variance	\$ 456.00
☐	H. Modification of Variance	\$ 456.00
☐	I. Modification of Variance Schedule of Progress	\$ 456.00
☐	J. Product Variance	\$1515.00
☐	K. Rehearing	\$1136.00
☐	L. Revocation of Variance	\$ 456.00
☐	M. Special Hearing	\$1136.00

In addition to the filing fee above, an excess emissions fee will be assessed at the conclusion of the variance at \$3.00 per pound on the excess emissions emitted during the variance period. Additionally, a \$3.75 per pound mitigation fee will be assessed if excess emissions are greater than 2000 pounds.

A. NAME OF FACILITY: Berry Petroleum Company
PHYSICAL ADDRESS OF FACILITY: South Midway Sunset field
CITY: McKittrick / Fellows STATE: CA ZIP CODE: _____
NAME OF PERSON FILLING OUT PETITION: Brent Winn
TELEPHONE: 661-747-8963 **E-MAIL:** Brent.winn@crc.com
NAME OF PERSON AUTHORIZED TO RECEIVE NOTICES: Sam Parks
MAILING ADDRESS: P.O. Box 11164
CITY: Bakersfield STATE: CA ZIP CODE: 93389-1164
TELEPHONE: 661-201-5987 **E-MAIL:** Sam.parks@crc.com

B. TYPE OF ENTITY (Check One)

- ☐ LLC
☐ Partnership
☒ Corporation
☐ Other Entity

Please include the name, title, and address of officers, if a corporation;
partners, if a partnership; or the person(s) in control, if other entity.

(Attach additional sheets, if needed)

NAME	TITLE	ADDRESS
Omar Hyatt	Exec Vice Pres, Operations	See mailing address above

In accordance with State Law, the District will provide assistance to small businesses in preparing and filing the petition for the hearing. Small business has the same meaning as defined in the Small Business Administration, except that no stationary source which is a major source can be a small business.

If you plan on having attendees participate via the video teleconferencing system in a region other than that of which you filed the petition, please check the box(s) below for the region they will be participating:

☒ Bakersfield

☐ Fresno

☐ Modesto

1. Describe the type of business conducted at your facility.

Berry Petroleum is an oil and gas production company, producing mostly heavy crude oil in Kern County, California.

2. Describe in detail the equipment or activity that is the subject of this petition, what the equipment is used for, and why it is necessary to the operation of your facility. Include all pertinent information necessary to describe the activity including: fuels burned, raw materials processed, product produced, true vapor pressure of all volatile organic compounds, site diagrams, material flow charts, fuel systems, and diagrams of air pollution control systems if necessary. Provide photos as well.

Berry operates multiple tank settings in the Midway-Sunset field. The tanks receive, store, and process produced oil and water. This variance petition affects tanks at the Fairfield setting.

These tanks are equipped with functional and operating vapor recovery systems (VRS), and are maintained in a leak free condition at all times.

3. List all the District Permits to Operate and/or Authorities to Construct and the corresponding permit conditions for which you are requesting variance protection and **explain** how you are violating, or will violate the condition(s). Please list the current version(s).

See attached for a listing of permit conditions and rule numbers.

4. List all District Rule numbers, including subsections, for which you are requesting variance protection and **explain** how you are violating or will violate the rule(s).

See attached for a listing of permit conditions and rule numbers.

5. Why is it beyond your reasonable control to comply with the rule(s) and/or permit condition(s)?

The tank vapor recovery (TVR) discharge line at the Fairfield setting has been experiencing some plugging, which operators believe to be occurring in an underground road crossing. Berry plans to alleviate this issue by installing a new above-ground line that will be easier to maintain.

The new line cannot be connected without temporarily shutting down the TVR system.

It will also be necessary to shut down the upstream CVR system (S-1246-296) to replace an existing electric gas compressor. This task may not occur at the same time as the discharge line tie-in, so Berry is requesting that this variance allow for non-consecutive shutdown hours.

6. What would be the harm to your business if the variance were not granted? Include business closure, economic losses in dollar amounts, breach of contracts, hardships on customers, employee lay-offs, loss of market share to competitors, etc.

If the variance were not granted, production at Fairfield would have to be shut down to perform this work. Approx 300 barrels per day (\$18,000 per day revenue).

7. What date, and under what circumstances, did your facility first become aware that it would **not** be in compliance?

In August 2026 there were several breakdowns that have been corrected, but operators wish to improve the reliability of this system for the future.

8. What actions have you taken since that time to achieve compliance?

Operations personnel are procuring the replacement electric compressor and the new TVR discharge line is being pre-fabricated and pre-installed.

9. Explain what options have been evaluated towards curtailment or termination of operations in lieu of obtaining a variance.

The expected short duration of the variance work does not warrant curtailment or termination of operations.

10. Estimate the excess emissions in total pounds over the duration of the variance period.

Estimate the maximum amount of excess emissions that will occur.

Pollutant	Pollutant Limit	Actual Emissions	<i>Excess emissions are those that are in excess of the rules or permit conditions or otherwise lawfully allowed</i>	Total Estimated Excess Emissions
VOC	4.2	82.7		78.5
NO _x				
CO				
SO _x				
PM ₁₀				
PM _{2.5}				

Highest Opacity level anticipated: _____ %

11. Show all calculations and provide references for emission factors used in estimating excess emissions.

Spreadsheet printout is attached.

12. Explain how you can reduce or mitigate excess emissions during the variance period. (such as shutting equipment down or reducing production to offset excess emissions)

Excess emissions will be partially mitigated by moderately reducing oil production into storage tanks to possibly avoid venting.

13. If there are excessive hazardous or toxic emissions, attach a health risk assessment and receptor modeling data.

With relatively low excess emissions, very low vapor pressures, short duration, and the remote location, health risks are not expected.

14. Can you monitor or quantify emission levels from the subject equipment or activity during the variance period and make such records available to the District? Source tests, engineering tests, or portable emission analyzers can be utilized.
Yes: X No: Provide an explanation of your response.

Berry will monitor tank pressures and sensors that may indicate when venting occurs.

15. How do you intend to achieve compliance with the rules or permit conditions? Include a detailed description of any equipment to be installed and/or modifications to be made, a listing of the dates by which the actions will be completed, and an estimate

of the total cost, if available.

The tie-in and compressor changeout will be completed in a timely manner and vapor recovery systems re-started.

16. State the dates you are requesting the variance to begin and end (the end date should be the date you expect to achieve compliance with the rules, regulations, and permit conditions). Please overestimate the time needed to allow for any contingencies.

Begin variance: 10/15/26 End variance: 12/14/26

Please state if you need special time designations. For example: "*We need 15 non-consecutive days between such and such date.*"

It is expected that work will be accomplished in 10 hours. As a precaution, Berry requests that the variance allow up to 48 hours and allow non-consecutive periods to cover any unanticipated issues.

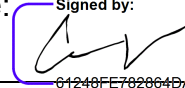
17. If a variance, or series of variances, is to extend beyond one year, you must attach a Schedule of Increments of Progress pursuant to Rule 5050 –*Compliance Schedule* which must specify certain dates or milestones to be met in achieving compliance.
18. List the names of any District personnel who are familiar with the facility (inspectors, permit engineers, etc.) or with whom facility representatives have had contact concerning this variance petition, or any related NOV or NTC.

Jaimee Brownlow

Based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete:

Date: 9/29/2026

***Signature:**

Signed by:

61248FE702864DA...

Title: Valley Facilities Manager

Print Name: Adrian Vega

**must be signed by a responsible official if petitioner is a Title V source*

The original petition in this format, and any attachments must be submitted to the District. Any attachments that are extraordinarily difficult to reproduce, such as full color photographs, must be submitted as six copies. Petitions which are incomplete, illegible, submitted in the wrong format, or without the necessary filing fee will be returned. If you need assistance completing this petition and/or developing a compliance schedule, contact the Compliance Department in your region.

Northern Region Office (209) 557-6440	Central Region Office (559) 230-5950	Southern Region Office (661) 392-5540
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You may hand deliver, mail, or email this petition to variance@valleyair.org

Implemented
ATC

S-1246-152-15

MODIFICATION OF 2,014 BBL FIXED ROOF CRUDE OIL SKIM TANK #4016141, FAIRFIELD A-1 TANK FARM WITH VAPOR CONTROL SYSTEM SHARED WITH '-153, '-154, '-155, '-158 AND '-400: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623
10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623

Implemented
ATC

S-1246-153-10

MODIFICATION OF 2,014 BBL FIXED ROOF CRUDE OIL WASH TANK #4016142, FAIRFIELD A-1 TANK FARM VENTED TO VAPOR CONTROL SYSTEM LISTED ON S-1246-152: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623
10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623

Implemented
ATC

S-1246-154-10

MODIFICATION OF 2,014 BBL FIXED ROOF CRUDE OIL LACT TANK #4016143, FAIRFIELD A-1 TANK FARM VENTED TO VAPOR CONTROL SYSTEM LISTED ON S-1246-152: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623
10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623

Implemented
ATC

S-1246-155-10

MODIFICATION OF 2,014 BBL FIXED ROOF CRUDE OIL LACT TANK #4016144, FAIRFIELD A-1 TANK FARM VENTED TO VAPOR CONTROL SYSTEM LISTED ON S-1246-152: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623
10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623

Implemented
ATC

S-1246-158-9

MODIFICATION OF 500 BBL FIXED ROOF CRUDE OIL STORAGE RELIEF TANK #4016147, FAIRFIELD A-1 TANK FARM VENTED TO VAPOR CONTROL SYSTEM LISTED ON S-1246-152: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623
10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623

Implemented
ATC

S-1246-400-5

MODIFICATION OF 5,000 BBL CRUDE OIL FIXED ROOF TANK CONNECTED TO THE VAPOR RECOVERY SYSTEM LISTED ON S-1246-152, FAIRFIELD OIL PLANT: INCORPORATE LEAK DETECTION AND REPAIR (LDAR) REQUIREMENTS FOR COMPLIANCE WITH RULE 4623

Condition	Description	Rule
7	This tank shall be equipped with a vapor control system consisting of a closed vent system that collects all VOCs from the tank and a VOC control device. The vapor recovery system shall be APCO-approved and maintained in leak-free condition. Collected vapors shall be directed to a gas pipeline or flare with a destruction efficiency of at least 95% by weight, as determined by the test method specified in Section 6.4.6 of District Rule 4623.	District Rule 4623

10	Except as otherwise provided in this permit, the operator shall ensure that the vapor control system is functional and is operating as designed at all times.	District Rule 4623
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Implemented
ATC

S-1246-296-49

EQUIPMENT DESCRIPTION:
MODIFICATION OF THERMALLY ENHANCED OIL RECOVERY (TEOR) OPERATION WELL VENT VAPOR CONTROL SYSTEM SERVING 1610 WELLS INCLUDING GAS/LIQUID SEPARATORS, HEAT EXCHANGERS, COMPRESSORS, INLET SEPARATOR VESSELS, CONDENSATE PUMPS, SULFUR SCRUBBER, VAPOR PIPING FROM TANKS S-1246 337 AND '-339, FWKO VESSEL S-1246-429 AND '-430, AND VAPOR PIPING TO STEAM GENERATORS S-1246-3, '-24, '-46, '-119, '-292, '-293, '-294, '-342, '-343, '-344, '-345, '-346, '-355, '-356, '-357, '-358, '-359 AND/OR CALGEM APPROVED GAS DISPOSAL WELLS (NMWSS): ADD TALON SCRUBBER SYSTEM CONTAINING (SCRUBBER, ASSOCIATED PRESSURE VESSELS, FLASH VESSEL, COMPRESSOR, SCRUBBER RECIRCULATION AND SEDIMENTATION VESSELS, AND SOLID SULFUR HANDLING EQUIPMENT)

Condition	Description	Rule
5	Well vent vapor from this TEOR operation shall only be incinerated in approved steam generators or disposed of in CalGEM approved gas disposal wells.	District Rule 2201
53	Collected vapors shall be disposed of in District approved incineration devices, as listed on this permit, or in California Geologic Energy Management Division (CalGEM) approved vapor disposal wells. Permittee shall make documentation of CalGEM approval for injection wells readily available for District inspection upon request.	District Rule 4623

SJVAPCD PTO #	Tank ID	Tank Service or Process Description	[F] Approx Tank Size (Bbls)	Tank Dia (Ft)	Tank Shell Ht (Ft)	[D] Max Liquid Height (Ft)	[E] Ave Liquid Height (Ft)	[F] Max Tank Liquid Volume (Gal)	Daily Thruput Oil (Bbls)	Tank Op Level 0=Const 1=Var	[M] RVP (psi)	[K] Breather Vent Pressur e (psig)	[L] Breath r Vent Vacuum Setting (psig)	[N] Molecular Wt (Lb/Lb-Mole)	Breathing Loss (Lb/Year)	Working Loss (Lb/Year)	Total Loss (Lb/Year)	Variance Period (Hours)	NMHC Total Loss (Lb/Day)	Variance NMHC Total Loss (Lb)	Variance NMHC Permitted emissions (Lb)	Variance NMHC Excess Emissions (Lb)
S-1246-152-15	T966	2,014 BBL FIXED ROOF CRUDE OIL SKIM TANK	2014	30	16	14	7	74027.2	200	0	0.384	0.03	-0.03	50	867.75	0.00	867.75	48	1.2	2.4	0.1	2.3
S-1246-153-10	T111	2,014 BBL FIXED ROOF CRUDE OIL WASH TANK	2014	30	16	14	7	74027.2	6400	1	0.384	0.03	-0.03	50	867.75	11635.47	12503.22	48	17.1	34.3	1.7	32.6
S-1246-154-10	T967	2,014 BBL FIXED ROOF CRUDE OIL LACT TANK	2014	30	16	14	7	74027.2	200	0	0.384	0.03	-0.03	50	867.75	0.00	867.75	48	1.2	2.4	0.1	2.3
S-1246-155-10	T-968	2,014 BBL FIXED ROOF CRUDE OIL LACT TANK	2014	30	16	14	7	74027.2	7190	1	0.384	0.03	-0.03	50	867.75	12913.88	13781.63	48	18.9	37.8	1.9	35.9
S-1246-158-9	T751	500 BBL FIXED ROOF CRUDE OIL STORAGE RELIEF TANK	661	15	21	19	9.5	25116.4	300	1	0.384	0.03	-0.03	50	255.98	919.32	1175.30	48	1.6	3.2	0.2	3.0
S-1246-400-5	T-969	5,000 BBL CRUDE OIL FIXED ROOF TANK	4848	38	24	22	11	186642.4	0	0	0.384	0.03	-0.03	50	1811.01	0.00	1811.01	48	2.5	5.0	0.3	4.7
Total																			41.3	82.7	4.2	78.5