

Council Meeting of
March 8, 2011

PUBLIC HEARING

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Environmental Quality and Energy Conservation Commission and Community Development – Consider appeal of Environmental Quality and Energy Conservation Commission approval to allow 24 hour operation of oil well located at 4900 Del Amo Boulevard.

OIL10-00004: Hanif Haji

Expenditure: None

RECOMMENDATION

Recommendation of the Environmental Quality and Energy Conservation Commission and Community Development Director that City Council deny the appeal and adopt a **RESOLUTION** to allow 24-hour operation of the oil well located in the parking lot of West High School at 4900 Del Amo Boulevard for a period of one year, beginning September 2, 2010 to September 2, 2011.

Funding: Not applicable.

BACKGROUND

Oil wells in the City typically are allowed to run 24 hours/7 days; at the last extension hearing, the Environmental Quality Commission restricted the hours due to neighbor concerns. This well had not been operating 24 hours/7 days previously. On May 6, 2010, Power Run Oil requested to operate the oil well in the West High parking lot 24 hours, in order to maximize production; eliminate noise that occurs when the well starts and reduce wear and damage to the parts from turning the well on and off daily. The residents living adjacent to the well site spoke in opposition to the 24 hour

operation, stating the well site is not maintained on a consistent basis; an enclosure made of chain link fencing and acoustical material was added to the site without prior approval; and that landscaping had not been installed at all of the residences adjacent to the well site as required by a previous condition. On May 6, 2010, the Environmental Quality Commission approved a 7 to 10 calendar day test that allowed the well to run 24 hours with the following stipulations: vibration and noise studies be conducted by a vendor approved by the City; the owner report back to staff on its fume mitigation measures; the owner work to increase security on the site; neighbors are to be notified before the testing begins; there shall be no operation of the well beyond 8 a.m. to 5 p.m. except during the test; and that results of the tests and improvements should be submitted to staff within 30 days of test completion. The vote was approved 6-1 (one Commissioner not voting).

On September 2, 2010, Power Run oil returned to the Environmental Quality Commission with results from the noise and vibration testing. Noise measurements were taken in the rear yards of the three homes directly adjacent to the oil site (20323, 20329 and 20333 Donora Avenue). In order to be in compliance with the Torrance Noise Ordinance, noise cannot exceed the ambient noise level by more than 5 decibels, nor can noise in this region of the City exceed 55 decibels (dba) during the day and 50 dba at night. Noise was measured on two nights between 10:00 to 10:30 p.m. and 11:00 to 11:30 p.m. Of these two nights, the maximum noise level measured 46.2 dba with the well operating and 45.1 dba without the well operating. The consultant noted that the noise levels were dominated by traffic from Del Amo Blvd. and pool equipment at the residence just north of 20323 Donora Ave.

Vibration measurements were taken on the same nights and times but were only done in the rear yard of the residence at 20323 Donora Ave. The vibration measurement of 9.1 VdB, was the same whether the oil well was on or off. The consultant indicated that this level is below the average residential vibration level. The consultant has stated that the average vibration level for residential property is less than 50 VdB.

Based on these results, staff recommended that the well be allowed to operate 24 hours for one year. After one year, the Environmental Quality Commission will determine whether the well will be allowed to operate 24 hours permanently. The Environmental Quality Commission voted 5-1 to concur with staff recommendations (one opposition and one absence).

On September 14, 2010, Mr. Hanif Haji, filed an appeal of the Environmental Quality Commission approval to operate the well 24 hours for one year, based on the following reasons: 1) The structure enclosing the well is unpermitted and is not compliant with the rest of the neighborhood; 2) Staff did not provide adequate notice of the subsequent continued hearing. Regarding the issue of notice, the initial hearing in May continued this matter to the next available Environmental Quality Commission meeting. Times for the noise and vibration readings were coordinated with the neighbors and were taken in

August. Staff contacted Mr. Haji by phone approximately one week prior to the next meeting to inform him.

ANALYSIS

The oil site is located at the eastern edge of the West High School parking lot adjacent to single family residences. The site measures 125 feet by 76 feet. The site consists of one oil well, two storage tanks, clarifier tanks and a heater. The oil well has been at this location since the 1930's and the storage tanks were relocated to this site from 4903 White Court in 1962. Oil is pumped from the well into the storage tanks and removed from the site by truck approximately three times per month. Oil from four other sites owned by Power Run are also piped or brought to the site and stored in the tanks.

This oil site is nonconforming due its location. Per Torrance Municipal Code, every third year nonconforming oil sites are required to obtain operation extensions provided they meet specific requirements. This well site was approved for continued operation by the Environmental Quality Commission in November 2008 with added conditions that that neighbors be given 72 hours notification prior to any major maintenance on site; that landscape material be installed within six months; and that the hours of operation be limited to no more than 8:00 a.m. to 5:00 p.m. seven days a week.

Over the years there has been a great deal of neighborhood frustration with the well site. The three homeowners adjacent to the well site have continually expressed concerns about the general lack of maintenance; noise from the motor, odor, and unhappiness at having to see the well.

To address these concerns Power Run Oil has taken the following measures: well owner regularly removes from around the site trash and debris that collects in the parking lot; extended the fence height at the rear of the residential properties; installed landscape to lessen the view; installed a vapor extraction system to eliminate odor when oil is being removed from the tanks; and installed acoustical blankets over the motor and on the fencing surrounding the pumping unit to help eliminate noise. Power Run has worked with staff and cooperated with South Bay Dispute Resolution to find solutions for the neighbors' issues.

Staff performs yearly inspections of all oil well sites. This site has consistently been in compliance with the City's oil well maintenance codes and noise readings taken by staff of the equipment have not registered above 50 decibels. Delays have occurred in implementing some of the required conditions, such as installing landscape at the residential properties, because it has been difficult to obtain agreement amongst the neighbors regarding their preferences.

The level of frustration between all parties was raised when in December 2009, Power Run installed chain link fencing over the top of the pumping unit, creating an "A" frame roof and covered it with sound proofing material which encloses the well so that it is not

visible. The owner believed this would eliminate noise and visibility of the well head and as a result, hoped to operate the well for longer hours. The residents have expressed concerns that the enclosure is too big, unaesthetic and draws more attention to the well instead of disguising it. Since the enclosure was installed, the well owner has reported incidents of an intruder on site tampering with the well equipment. The enclosure was installed without permit but review by the Building & Safety Manager, determined that the structure is temporary and is also located on Torrance Unified School District property therefore a permit is not required from the City.

The enclosure addresses the visibility of the well head and reduces the noise therefore it should be allowed to remain. The installation of landscape material at the rear of the three homes adjacent to the well will eliminate view of the enclosure. If all existing conditions and code requirements are adhered to, the well should continue to operate 24 hours until September 2, 2011.

ENVIRONMENTAL QUALITY COMMISSION

By Andrea Reilly
Andrea Reilly, Chair

CONCUR:

Jeffery W. Gibson
Jeffery W. Gibson
Community Development Director

Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

NOTED:

LeRoy J. Jackson
LeRoy J. Jackson
City Manager

By Gregg D. Lodan
Gregg D. Lodan, AICP
Planning and Environmental Manager

Attachments:

- A. Resolution
- B. Appeal Form
- C. Excerpt of Minutes of September 2, 2010, TEQECC Meeting
- D. Excerpt of Minutes of May 6, 2010, TEQECC Meeting
- E. Excerpt of Minutes of November 6, 2008 TEQECC Meeting
- F. Excerpt of Minutes of September 4, 2008 TEQECC Meeting
- G. Previous TEQECC Staff Reports & Supplemental Documents
- H. Site Photos
- I. Correspondence from Hanif Haji
- J. Correspondence from Power Run Oil
- K. Proof of Publication & Notification
- L. Mayor's Script

RESOLUTION NO. 2011 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA DENYING AN APPEAL OF AN ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION APPROVAL TO ALLOW 24 HOUR OPERATION OF AN OIL WELL LOCATED IN THE P-U ZONE ON THE PROPERTY AT 4900 DEL AMO BOULEVARD.

OIL10-00004: Hanif Haji

WHEREAS, the Environmental Quality and Energy Conservation Commission of the City of Torrance conducted a public hearing on May 6, 2010, to consider a request to allow the 24 hour operation of an oil well located in the P-U zone at 4900 Del Amo Boulevard;

WHEREAS, due and legal publication of notice was given to owners of the property in the vicinity thereof and due and legal hearings were held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the City of Torrance Code;

WHEREAS, the Environmental Quality and Energy Conservation Commission of the City of Torrance on May 6, 2010, allowed 7 to 10 days to test noise and vibration at the oil site; and

WHEREAS, the Environmental Quality and Energy Conservation Commission of the City of Torrance on September 2, 2010, after review of the noise and vibration analysis, APPROVED the 24 hour operation of the oil well for one year; and

NOW, THEREFORE, the City Council of the City of Torrance does hereby find and determine as follows:

(a) Proof has been submitted that such facility has produced three hundred sixty-five (365) or more barrels of oil in the twelve (12) month period immediately preceding the month in which such application was made; and

(b) The owner has agreed to implement and continuously maintain all conditions required in Chapter 7 of the Torrance Municipal Code, and case number; and

(c) The owner has agreed to continuously maintain all conditions as specified by the Planning Commission in PP 83-53 to provide a desirable development with maximum protection to adjacent properties; and

(d) It has been determined that no tank is included in such facility to prohibit the construction of a building on adjoining lots or is located on said lot so as to constitute a fire hazard by reason of the provision of the City's Fire Prevention Code or Building Code;

NOW, THEREFORE, BE IT RESOLVED that the appeal of OIL10-00004, filed by Hanif Haji, of the Environmental Quality and Energy Conservation Commission approval to allow 24 hour operation of the oil well located in the P-U zone at 4900 Del Amo Boulevard, be DENIED. The well shall be approved to operate 24 hours subject to the following conditions:

1. At least 365 barrels of oil or 3,650,000 cubic feet of gas must be produced per year.
2. The facility be operated and maintained in accordance with the provisions of Torrance Municipal Codes, Chapter 7.
3. That all conditions requested in the Precise Plan (PP83-53) be continuously maintained.
4. That all provisions of the City's Fire and Building Codes be observed.
5. That the 24 hour operation shall be for one year and shall be reviewed by the Torrance Environmental Quality and Energy Conservation Commission on or after September 1, 2011, as required for the three year operation extension per Torrance Municipal Code Section 97.14.5(b).
6. Tankers shall be restricted from moving onto the property earlier than 8:00 a.m. on the weekends.
7. Sand and/or sodium bicarbonate shall be placed on the site during summer months to ward-off potential odor problems.
8. Neighbors shall be notified 72 hrs prior to any major maintenance at the site.
9. Landscape material shall be installed on the oil property behind the residence at 20329 Donora Avenue and shall extend slightly behind the properties at 20323 and 20333 Donora Avenue, to eliminate gaps and create a continuous landscape buffer. The landscape shall be installed within six months.
10. The landscape material shall be maintained so that it does not become faded (if artificial) or deteriorated.

Introduced, approved and adopted this 8th day of March, 2011.

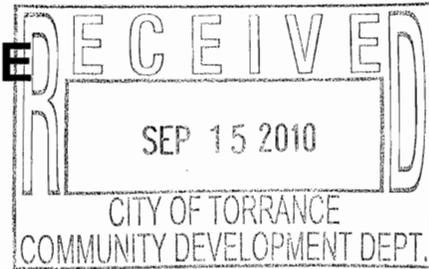
MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:
JOHN FELLOWS III, City Attorney

By _____

CITY OF TORRANCE**INTEROFFICE COMMUNICATION****DATE: September 14, 2010**

TO: Jeffery Gibson, Community Development

FROM: City Clerk's Office

SUBJECT: Appeal 2010-07

Attached is Appeal 2010-07 received in this office on September 14, 2010 from Hanif Haji, et al, 20323 Donora Avenue, Torrance, CA 90503. This appeal is of the Environmental Quality and Energy Conservation Commission's approval on September 2, 2010 regarding OIL10-00004: Power Run Oil, Inc. located at 4900 Del Amo Boulevard, Torrance, CA 90503. 1) Please see attached documents regarding unpermitted structure that is not compliant with rest of the neighborhood. 2) Staff did not provide adequate notice of subsequent continued hearing.

The appeal fee of \$100.00, paid by check, was accepted by the City Clerk.

SECTION 11.5.3. PROCEDURE AFTER FILING.

- a) Upon receipt of the notice of appeal, and the appeal fee, the City Clerk shall notify the concerned City officials, bodies or departments that an appeal has been filed and shall transmit a copy of the appeal documents to such officials, bodies or departments.
- b) The concerned City officials, bodies or departments shall prepare the necessary reports for the City Council, provide public notices, posting, mailing or advertising in the same manner as provided for the original hearing or decision making process, request the appeal be placed on the agenda for hearing before the City Council within thirty (30) days of receipt of the said notice of appeal, and notify the applicant in writing of the time, date and place of the hearing not less than five (5) days before the Council hearing.



Sue Herbers
City Clerk

cc: Building and Safety
City Council
City Manager



@ counter (le)

RECEIVED

CITY OF TORRANCE

2010 SEP 14 PM 1:27

APPEAL FORM

AN APPEAL TO: CITY OF TORRANCE
City Clerk's Office
Planning Commission

RETURN TO:
Office of the City Clerk
3031 Torrance Boulevard
Torrance CA 90509-2970
310/618-2870

RE: Power Run Oil 10-0004
(Case Number and Name)

Address/Location of Subject Property 4900 Del Amo Blvd, TORRANCE 90503

Decision of:

- Administrative Hearing Board
Airport Commission
Civil Service Commission
Environmental Quality & Energy Conservation Commission
License Review Board
Planning Commission
Community Development Director
Special Development Permit
Other

Date of decision: 9/2/10
Appealing: APPROVAL DENIAL

Reason for Appeal: Be as detailed as necessary. Additional information can be presented at the hearing. Attach pages as required with additional information and/or signatures.

- 1. PLEASE ATTACHED DOCUMENTS REGARDING UNPERMITTED STRUCTURE THAT IS NOT COMPLIANT WITH REST OF THE NEIGHBORHOOD.
2. STAFF DID NOT PROVIDE ADEQUATE NOTICE OF SUBSEQUENT CONTINUED HEARINGS.

Name of Appellant HANIF HAJI & ET AL

Address of Appellant 20323 DONORA AVE, TORRANCE, CA 90503

Telephone Number (310) 721-1358

Signature [Handwritten Signature]

For office use only:
Appeal Fee paid \$100.00 Date 9-14-2010 Received by [Signature]
by check #8725
Notice to: Community Development Department: Planning Building & Safety
City Council City Manager City Attorney Other Department(s)

EXCERPT OF MINUTES

√ Minutes Approved
 Minutes Subject to Approval

September 2, 2010

**MINUTES OF A REGULAR MEETING OF
 THE ENVIRONMENTAL QUALITY AND
 ENERGY CONSERVATION COMMISSION**

1. CALL TO ORDER

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:00 p.m. on Thursday, September 2, 2010 in the West Annex meeting room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Cunningham, Gobble, Griffiths, McCabe, Watson, and Chairperson Reilly.

Absent: Commissioner Chim.

Also Present: Environmental and Planning Manager Lodan, Senior Environmental Quality Officer Duncan, Senior Environmental Quality Officer Jones, and Environmental Quality Officer Hill.

MOTION: Commissioner Gobble moved to grant Commissioner Chim an excused absence for the September 2, 2010 Commission meeting. Commissioner Watson seconded the motion; a voice vote reflected unanimous approval.

7. OIL MATTERS

The Commission was in recess from 7:02 to 7:25 p.m. to allow Commissioners the opportunity to review supplemental materials.

7A. POWER RUN OIL, INC., 4900 DEL AMO BOULEVARD – REVIEW OF RESULTS FOR NOISE AND VIBRATION TESTING AND REQUEST FOR TWENTY FOUR HOUR OPERATION

Senior Environmental Quality Officer Jones provided background on the material of record and described results of noise and vibration testing conducted on August 5 and August 6, 2010. She noted that the owner has installed a vapor recovery system for fume mitigation and has taken additional security measures. She presented staff recommendation to allow the well to operate 24 hours for at least one year, with a condition of approval that the owner work with staff and resident at 20329 Donora Avenue to install landscape to camouflage the well enclosure. She stated that in 2011 the site is required to be reviewed by the Commission for a general operation extension as required every three years per Torrance Code for nonconforming well sites; at that time, the Commission can determine whether or not the 24-hour operation status will become permanent.

John Harris, Grand Avenue, Los Angeles, representing Power Run Oil, stated that the owner fully supports staff recommendation. He noted that statements from Justin Cook, Director of Engineering for BridgeNet International, Charles Champion, petroleum engineer, and Daniel Reyes, lease operator, were included in agenda materials. He pointed out that BridgeNet was selected to conduct testing by the City and not by Power Run Oil. He stated

that Power Run Oil wants to be as good a neighbor as it possibly can and that its operation fully complies with all City and AQMD regulations.

At 7:34 p.m., Chairperson Reilly closed the public hearing but reopened it at 9:35 p.m. to hear testimony from Justin Cook, Director of Engineering for BridgeNet.

Mr. Cook, Newport Beach, described vibration testing conducted on August 5 and 6, 2010 in the rear yard of the residence at 20123 Donora Avenue. He stated that results indicated that the average vibration measurement of 9.1 VdB was the same whether the well was on or off, noting that the testing confirmed that the average vibration level is well below an average residential vibration level.

Responding to Commissioner Cunningham's inquiry, Mr. Cook advised that no testing was conducted during well start up.

Commissioner Watson received clarification from staff that the Commission would be able to review all operating issues concerning this site in one year.

Commissioner Gobble requested information regarding noise and vibration caused during loading of the trucks as well as residents' complaints about odor on August 16 and 17, 2010.

Daniel Reyes, lease operator, stated that a diesel truck runs approximately 45 minutes four times a month. He described modifications made to the vapor recovery system in May 2010 to address odor concerns resulting from Power Run's shipping of oil. He stated that he inspected the site on August 16 and 17, 2010 and did not smell anything; additionally, Avanti Environmental, environmental consultants, inspected the entire tank farm with gas monitors on August 17, 2010 and did not detect any leaks with gas monitors. He added that the AQMD works with and accepts reports from Avanti Environmental.

Chairperson Reilly expressed an interest in seeing future reports from Avanti Environmental.

Commissioner Griffiths received clarification from staff that the only official complaint made to the City since May 2010 was regarding the detection of odor in August 2010.

At 7:44 p.m., Chairperson Reilly closed the public hearing.

Commissioner Gobble stated that he is pleased that Power Run Oil has worked together with staff and neighbors since May 2010 and that he would welcome assurance that communication continues.

Commissioner Griffiths expressed surprise that the neighbors did not attend this meeting to voice their concerns and encouraged them to continue to assemble facts and supporting evidence over the next year.

Commissioner Watson voiced support for staff's recommendation.

MOTION: Commissioner Gobble moved to concur with staff recommendation; Commissioner Cunningham seconded the motion. The motion passed on a 5-1 voice vote (Commissioner McCabe opposing, Commissioner Chim absent).

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EXCERPT OF MINUTES

√ **Minutes Approved**
 ~~Minutes Subject to Approval~~

May 6, 2010

**MINUTES OF A REGULAR MEETING OF
 THE ENVIRONMENTAL QUALITY AND
 ENERGY CONSERVATION COMMISSION**

1. CALL TO ORDER

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:00 p.m. on Thursday, May 6, 2010 in the West Annex meeting room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Chim, Cunningham, Gobble, Griffiths, Reilly, Watson, and Chairperson McCabe*.

Absent: None.

Also Present: Deputy Community Development Director Cessna, Senior Environmental Quality Officer Jones, and Environmental Quality Officer Hill.

*Chairperson McCabe arrived at 7:20 p.m. Due to his absence, Vice-Chairperson Reilly led the meeting.

7. ENVIRONMENTAL MATTERS

7A. REQUEST FOR A TWENTY FOUR (24) HOUR CONTINUAL OPERATION OF AN EXISTING OIL FACILITY AT 4900 DEL AMO BOULEVARD

Senior Environmental Quality Officer Jones provided background on St. Francis No. 2 Well located at 4900 Del Amo Boulevard. With the aid of slides of the well from surrounding locations, she presented Power Run Oil's request for modification of the pumping well operation hours. She discussed complaints by owners of the three homes adjacent to the well regarding noise, odor, lack of maintenance, and aesthetics. She reviewed ways the well owner has addressed these concerns that include installation of artificial landscaping, acoustical blankets on the motor, chain link fencing over the top of the pumping unit, and covering it with sound proofing material which encloses the well so that it is not visible. She showed slides of two wells that currently operate 24 hours a day. She presented staff recommendation that the acoustical material and enclosure be allowed to remain, that the well be able to operate continually on a trial basis, that an acoustical consultant be hired to make a 24 hour noise and vibration analysis, and that additional landscaping be installed as a visibility barrier.

Deputy Director Cessna expressed staff concern regarding installation of live landscaping due to the fact that the well is located in a parking lot and recommended use of potted bamboo or artificial landscaping.

At 7:14 p.m., Vice-Chairperson Reilly welcomed public comment.

Brian Dalziel, Donora Avenue, stated that Power Run Oil has not maintained the site on a consistent basis, the fencing and enclosure were constructed without a permit or notification, and the pump has been running 24 hours a day without approval. He requested that the Commission deny the request because the operator has not earned the right for this privilege.

Hanif Haji, Donora Avenue, distributed May 6, 2010 correspondence and photographs from Katherine Yamada, Hanif & Zohra Haji, and Brian & Tandie Dalziel that provides reasons for their objection to granting Power Run Oil's request to extend current hours of operation. He reviewed each page of the document and stated that allowing the pump to run 24 hours would make a bad situation worse in regards to environmental and noise pollution. He stated that the operator has had a poor record in areas of non-responsiveness to maintenance and environmental matters. He asserted that the operator built an unapproved and unpermitted structure in November 2009, that since that time the pump has run 24 hours a day on several occasions, and that no landscaping material has been installed at Ms. Yamada's home as part of the conditions set forth by the Commission in September 2008. He expressed concern that the acoustical material has a limited life span, encouraged Commissioners to review studies on health hazards of low frequency noise, and urged them to deny the request.

Responding to Commissioner Reilly's inquiry regarding the timeline on page 11, Mr. Haji advised that "No Notification" meant that neighbors were not notified.

Deputy Director Cessna provided clarification that Ms. Yamada chose not to have landscaping installed.

Mr. Haji distributed correspondence dated May 5, 2010 from Ms. Yamada expressing her opposition to extending hours of operation.

Rodger Hunt, Guadalupe Avenue, Redondo Beach, President of Power Run Oil, stated that testing indicated that extending hours of operation increased production and requested that he be allowed to run the well 24 hours a day, seven days a week. He described the acoustical material, fencing, and enclosure that was installed to address residents' concern about noise and visibility, noting that the unit is portable and did not require a permit. He stated that it was so quiet that he allowed it to run 24 hours a day for approximately two months before he heard any complaints.

In response to Commissioner Reilly's inquiries, Mr. Hunt explained that he tries to notify residents of tanker pick-ups and maintenance trucks, but that sometimes there are emergencies and last minute schedule delays. He provided clarification that he did not notify neighbors before installing the fencing and enclosure.

Daniel Reyes, Manager of Power Run Oil, discussed heavy gravity oil at the site and wear and tear being placed on the pumping unit as a result of shutting it off daily.

Responding to Commissioner Watson's inquiry, Mr. Reyes advised that if the pump ran 24 hours a day it would require one more pick-up a month, or a total of five pick ups. He noted that the boiler runs 24 hours a day, cannot be turned off, and in his opinion is noisier than the pump.

In response to Commissioner Gobble's inquiry, Mr. Hunt assumed responsibility for making the decision to run the pump 24 hours a day for 60 days following installation of soundproofing measures.

At Commissioner Gobble's request, Mr. Reyes described the heating process as well as the venting process when trucks load. He stated that he and Mr. Hunt have come up with a design to vent back into the tanks that should minimize odors.

John Harris, Grand Avenue, Los Angeles, responded to Commissioner Chim's inquiry regarding royalty owners, explaining that they would benefit from increased production of the St. Francis No. 2 Well. He distributed a Sound Measurement Survey Report conducted on May 6, 2010 by Behrens and Associates, noting that results indicate that the operational noise level of the pumping unit did not increase the ambient sound levels at the location. He pointed out that there are no complaints about the wells on White Court and Anza Avenue and that the Hajis and the Dalziels bought their homes knowing that the well was there. He asserted that only allowing the well to operate from 8:00 to 5:00 is a unique limitation that has been costly to the owner.

Responding to Commissioner Griffiths' inquiries, Senior Environmental Quality Office Jones stated that there is no documented history, but that time stipulations were placed on hours of operation at the September 2008 Commission hearing. She confirmed that in August 2009 the City approved a seven-day trial allowing the pump to run continuously to determine productivity and provided clarification that the City would receive additional tax revenue from increased production. She discussed three incidents of an intruder breaking into the well site and tampering with equipment, adding that police reports were taken.

In response to Commissioner Watson's inquiries, Mr. Reyes stated that the soundproofing material was purchased from Environmental Noise Control and has a 15-year life expectancy. He explained that at 40 feet the well cannot be heard and that this well is the only one of the four St. Francis wells that has truck pick-ups.

Commissioner Gobble expressed concern about security at the site and suggested that the owner pay for and plant Cyprus trees or fig ivy in Ms. Yamada's yard.

Mr. Hunt responded that he has offered but has received no direction from Ms. Yamada.

Mr. Haji stated that on January 13, 2010 he notified staff that the pump was running 24 hours a day, that the well on White Court runs only one hour a day, and that his master bedroom is 20 feet from the pump. He conceded that it is quieter since soundproofing was installed but would prefer that the enclosure be removed because it is an eyesore, adding that landscaping could be installed to mask the pump.

Responding to Commissioner Cunningham's inquiry regarding safety measures, Mr. Reyes stated that they have installed a stronger chain.

Deputy Director Cessna provided clarification that the structure is considered temporary and does not require a permit as it needs to be removed for maintenance.

At Commissioner Reilly's request, Mr. Reyes explained that on May 6, 2010 the acoustics consultant shut down the unit, tested for noise, then retested after turning it back on, adding that the heating unit was on during both tests.

Environmental Quality Officer Hill advised that the maximum allowable decibels is 55 during the day and 50 at night. It was pointed out that in 2008 staff determined that the unit was operating within noise limits with no soundproofing.

Zohra Haji, Donora Avenue, stressed the importance of the operator regularly maintaining the facility and being a good neighbor.

MOTION: Commissioner Reilly moved to close the public hearing. Commissioner Watson seconded the motion; a voice vote reflected unanimous approval.

Commissioner Gobble applauded the owner for installing soundproofing material but expressed concern that he ran the pump 24 hours a day without permission. He stated that he would like to see a noise study conducted at night, the device utilized to reduce vapors, and additional safety measures installed.

Commissioner Griffiths voiced concern that initially residents complained about noise and are now complaining about visual aspects. He stated that he would concur with staff recommendation but would like to require written documentation regarding truck pick-ups and maintenance.

When Chairperson McCabe questioned if the noise test would be objective, staff assured him that they have acoustical engineers who they are familiar with.

Commissioner Chim expressed her opinion that this is an issue of money versus quality of life. She related her understanding of both sides of the issue and concluded that she is not comfortable granting petitioner's request because there are more significant points in favor of quality of life.

Commissioner Watson stated that a limited trial period with an acoustical engineer would be a good source of information and first step, but cautioned that it should not be an automatic acceptance of any further steps.

Vice-Chairperson Reilly noted that the operator has made a good faith effort to address residents' concerns and that she would support a temporary trial period. She expressed concern that the owner chose to operate the well 24 hours a day without City approval and that there appears to be a breakdown in communication between owner and neighbors.

MOTION: Commissioner Gobble moved to approve a 7 to 10 calendar day test that allows the St. Francis No. 2 Well to run 24 hours a day with the following stipulations: 1) vibration and noise studies to be conducted by a vendor approved by the City during the day and night hours, 2) operator to report back to staff on its fume mitigation measures, 3) owner to work on increased security features, 4) neighbors to be notified before the test begins, 5) that there be no operation of the well beyond 8:00 a.m. to 5:00 p.m. except during the test, and 5) results of the test and improvements to be submitted to staff within 30 days of test completion. Commissioner Watson seconded the motion. The motion passed on a 6-1 roll call vote (Commissioner Chim voting no).

Deputy Director Cessna advised that there would need to be a 15-day appeal period before the test could be set up.

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EXCERPT OF MINUTES

Minutes Approved
 ~~Minutes Subject to Approval~~

November 6, 2008

**MINUTES OF A REGULAR MEETING OF
 THE ENVIRONMENTAL QUALITY AND
 ENERGY CONSERVATION COMMISSION**

1. CALL TO ORDER

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:04 p.m. on Thursday, November 6, 2008 in the West Annex meeting room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Decker, Gobble, Griffiths, Reilly, Watson, and Chairperson McCabe.

Absent: Commissioner Chim.

Also Present: Deputy Community Development Director Cessna, Senior Environmental Quality Officer Jones, Environmental Quality Officer Hill, and Recycling Coordinator Sherman.

MOTION: Commissioner Watson moved to grant Commissioner Chim an excused absence for the November 6, 2008 Commission meeting. Commissioner Gobble seconded the motion; a voice vote reflected unanimous approval.

7. OIL MATTERS

7E. CONTINUATION OF THE PUBLIC HEARING FOR A THREE (3) YEAR EXTENSION FOR THE CONTINUED OPERATION OF AN EXISTING OIL FACILITY AT 4900 DEL AMO BOULEVARD

Senior Environmental Quality Officer Jones reported that soundproofing insulation was installed directly around the motor of the pump and on the fencing surrounding the pumping unit, adding that neighbors have relayed a noticeable reduction in noise level. Furthermore, neighbors have been notified three days prior to diesel truck arrivals at the site. She distributed a sample of artificial landscaping material that could be mounted to lattice and adhered to the fencing, facing the rear yards of residences. She noted the cooperation between residents and Mr. Hunt and recommended approval of continued operation at the site with the following modifications added to conditions included in the material of record: 7) Neighbors shall be notified 72 hours prior to any major maintenance occurring at the site, and 8) Add a timeline for installation of landscape material, with landscaping to be mounted on a green lattice.

Responding to Chairperson McCabe's inquiry regarding condition 6), Deputy Director Cessna advised that modification to add a cut-off time for tankers is not necessary because it has not been an issue.

Addressing Chairperson McCabe's concerns, Senior Environmental Quality Officer Jones stated that the City prefers not to use artificial foliage but in this case it is advisable due to conditions at the site and required maintenance of live growth.

MOTION: At 7:21 p.m. Commissioner Gobble, seconded by Commissioner Watson, moved to open the public hearing; a voice vote reflected unanimous approval.

Hanif Haji, Donora Avenue, concurred that the added insulation has reduced the noise level. He stated that he would prefer installation of live foliage but was willing to accept artificial foliage as the second best option.

Roger Hunt, owner, stated that he would like to operate the well two hours longer, from 8:00 a.m. to 7:00 p.m., now that he has reduced the noise level. He noted that the fence is now six inches higher than it was before but that he is willing to install and hose down the artificial foliage from his side.

Commissioners commended Mr. Hunt for working with the neighbors.

Staff provided clarification that there are no restrictions in hours of operation in the Precise Plan and that established hours are a continued accommodation with the previous owner.

Mr. Hunt requested that he be allowed to operate the pump for longer hours for approximately one month to determine if the well is capable of producing more oil.

Daniel Reyes, operator, further explained that the well is set on a timer, that most wells produce and pump 24 hours a day, and that extension of time would allow them to see if more oil could be produced, adding that it may not make a difference.

Brian Dalziel, Donora Avenue, stated that the current operating hours are sufficient, he wants the owner to be neighbor-friendly, and he would like the foliage to extend high enough to hide the pump going up and down.

Staff noted that extending the lattice that far above the fence could present a problem in windy conditions.

Mr. Haji discussed advantages of using live foliage, commented that hours of operation were restricted in 1983 or 1984, and expressed opposition to extending operating hours or allowing a 30-day trial.

In response to Chairperson McCabe's inquiry, Mr. Reyes stated that noise has been reduced eight decibels next to the motor and Environmental Quality Officer Hill noted that there has never been a noise violation at the site.

There was a suggestion to extend operating hours for six days a week and have no pumping on Sundays but Mr. Reyes discouraged the suggestion because it would allow sand to enter the well and cause more repairs.

Commissioner Gobble expressed support for extending operating hours and to extend the artificial foliage six inches above the existing fence.

A brief discussion centered on landscape alternatives that included the planting of bamboo as well as ways to camouflage the pump.

MOTION: Commissioner Gobble, with a second by Commissioner Reilly, moved to close the public hearing; a voice vote reflected unanimous approval.

Commissioners Decker, Griffiths, Reilly, Watson, and Chairperson McCabe stated that they would not be in favor of extending operating hours.

Chairperson McCabe explained policies and procedures of the Environmental Quality and Energy Conservation Commission, including the right to appeal decisions to City Council.

MOTION: Commissioner Griffiths moved to concur with staff recommendation to approve OIL08-00005 with modification to 7) to include 72 hours notification prior to any major maintenance and 8) to include a six month deadline for installation of landscape material, and to add a condition stating that hours of operation be limited to no more than 8:00 a.m. to 5:00 p.m. seven days a week. Commissioner Watson seconded the motion; a roll call vote reflected unanimous approval (absent Commissioner Chim).

###

EXCERPT OF MINUTES

√ **Minutes Approved**
 ~~Minutes Subject to Approval~~

September 4, 2008

**MINUTES OF A REGULAR MEETING OF
 THE ENVIRONMENTAL QUALITY AND
 ENERGY CONSERVATION COMMISSION**

1. CALL TO ORDER

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:05 p.m. on Thursday, September 4, 2008 in the West Annex meeting room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Chim, Decker, Gobble, Griffiths, and Chairperson McCabe.

Absent: Commissioners Reilly and Watson.

Also Present: Senior Environmental Quality Officer Jones, Environmental Quality Officer Hill, and Senior Business Manager Minter.

MOTION: Chairperson McCabe moved to grant Commissioner Watson an excused absence for the September 4, 2008 Commission meeting. Commissioner Decker seconded the motion; a voice vote reflected unanimous approval.

7. OIL MATTERS

7B. CASE: OIL08-00005 - REQUEST FOR A THREE (3) YEAR EXTENSION FOR THE CONTINUED OPERATION OF AN EXISTING OIL FACILITY AT 4900 ANZA AVENUE

This item was taken out of order.

With the aid of slides, Senior Environmental Quality Officer Jones reviewed the request and discussed staff's analysis and recommendation for approval with conditions included in the material of record. She distributed supplemental correspondence received after preparation of agenda material. She stated that staff has received numerous noise and odor complaints regarding the site; however, no violations of noise code were detected when staff took readings and residents were directed to contact South Coast Air Quality Management District (AQMD) regarding odor complaints. She noted that a fence extension has recently been replaced and that a timer regulates pumping from 7:00 a.m. to 5:00 or 6:00 p.m.

In response to Chairperson McCabe's inquiry, Environmental Quality Officer Hill stated that noise readings at the facility average 50 decibels, which is below the maximum allowed, and described tanker operations at the site.

MOTION: At 7:19 p.m., Commissioner Gobble moved to open the public hearing. Commissioner Chim seconded the motion; a voice vote reflected unanimous approval.

Chairperson McCabe explained policies and procedures of the Environmental Quality and Energy Conservation Commission, including the right to appeal decisions to the City Council.

Hanif Haji, Donora Avenue, asserted that the site is not maintained as well as it should be. He discussed issues with landscaping and a fence that blew down in February 2007. He stated that the applicant agreed to install a four-foot fence but in December 2007 installed a three-foot fence, adding that a one-foot extension was added in February 2008. He discussed noise from the facility that he referred to as "Chinese water torture" and noted that an arbitrator made suggestions in 2007 to mitigate noise levels that were never implemented. He expressed concern about odor, particularly over the July 4, 2008 weekend, when an oil tank cover was left open. He noted the petition signed by more than 20 neighbors asserting that the facility should not be granted an extension in its current condition. He stated that a similar petition was signed in 1999 and discussed an oil leak in 2002. He clarified that the pump runs from 8:00 a.m. to 5:15 p.m. seven days a week. He asked the Commission to consider why it took over 12 months to repair a fence and replace landscaping, to impose timelines, to look at the history, and to take a holistic view of what is right for the City and residents.

Tandie Dalziel, Donora Avenue, expressed her opinion that the site could be maintained if the applicant stays on top of it and does what he promises.

Senior Environmental Quality Officer Jones provided further clarification regarding the landscaping issue.

Roger Hunt, applicant and operator, admitted that he was guilty of some of the items mentioned, particularly the error in fence height. He stated that the electric pump was replaced in 1975 and runs efficiently. He presented padding that he would be willing to hang around four sides of the chain link fence to reduce the sound inside the well on the condition that he is allowed to run the well longer each day.

Daniel Reyes explained that the thickness of the oil causes noise for an hour or two each morning because the well is shut off during the night.

Mr. Hunt stated that, if he was willing to experiment with various ways to mitigate noise, he should be able to operate the well longer and have the opportunity to maximize its production.

Commissioner Gobble suggested the possibility that the well operates for longer periods on six days a week and not on Sundays.

Senior Environmental Quality Officer Jones stated that in 2007 the dispute resolution service suggested erecting a U-shaped movable fence and putting an acoustical

blanket on it. She noted that the noise issue was never resolved because the fence issue came up.

Responding to Commissioner Griffiths' inquiries, Mr. Hunt stated that he has owned and operated the well since late 1999, he installed a vapor recovery system, he tries to keep the site as clean as possible, that Mr. Reyes checks the well seven days a week, and that he has received only one violation for a bad hatch.

Senior Environmental Quality Officer Jones stated that the AQMD clarified that the applicant was cited on June 16, 2008 for worn pieces of equipment and that the odor over the 4th of July weekend registered "3" on a scale of "5" and did not constitute a violation.

Chairperson McCabe recommended having the mediation process continue in order to reach an amicable resolution.

In response to Commissioner Gobble's inquiry, Senior Environmental Quality Officer Jones advised that the Commission could not approve a one-year extension, but could put conditions on the three-year extension that could be reviewed in one year, noting that noise at the site does not exceed code.

At Commissioner Griffiths' request, staff explained how the well financially benefits the City.

Commissioner Decker stated that landscaping is necessary to make the site aesthetically pleasing.

Commissioner Chim requested that Mr. Haji specify exactly what he wants and Mr. Haji responded that he wants the noise level reduced and a good neighbor policy put in place, maintaining that operating times should not be extended.

Commissioner Gobble stated that he would like to approve a one-year extension, expand the hours of operation until 7:15 p.m. six days a week with no operations or pick-ups on Sundays, and soundproofing to be implemented. He suggested alternative methods of soundproofing that could direct sound to the parking lot.

Commissioner Decker concurred with Commissioner Gobble with the added suggestion of possibly replacing the pump with a more energy-efficient model.

Commissioner Griffiths pointed out that the establishment of the well preceded ownership of neighboring properties and that some conditions "come with the territory."

Commissioner Chim stated that she generally agreed with Commissioner Gobble, adding that the applicant should consider helping the neighbors with landscaping.

Chairperson McCabe stated his opinion that neighborhood concerns were reasonable and that he would like to see it pushed back into mediation to find a solution agreeable to all parties.

Senior Environmental Quality Officer Jones suggested the possibility of amending staff recommendation with more specific conditions on the site such as retaining a noise consultant. She explained that some of the delays have occurred due to staff shortages and because staff has had to act as mediator between applicant and residents.

Environmental Quality Officer Hill and Mr. Hunt further expanded on reasons for the odor and the process of heating oil.

Mr. Reyes maintained that the motor at the site is quiet, that heating of oil for three to four days is not noisy and does not cause odor, and that turning off the pump for one day each week might impact the operation because it takes two to three days to catch up. He stated that he was not aware of any odor absorbents and that there was not a problem as long as the hatch is not left open.

Mr. Hunt stated that he would like to try the padding that he demonstrated, that he is willing to work with an arbitrator, and that he could explore ways to notify residents when the tankers are scheduled.

MOTION: At 8:50 p.m., Commissioner Gobble, seconded by Commissioner Decker, moved the close the public hearing; a voice vote reflected unanimous approval.

MOTION: Commissioner Gobble moved to approve a three-year extension for OIL08-00005 to be reviewed by the Commission in one year with the following conditions: 1) explore noise reduction to 30 decibels without road noise; 2) hours of operation from 8:15 a.m. to 7:15 p.m. Mondays through Saturdays with no operation on Sundays; 3) owner to work with neighbors to install landscaping on the residents' properties; and 4) if there is not resolution on these points, the City is directed to retain an arbitrator.

Following discussion centered on the option of continuing the public hearing, the motion died due to a lack of a second.

MOTION: Commissioner Gobble moved to reopen the public hearing for Case: OIL08-00005. Commissioner Decker seconded the motion; a voice vote reflected unanimous approval (absent Commissioners Reilly and Watson).

MOTION: Commissioner Gobble moved to continue the public hearing and repost notification for Case: OIL08-00005 until the November Commission meeting. Commissioner Decker seconded the motion; a voice vote reflected unanimous approval (absent Commissioners Reilly and Watson).

MOTION: Commissioner Gobble moved that the applicant and residents work with staff to reduce noise levels to an acceptable level, the applicant will explore impacts of shutting down on Sundays, and applicant will work on a notification system with residents. Commissioner Griffiths seconded the motion; a roll call vote reflected unanimous approval (absent Commissioners Reilly and Watson).

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**TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

**TO: Chairperson Reilly and Members of the Torrance Environmental
Quality and Energy Conservation Commission**

DATE: September 2, 2010

**RE: Summary of results from noise and vibration tests at Power Run Oil
Site,
4900 Del Amo Boulevard, OIL10-00004.**

In May 2010, the owner requested a modification in the well operation hours. The Commission allowed a maximum 10 day test period, to include acoustical and vibration analysis. The full report was provided for your review. Below is a summary of the results:

Noise testing was conducted on Thursday, August 5, 2010, from 10:00 – 10:30 pm with the well operating. Measurements were taken in the rear yards of the homes at 20323, 20329 and 20333 Donora Avenue. Per the Torrance Code, in order to be in compliance, noise cannot exceed the ambient noise level by more than 5 dba, nor can noise in this region of the City, exceed 55 dba during the day and 50 dba at night. The maximum noise level measured this night was 45.4 dba. On Friday, August 6, the noise measurements were taken from 10:00 – 10:50 pm with the well operating and between 11:00 – 11:30 pm without the well operating (ambient). On this night with the well operating, the maximum noise level measured 46.2 dba and without the well operating, the maximum measurement was 45.1 dba. The consultant noted that the noise levels were dominated by traffic noise from Del Amo Boulevard and pool equipment at the residence just north of the 20323 Donora Avenue.

Vibration testing was also conducted on the same nights and times as stated above. However, vibration measurements were only taken in the rear yard of the residence at 20323 Donora Avenue. The vibration measurement of 9.1 VdB, was the same whether the well was on or off. The consultant indicated that this level is below an average residential vibration level.

Based on the results of the noise and vibration tests, staff recommends allowing the well to operate 24 hours for at least one year. In 2011, the site is required to be reviewed by the Commission for a general operation extension as required every 3 years per Torrance Code for nonconforming well sites. At that time, the Commission can determine whether or not the 24 hour operation status will become permanent.

A condition of the approval is that the well owner work with staff and the owner of the residence at 20329 Donora Avenue to install landscape that will camouflage the well enclosure.

Prepared by,


for S. Jones

Sharron Jones
Sr. Environmental Quality Officer

Respectfully submitted,


Gregg D. Lodan, AICP
Environmental and Planning Manager



Figure 1 – Noise and Vibration Measurement Locations



August 12, 2010

Mr. Roger Hunt
Power Run Oil, LLC.
Redondo Beach, CA 90277
T: 310-798-7926
F: 310-798-0495

Subject: Noise and Vibration Measurement Results - *Oil Well* – Torrance, CA

Dear Mr. Hunt,

This letter presents the results of the noise and vibration measurements that were conducted on the nights of August 5 and 6, 2010. On the night of August 5, 2010 noise and vibration measurements were made between 10:00-10:30 p.m. with the oil well operating. On the night of August 6, 2010 noise and vibration measurements were made between 10:00-10:50 p.m. with the oil well operating and between 11-11:30 p.m. without the oil well operating (ambient).

The oil well is located in the parking lot of West High School in the City of Torrance, CA. Noise measurements were made at three residences on Donora Avenue (20323, 20329 and 20333). Vibration measurements were made at one residence on Donora Avenue (20323). Refer to Figure 1 for an aerial photograph showing the oil well relative to the three residences as well as the noise and vibration measurement locations.

Noise measurement location N1 was located outside and approximately 10 feet from the property line wall to the west. N2 was located inside the master bedroom on the 2nd floor. It was placed in between the bed and the sliding glass balcony door, which should be the worst case location for this room. N3 was located outside and approximately 10 feet from the property line wall. N4 was located outside and approximately 8 feet from the property line wall and 5 feet from a shed. Vibration measurement location V1 was located outside and approximately 3 feet from the patio door. The noise measurements were made at a height of 5 feet. Noise and vibration measurements recorded values every 1 second.

The sound level meters used to measure in slow response mode were 01dB-Metravib Blue (s/n 60523, 60526 and 60769). The respective microphones used were 01dB-Metravib MCE 212 (s/n 39567), GRAS 40AE (s/n 1004425) and GRAS 40AQ (s/n 13801). The vibration meter used was a Norsonic 140 (s/n 1403045) with a Dytran Instruments accelerometer 3100D24 (s/n 6814) attached.

The equipment used meets the American National Standards Institute (ANSI) S1.4 specification for a Type 1 precision meter. The measurement system was calibrated before and after the tests with a Brüel & Kjær Type 4231 sound level calibrator (s/n 2564440) with calibration traceable to the National Institute of Standards and Technology (NIST).



Figure 1 – Noise and Vibration Measurement Locations

The oil well must comply with the City of Torrance's noise ordinance of their municipal code. Chapter 6 of the City of Torrance's municipal code deals with noise regulations. Currently, the City of Torrance does not have any vibration standards within their municipal code.

Within Article 2 – Section 46.2.7. (Special Noise Sources – Oil Production Equipment) it states that oil production equipment cannot cause the noise level at the nearest property line of any residential land to exceed the ambient noise level by more than 5 dB, unless it is being used in the drilling, re-drilling, deepening, repair, maintenance or abandonment of an oil well.

Within Article 7 – Section 46.7.2. (General Noise Regulations – Noise Limits) it provides noise limits for different regions within the City of Torrance. The oil well and the 3 residences on Donora Avenue are within Region 4. Region 4 has a noise level standard of 55 dBA during the day (7 a.m. to 10 p.m.) and 50 dBA during the night (10 p.m. to 7 a.m.). But, for noise that occurs on Sunday morning between 12:01 a.m. and 12:01 p.m. it states to subtract 5 dB from the day and night noise level standards.

Refer to Table 1 for the noise and vibration measurement results for the night of August 5, 2010. The measurements were made with the oil well operating. The noise levels at locations N1, N3 and N4 were dominated by traffic noise from Del Amo Boulevard. Location N1 was also impacted by pool equipment noise located in the rear yard of the adjacent residence to the north. The pool equipment was operating for the whole measurement time period.

Table 1

August 5th - Noise and Vibration Measurement Results – With Oil Well Operating

Location	Time Period	Average Noise or Vibration Level with Oil Well Operating
N1	10:00-10:30 p.m.	45.4 dBA
N2	N/A	N/A
N3	10:00-10:30 p.m.	42.6 dBA
N4	10:00-10:30 p.m.	39.8 dBA
V1	10:00-10:30 p.m.	9.1 VdB

Refer to Table 2 for the noise and vibration measurement results for the night of August 6, 2010. The measurements were made with the oil well operating. The noise levels at locations N1, N3 and N4 were dominated by traffic noise from Del Amo Boulevard. Location N1 was also impacted by pool equipment noise located in the rear yard of the adjacent residence to the north. The pool equipment was operating for at least the last half of the measurement time period.

Table 2

August 6th - Noise and Vibration Measurement Results – With Oil Well Operating

Location	Time Period	Average Noise or Vibration Level with Oil Well Operating
N1	10:00-10:50 p.m.	46.2 dBA
N2	10:00-10:15 p.m.	25.7 dBA
N3	10:00-10:50 p.m.	42.2 dBA
N4	10:25-10:50 p.m.	39.8 dBA
V1	10:00-10:50 p.m.	9.1 VdB

Refer to Table 3 for the noise and vibration measurement results for the night of August 6, 2010. The measurements were made without the oil well operating (ambient). The noise levels at locations N1, N3 and N4 were dominated by traffic noise from Del Amo Boulevard. Location N1 was also impacted by pool equipment noise located in the rear yard of the adjacent residence to the north. The pool equipment was operating for the whole measurement time period.

Table 3

August 6th - Noise and Vibration Measurement Results – Without Oil Well Operating (Ambient)

Location	Time Period	Average Noise or Vibration Level without Oil Well Operating (Ambient)
N1	11:00-11:30 p.m.	45.1 dBA
N2	N/A	N/A
N3	11:00-11:30 p.m.	40.4 dBA
N4	11:00-11:30 p.m.	37.6 dBA
V1	11:00-11:30 p.m.	9.1 VdB

The noise measurement results within Tables 1 and 2 for locations N1, N3 and N4 show that the oil well complies with the City of Torrance's night (10 p.m. to 7 a.m.) noise level standard of 50 dBA. Comparing Tables 2 and 3 for locations N1, N3 and N4 shows that the average noise levels with the oil well operating does not exceed the without oil well operating (ambient) average noise levels by more than 5 dB.

If the oil well were to operate between 12:01 a.m. and 7 a.m. on Sunday mornings it would need to comply with a night noise level standard of 45 dBA according to the City of Torrance's municipal code. Tables 1 and 2 indicate average noise levels greater than 45 dBA at location N1 with the oil well operating and Table 3 indicates an average noise level greater than 45 dBA at location N1 without the oil well operating (ambient). As previously stated, the noise level at location N1 was dominated by traffic noise from Del Amo Boulevard as well as pool equipment noise located in the rear yard of the adjacent residence to the north. The noise emanating from the oil well alone is not expected to be greater than 45 dBA at location N1 and therefore the oil well should comply with the City of Torrance's municipal code for Sunday mornings between 12:01 a.m. and 7 a.m.

The vibration measurement results within Tables 1-3 for location V1 indicates a vibration level well below an average residential vibration level. Background vibration velocity levels in residential areas are usually less than 50 VdB. The threshold of perception for humans is around 65 VdB. It is also important to notice that the average vibration levels remained constant with and without the oil well operating.

If you have any questions, please feel free to contact me.

Sincerely,
BridgeNet International

Justin W. Cook
Director of Engineering

**APPLICATION OF POWER RUN OIL, LLC TO
TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

Case No. OIL10-00004
September 2, 2010

SUPPLEMENTAL STATEMENT OF DANIEL REYES

1. I, Daniel Reyes, am the lease operator for the St. Francis No. 2 Well located in a parking lot of West High School located at 4900 Del Amo Boulevard in the City and operated by Power Run Oil, LLC ("Power Run"). I am making this statement in support of the Application of Power Run Oil, LLC to Torrance Environmental Quality and Energy Conservation Commission for a modification of the operating restrictions on that well imposed by this Commission's Resolution No. 08-110 and as a supplement to my statement submitted to the Commission on May 6, 2010.

2. Power Run has applied for a modification of Condition No. 10 of the Resolution No. 08-110 which states that "Hours of operation shall be limited to no more than 8:00 a.m. to 5:00 p.m." I understand that this restriction was placed on Power Run's operation of the St. Francis No. 2 Well as a result of unsubstantiated complaints by a few neighbors.

3. On May 6, 2010, Power Run made an application to this Commission to revise Power Run's operating permit from the City in order to remove Condition No. 10 of the Resolution No. 08-110. I attended this hearing, answered questions from the Commission and provided a statement in support of Power Run's application.

4. In addition to my statement and discussion, the Commission also heard statements at the hearing on May 6 from Senior Environmental Quality Officer Sharron Jones, Deputy Director Linda Cessna, Brian Dalziel, Hanif Haji, and from representatives of Power Run regarding Power Run's operations and the alleged adverse impacts to the neighbors as a result of noise and vibrations from Power Run's operations. After hearing these comments, the Commissioners discussed their concerns and opinions with regard to the operation of the St. Francis No. 2 Well.

5. After the May 6, 2010 hearing, the City selected BridgeNet International ("BridgeNet") to undertake the noise and vibration studies around the St. Francis No. 2 Well. BridgeNet proposed to take one of the tests inside the home of Mr. Haji.

6. Power Run attempted to schedule noise and vibration studies on numerous occasions with Mr. Haji to no avail, and finally was able to get Mr. Haji to permit entry to his home at the very end of July. Accordingly, Power Run was not able to schedule the noise and vibration studies until August, three whole months after the Commission's ruling on May 6, 2010.

7. I was present for the noise and vibration measurements, which were conducted on the nights of August 5 and August 6, 2010. On the night of August 5, 2010, noise and vibration measurements were made between 10:00-10:30 p.m. with the oil well operating. On the night of August 6, 2010, noise and vibration measurements were made between 10:00-10:50 p.m. with the oil well operating and between 11:00-11:30 p.m. without the oil well operating.

8. Based on the report Power Run received from BridgeNet and which I have reviewed, there is virtually no impact on noise or vibrations from the St. Francis No. 2 Well on the neighbors. The report states that Power Run's operations are within the requirements of the Torrance Municipal Code.

9. Pursuant to the motion passed by the Commission on May 6, 2010, Power Run operated continuously for 24 hours a day for 6 days, during the dates of August 1, 2010 and August 6, 2010. The result of this continuous operation was that the St. Francis No. 2 produced approximately 2 more barrels of oil per day and there was no clanking noise each morning as the well started up.

10. Apart from the test run during the dates mentioned above, the St. Francis No. 2 Well did not operate outside of the hours of 8:00 a.m. to 5:00 p.m.

11. In addition to the noise and vibration study, Power Run also made modifications to its vapor recovery system to address any alleged odor concerns resulting from Power Run's shipping of oil. In May 2010, I installed a 3" steel line from the tanks to the truck loading area, which displaced the gas in the truck right back into the tanks, which had the result of injecting the fumes back into the tanks, rather than getting out into the air. These modifications will reduce the smell of vapors when the truck is loading oil from the tanks.

12. Despite these modifications, on August 16, 2010, I received a complaint from Mr. Dalziel that he could smell a "whiff" of oil. On August 17, 2010, I also received a complaint from Mr. Haji that the odor issue had been going on for the last two weeks, during

which time he stated that he could smell oil sporadically. Mr. Haji threatened to report Power Run to the South Coast Air Quality Management District.

13. After receiving the complaint from Mr. Dalziel, I immediately went out to the well and checked for odors. I also checked on August 17, 2010 for odors. I did not smell anything at the time I was there.

→ 14. On August 17, 2010, I called Avanti Environmental, environmental consultants who specialize in monitoring air quality emissions from oil and gas facilities, to have them come out to the St. Francis No. 2 to use gas monitors to read the levels of gas emissions and odors. On August 17, 2010 at 1:30 p.m., two inspectors from Avanti Environmental inspected the entire tank farm with gas monitors. They did not detect any leaks with gas monitors.

15. On August 17, 2010, I replied by e-mail to Mr. Haji and Mr. Dalziel regarding the results of the inspection. Mr. Haji stated that he would notify me if he smelled gas again. I have not received any additional complaints from Mr. Haji or Mr. Dalziel regarding odors from the tank farm.

16. Of the three major areas of complaints from the neighbors, noise, odor and vibration, all three are capable of being tested and all three have been tested by Power Run in the last month. The result of the tests undertaken by independent consultants has confirmed time and again that Power Run is in full compliance with the City's rules and regulations, as well as the rules and regulations of the agencies governing oil operations. The complaints of the neighbors have been shown to be unfounded and not based on any evidence. However,

we continue to attempt to address their concerns and complaints, as evidenced by my actions on August 16th and 17th.

If called as a witness, I could and would testify to the foregoing from my own personal knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of September in Redondo Beach, California.

A handwritten signature in cursive script, reading "Daniel Reyes", written over a horizontal line.

Daniel Reyes

1507450.3

**APPLICATION OF POWER RUN OIL, LLC TO
TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

Case No. OIL10-00004

September 2, 2010

STATEMENT OF CHARLES A. CHAMPION

1. I, Charles A. Champion, am a registered petroleum engineer. I am making this statement with respect to the Application of Power Run, LLC ("Power Run") to the Torrance Environmental Quality and Energy Conservation Commission ("Commission") for a modification of its operating permit to operate the St. Francis No. 2 Well at hours other than 8:00 a.m. to 5:00 p.m.

2. I am making this statement to describe from a petroleum engineering and an operational standpoint the impact of the restrictions placed by this Commission on Power Run's operation of the St. Francis No. 2 Well, which is located in a parking lot of West High School located at 4900 Del Amo Boulevard in the City.

3. As discussed in further detail below, the restrictions on the Power Run's hours of operation unnecessarily impair those operations with no corresponding benefit to the Power Run's neighbors or the community. In fact, among other things, by limiting the operation of the St. Francis No. 2 Well to the hours from 8:00 a.m. to 5:00 p.m. is contradictory to the Commission's energy conservation goals by forcing Power Run to operate the pumping unit's electric motor during peak demand times, rather than off peak demand periods. Removing the restriction would provide Power Run with the flexibility to

9. I was an Adjunct Associate Professor of Petroleum Engineering at the University of Alaska (1972-1980).
10. I was also appointed to the position of Alaska State Pipeline Coordinator in July 1972 by Governor William A. Egan and re-appointed December 1974 by Governor Jay S. Hammond. In that position, I was responsible for State policy and supervision of construction impact on State of Alaska lands crossed by the Trans-Alaska Pipeline. I reported directly to the Governor of Alaska.
11. I was also a member of the visiting committee on curriculum of the Department of Environmental Sciences for the Colorado School of Mines from 1989 to 1992.
12. In 1981, I received the Alaska Petroleum Engineer of the Year award from the Society of Petroleum Engineers.
13. I was also a member of the United States – USSR Scientific Interchange on Permafrost, Pipelines and Environmental Protection from 1974 to 1977.
14. I have previously appeared before this Commission to testify regarding continuing oil and gas operations of the nearby Carson Lease in Torrance, California.
15. In addition to my knowledge of petroleum engineering, I have significant training and experience in the mechanical engineering aspects of oil and gas production.
16. Furthermore, I have considerable experience in evaluating and determining the value of oil and gas producing properties. I also have substantial personal experience in buying, selling and operating oil producing properties.

would no longer be precluded from producing all of the oil that the zone is capable of producing.

23. By optimizing its operations and production, I have calculated that the St. Francis No. 2 Well could produce perhaps thirty to forty additional barrels of oil per month. This would not only result in increased revenues for Power Run, but would also generate additional tax revenues for the City and additional revenues for Power Run's royalty owners.

24. In addition to increased revenues for both Power Run and the City, by giving Power Run the flexibility to determine the optimal operating schedule, it is likely that Power Run could reduce its energy consumption, thereby meeting one of the goals of the Commission, which is energy conservation.

25. If Power Run were permitted to operate at night, it could operate off peak load hours for Southern California Edison, thereby increasing energy efficiency and lowering electricity rates.

26. From my inspection of its facilities and operations, Power Run appears to be fully complying with its environmental obligations, the City's operating requirements for oil wells, and has even gone above and beyond its obligations, for example, by installing the sound barrier around the St. Francis No. 2 Well.

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**APPLICATION OF POWER RUN OIL, LLC TO
TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

Case No. OIL10-00004
September 2, 2010

STATEMENT OF JUSTIN W. COOK

1. I, Justin W. Cook am the Director of Engineering for BridgeNet International ("BridgeNet"), a company that specializes in noise and vibration measurements. I am making this statement with respect to Power Run, LLC's ("Power Run") Application to the Environmental Quality and Energy Conservation Commission of the City of Torrance ("Commission") for a modification of its operating permit.

2. BridgeNet was selected and approved by the Staff of the Community Development Department of the City of Torrance ("City") to independently conduct vibration and noise measurements during the night hours for the St. Francis No. 2 well located in a parking lot of West High School located at 4900 Del Amo Boulevard in the City and to provide a report to the City and the Commission on the results of the survey to assist in assessing the potential noise and vibration impact on neighbors and the community if the well owned by Power Run Oil, LLC ("Power Run") was operated at hours beyond 8:00 a.m. through 5:00 p.m.

3. As discussed in further detail below, BridgeNet conducted noise and vibration measurements under my supervision at locations in the immediate vicinity of the St. Francis No. 2 well in Torrance on August 5 and August 6, 2010.

4. I am fully qualified to conduct noise and vibration studies. I graduated from the University of California-Irvine in 2002 with a Bachelors of Science degree. I am an acoustical engineer with over 10 years experience in project management, noise modeling and analysis, noise measurements, building acoustics and environmental noise studies. In addition to my current employment at BridgeNet, I have also worked as an acoustical engineer for Wyle Laboratories. I am a member of the Acoustical Society of America, the Institute of Noise Control Engineering and the Association of California Airports.

5. I have conducted noise and vibration studies of oil and gas operations on numerous occasions, including preparing a noise and vibration study of construction and operation of pipelines near Bakersfield, CA, which included conducting noise measurements of existing ambient noise along the proposed pipeline route. I have also conducted a noise measurement survey of the Micro-Turbine powered electrical generators at the County of Orange facility located in Santa Ana, California.

6. As a result of my education and experience in noise and vibration studies and monitoring, I am qualified to provide the Commission with an independent opinion regarding the level of noise produced by Power Run's operations at the St. Francis No. 2 well, Power

Torrance Municipal Code. The average noise levels with the oil well operating do not exceed the ambient average noise levels (without the oil well operating) by more than 5 dBA.

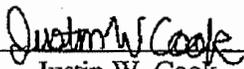
17. Based on the acoustic tests, as detailed in the Report, the noise from the oil well alone should not exceed the noise restrictions on Sunday mornings of 45 dBA, and the noise from the oil well should comply with the City of Torrance's municipal code for Sunday mornings between 12:01 a.m. and 7:00 a.m.

18. Based on the vibration tests detailed in the Report, our tests confirmed that the average vibration level is well below an average residential vibration level. The threshold of perception of vibration for humans is around 65 VdB, yet the average vibration levels taken from 20323 Donora Avenue was only 9.1 VdB, and that average vibration level remained the same whether the oil well was operating or not.

If called as a witness, I could and would testify to the foregoing from my own personal knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of September in Newport Beach, California.


Justin W. Cook

1504708.6

Hanif & Zohra Haji

**20323 Donora Ave
Torrance, CA 90503**

Katherine Yamada

**20329 Donora Ave
Torrance, CA 90503**

Brian & Tandie Dalziel

**20333 Donora Ave
Torrance, CA 90503**

August 31, 2010

Chairperson Reilly and Members
Torrance Environmental Quality and Energy Conservation Commission
3031 Torrance Blvd.
Torrance, Ca 90503

Re: Power Run Oil 10-0004 4900 Del Amo Blvd, Torrance, Ca 90503

Dear Chairperson Reilly and Commission Members,

This morning we were notified by Ms. Jones that a recommendation is being made to the Torrance Environmental Quality and Energy Conservation Commission (the "Commission") that the oil well located at 4900 Del Amo Blvd, Torrance, Ca 90503 (the "Well") be allowed to operate 24 per day seven days per week.

At the November 2008 extension hearing the Commission, taking a holistic approach and using intellectual sensibilities, denied extending the Well's hours of operation beyond 8:00 am to 5:00 pm seven days a week. In the last 30 years the Well has never run continuously and the area residents have a reasonable expectation for that not to change for the worse.

As cited at previous hearings dating back to 2000, the Well is erratic and amount of noise it generates changes during the course of the day. The Well's noise and vibration increases in intensity at unpredictable times of the day (this has been observed and verified by City of Torrance staff). Atmospheric conditions, humidity and temperature affect the intensity of the noise.

The noise readings used in the most recent decision making process were done before 11:00 pm on two consecutive nights for a total of approximately eighty minutes. It was the residents expectation, from staff recommendations, at the May 6, 2010 meeting that noise levels would be continuously monitored for an extended period.

Power Run Oil ("Power Run") has a poor track record of maintenance and adhering to the City of Torrance operating conditions for the Well. Below are some examples:

1. September 2002 150-gallon oil spillage. Took over three years of constant complaining for Power Run to mitigate the odor. See meeting minutes dated February 3, 2005.

2. Power Run took from February of 2007 to March of 2008 to replace a dividing fence between the Well and the residents at 20323 Donora and 20329 Donora. See neighbor letters and petition dated September 2, 2008 signed by 26 residents.
3. In 2007, the County Sanitation District of Los Angeles County cited Power Run for "violating applicable pretreatment standards or other pretreatment requirements" See document submitted at May 6, 2010 hearing.
4. In December 2009 Power Run built an un-permitted, un- approved structure approximately 20 feet high and 35 feet in length that is covered with reflective acoustical material. Once this structure was built, the oil pump was run continuously until about April 7, 2010 in violation of operating conditions set forth by the City Of Torrance in November of 2008. See documentation submitted at May 6, 2010 hearing.
5. Landscaping issue on the East side of the Well remains unresolved since 9/27/2007. See neighbor letters and petition dated September 2, 2008 signed by 26 residents and documents submitted at May 6, 2010 hearing.
6. Power Run has operated the oil pump beyond the hours of 8:00 am to 5:00 pm since May 6, 2010 contrary to the commission's motion.

The reflective acoustical material used to camouflage the oil pump has a limited life span. The noise levels will increase in time as the material deteriorates. Given Power Run's continuous non-compliance and the city staff's inability to hold him accountable we urge the commission to reject the staff recommendation for continuous operation.

Sincerely,

Hanif & Zohra Haji

Hanif & Zohra Haji

Katherine Yamada

Katherine Yamada

Brian & Tandie Dalziel

Brian & Tandie Dalziel

c.c: The Honorable Mayor and the City Council of Torrance

**TORRANCE ENVIRONMENTAL QUALITY AND
ENERGY CONSERVATION COMMISSION**

DATE: May 6, 2010

CASE: OIL10-00004

NAME: Power Run Oil Company

ADDRESS: P.O. Box 3087, Redondo Beach, CA 90277

PURPOSE OF APPLICATION: Request for a modification of the pumping well operation hours.

WELL NAME: St. Francis #2

LOCATION: 4900 Del Amo Boulevard, Torrance, CA 90503 (West High Parking Lot)

ZONING: P-U

ADJACENT ZONING AND LAND USE:

North: P-U Parking lot

South: P-U Parking

East: R-1 Single Family Residential

West: West High School

EXISTING OIL EQUIPMENT AND STRUCTURE: One (1) oil well, two (2) storage tanks, clarifier tanks and heater.

BACKGROUND AND DISCUSSION:

This site is located at the eastern edge of the West High School parking lot adjacent to single-family residences. It measures approximately 125 feet by 76 feet. The oil well has been at this location since the 1930's and the storage tanks were relocated to this site from 4903 White Court in 1962. Oil is pumped from the well into the storage tanks and removed from the site by truck approximately three times per month. Oil from three other sites owned by Power Run is also piped to and stored in the tanks.

Every third year non-confirming oil sites are required to obtain operation extensions. This well site was approved for continued operation by the Environmental Commission in November 2008. A condition of that approval restricted the well operation hours to occur between 8:00 a.m. and 5:00 p.m., seven days a week. Power Run Oil is requesting to operate the well 24 hours, all days, to maximize production; eliminate noise generated by the start up of the well; and reduce wear and damage to the parts from turning the well off and on.

Owners of the three homes adjacent to the site have expressed concerns about the general lack of maintenance; noise from the motor; and odor, as well as unhappiness at having to see the well. To address these concerns, the well owner installed artificial landscape behind one of the homes and to lessen the noise, acoustical blankets were placed on the motor and on the fencing surrounding the pumping unit. Recently problems with odor have been less of an issue and seem to occur mainly when there are problems with the equipment.

Staff does yearly inspections of all well sites. This site continues to be in compliance with Torrance Codes. Noise readings of the equipment have not registered above 50 decibels. The owner has been cooperative in working with staff and trying to address neighbor concerns. South Bay Dispute Resolution has also been involved in communicating with all parties to try to resolve neighbor concerns.

In December 2009, the well owner installed chain link fencing over the top of the pumping unit, creating an "A" frame roof and covered it with sound proofing material which encloses the well so that it is not visible. The owner believed this would eliminate noise and visibility of the well head and as a result, hoped to operate the well for longer hours. The enclosure was installed without approval but was later reviewed by the Building & Safety Manager who determined that the structure is temporary and does not require a permit.

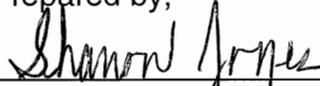
The residents have expressed concerns that the enclosure is too big, unaesthetic and draws more attention to the well instead of disguising it. They are also concerned that the well is already pumping 24 hours.

Over the past 30 days, the well owner has reported three incidents of an intruder breaking into the well site and tampering with equipment. The latest incident occurred on April 24, 2010, when an intruder activated the override switch and caused the well to begin pumping after the approved hours. Police reports were taken.

RECOMMENDATION:

The enclosure provides a remedy for complaints regarding visibility of the well head and noise from the motor. It is recommended that the acoustical material and roofing be allowed to remain and that the well be able to operate continually on a trial basis. More landscape can be installed as a visibility barrier, especially for the two homes abutting the site that have none. All existing conditions and code requirements must be adhered to for the duration of the operation extension.

Prepared by,



Sharron Jones
Sr. Environmental Quality Officer

CONCUR:



Gregg Lodan, Manager
Community Development and Environmental Division

Behrens and Associates, Inc.*Acoustics, Noise and Vibration Consultants*

May 6, 2010

Petroleum 360

2525 Cerritos Ave.

Signal Hill, CA 90755

Attention: Daniel Reyes

Subject: Sound Measurement Survey Report

Dear Mr. Reyes,

On Thursday, May 6 at 11:00 AM to 12:20 PM we completed a sound level survey of your oil pumping unit located at 4500 Del Amo Boulevard with and without the pumping operating. A site map indicating the measurement location and measured dBA levels is shown in the following page. The sound level measurements in blue represent the one minute average (Leq) sound levels with the pumping unit not operation. The sound level measurements in red represent the one minute average (Leq) sound levels with the pumping unit in operation.

Our evaluation is that the operational noise level of this oil pumping unit did not increase the ambient sound levels at this location.

Very truly yours,

Don Behrens

President

Attachment

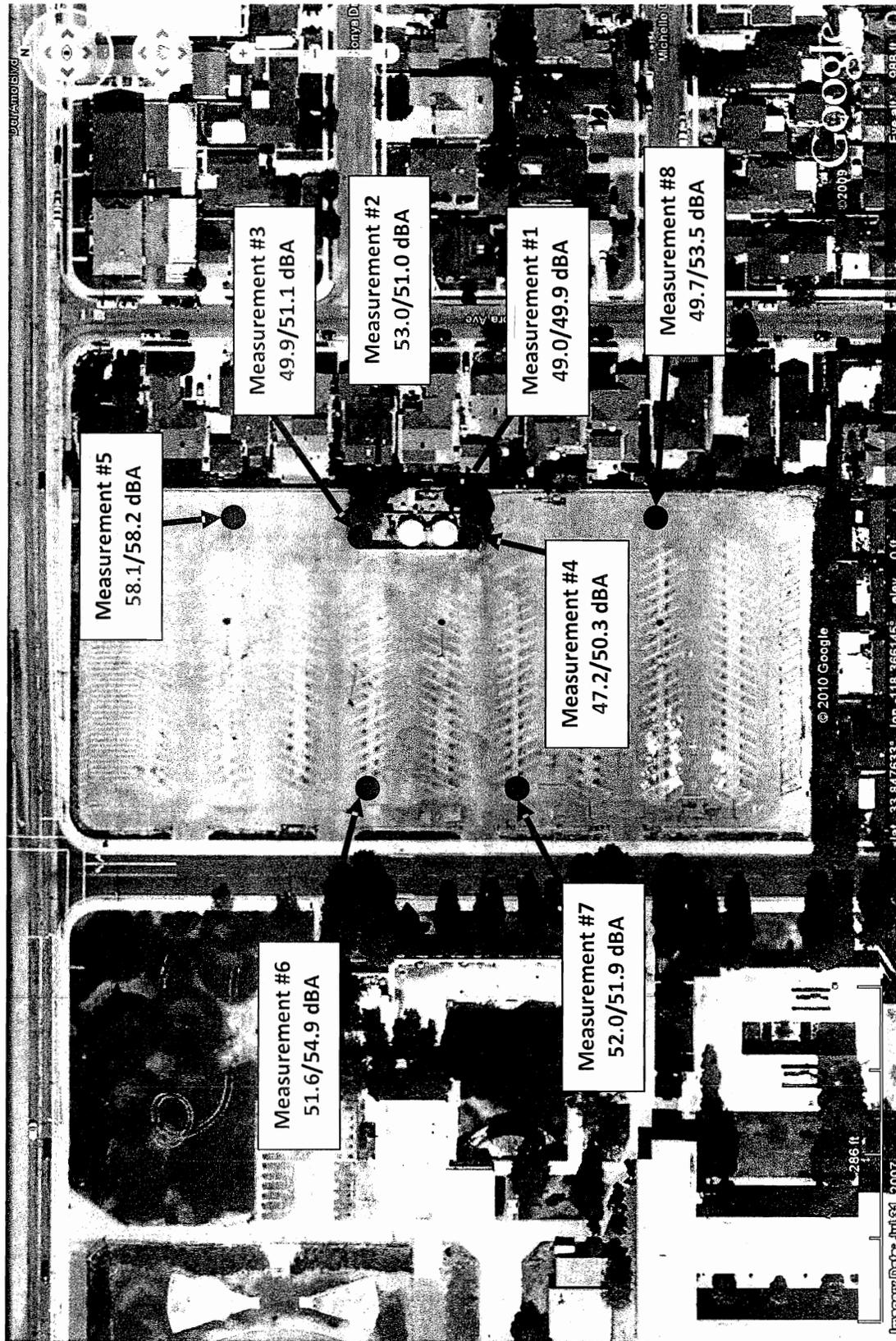
Behrens and Associates, Inc.

Acoustics, Noise and Vibration Consultants

Blue not on
red on



55 db



Del Amo Site Measurement Locations and Sound Levels (with Pump Unit Shut down/turn on)

**APPLICATION OF POWER RUN OIL, LLC TO
TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

Case No. OIL10-00004

May 6, 2010

STATEMENT OF DANIEL REYES

1. My name is Daniel Reyes, and I am making this statement in support of the Application of Power Run Oil, LLC ("Power Run") to Torrance Environmental Quality and Energy Conservation Commission for a modification of Resolution No. 08-110.

2. I am the contract operator for Power Run and have operated all of its oil wells and other facilities in Los Angeles County since 2008. In that capacity, I supervise Power Run's oil production operations for its St. Francis Lease and its St. Francis No. 2 well located at 4900 Del Amo Boulevard in Torrance. Power Run's well and related production facilities are located next to the far eastern edge of the parking lot of West High School. Among my other duties, I am responsible for maintaining the wells and the property, as well as daily visits for operations and inspections. Attached hereto as Exhibit "A" is a photograph of the wellsite taken from the parking lot of West High School.

3. I have worked in the oil production industry for 22 years in Southern California, Texas, Colorado, Canada and Mexico. In particular, I have operated and supervised the operation of numerous oil wells, not only for Power Run, but also many other small and large oil companies. As part of my experience in oil production operations, I am knowledgeable about the efficient and safe manner of operating oil wells in California in accordance with good oil field practices and consistent with industry and regulatory standards. I also have personal knowledge of Power Run's compliance with those standards and practices.

4. Power Run's facilities on the St. Francis Lease include one oil well, 2 crude oil storage tanks, a water clarifier, and related facilities. The facilities and the St. Francis No. 2 Well are located within a small fenced area.

5. The St. Francis No. 2 well was drilled in the early 1950s, and has operated continuously since then.

6. The biggest operational and maintenance problem that Power Run is facing with regard to its St. Francis No. 2 well is the increased wear and tear that is being placed on the pumping unit by shutting it off daily. Ordinarily, pumping units run continuously, and so they are not designed to be turned on and off daily, particularly in wells with a heavy gravity of oil, like the St. Francis No. 2 Well.

7. As a result of the current operating restrictions placed on Power Run by the City of Torrance, the pumping unit has been damaged and additional maintenance is required, directly caused from the increased wear and tear on the unit. The damage to the pumping unit by not

being permitted to operate continuously could present a dangerous situation. Furthermore, each morning there is a slight clanking noise, which is caused by the pumping unit having to warm up after being off all night. Based on my experience, that clanking noise would not occur if the well ran continuously.

8. Power Run also operates other wells nearby in the Torrance Field, identified as the St. Francis No. 1, St. Francis No. 3, St. Francis No. 4, Dominguez No. 1 and Dominguez No. 2 wells and has permits from the City for those wells. The permits for those wells do not have the same operational restrictions as the St. Francis No. 2 Well. We generally operate those wells continuously and do not encounter the same operational and maintenance problems that we encounter with the St. Francis No. 2 Well. In fact, the St. Francis No. 3 operates 24 hours a day, 7 days a week, and is located immediately behind a large apartment building, with no complaints. We have not received any complaints regarding those wells from neighbors about noise or any other problems.

9. In addition to Power Run's other wells which run continuously without restriction, I am aware of other oil companies which the City permits to operate their wells 24 hours a day within the City of Torrance, including the S & C Oil Company, Inc., Brea Canon Oil Co., Hunt Enterprises and the Little Jewel Well, among others. To my knowledge, the St. Francis No. 2 Well is the only well that is compelled to operate under such a restriction in Torrance.

10. In addition to the increased maintenance costs, the production restriction on the St. Francis No. 2 Well has resulted in Power Run losing approximately 80 barrels a month of oil production, which costs Power Run thousands of dollars a month and results in lower royalty payments to other property owners in Torrance and fewer tax dollars to the City.

11. If Power Run were permitted to operate the St. Francis No. Well continuously, Power Run would not only be able to produce more oil, but would have fewer expensive maintenance problems with its pumping unit and facilities.

12. In attempt to be good a neighbor to the nearby residents, over the past three years Power Run has made significant expenditures on the St. Francis No. 2 Well to reduce the visual and noise impacts of its operations, in addition to the construction of the enclosure over the well. These expenditures were not required by law or Power Run's permit from the City, and are instead above and beyond any state, federal or local requirements on oil and gas operations.

13. Starting in November of 2007, Power Run employed a contractor to build fencing and trellis-work around the well site, including a trellis and landscaping for our neighbor, Mr. Hani Hajif. Due to the neighbors' varying requests and preferences, Power Run was forced to employ this contractor again twice in 2008 and twice in 2009 to comply with the neighbors' requests. These bills have totaled almost \$10,000 just for fencing and trellis-work.

14. The neighbors, including Mr. Haji, have also made various landscaping requests, which have cost Power Run almost \$1000. Again, Power Run made these improvements as an attempt to be a good neighbor.

15. In August of 2009, Power Run was approved to operate the St. Francis No. 2 Well continuously on a temporary basis to determine if operation in that manner would resolve Power Run's well operational issue. Operating continuously solved the maintenance issues and stopped the slight clanking noise on the well.

16. Power Run voluntarily began constructing the soundproofing enclosure around the well in November of 2009. The enclosure was finished in January of 2010, at a cost of over \$12,000 (See Exhibits A and B). The enclosure completely encloses the pumping unit, blocking it from the sight of the neighbors, and is also draped with acoustic sound-proofing material specifically designed to block out noise from the well's operations.

17. This enclosure was built solely to appease the neighbors, since the St. Francis No. 2 Well has never violated any of the decibel level requirements of the City of Torrance. In fact, on multiple occasions, City inspectors have determined that the noise from the wells was within the limits of the Torrance Municipal Code. Despite the complaints of the neighbors, there has never been any evidence that the noise from the oil and gas operations is outside of the permitted noise levels within the City of Torrance, even before the construction of the enclosure. Now, the enclosure blocks out virtually all noise from the well. Attached hereto as Exhibit "B" is a photograph of the interior of the wellsite taken from the north end of the enclosed wellsite and showing the well sound proofing enclosure, as well as the trellis on the wall adjoining Mr. Haji's property and the other soundproofing materials that Power Run installed.

18. A recent noise study was conducted by Behrens and Associates, Inc. which showed, at most only, an increase of approximately 1 decibel over the ambient noise level when the St. Francis No. 2 Well was operating. Generally, the noise level within the wellsite enclosure is less than the ambient noise level of the surrounding area. As I understand, Section 46.2.7 of the Municipal Code restricts the operation of any "...oil production equipment in any manner so as to create any noise which would cause the noise level at the nearest property line of any residential land to exceed the ambient noise level by more than five (5) decibels;...". The enclosure ensures that the St. Francis No. 2 Well operates well within those limits.

19. Continuous operation of the well would not impose any hardships on the neighbors, since the new enclosure around the pumping unit prevents the neighbors from seeing or hearing any of the pumping unit's operations.

20. Since construction of the enclosure, it has been broken into twice with bolt-cutters, and Power Run has had to file two separate police reports. The first incident happened on March 22, 2010, and the second incident happened on April 24, 2010. Apart from these two reported incidents, there have been numerous occasions where I have arrived at the site to find that the enclosure has been tampered with overnight. It was unlikely that the break-ins were by high school students, since students do not typically have bolt cutters on campus.

21. On March 22, 2010 at around 4:00 a.m., Mr. Hanif Haji left a message for Sharron Jones, stating that he would take bolt-cutters and break into the well. It was later that evening when the first break-in occurred. Additionally, despite the fact that the well is completely covered from sight, Mr. Haji started complaining that the pump was running continuously on March 22, 2010. Since that date, the complaints from Mr. Haji and Mr. Brian

Dalziel regarding the noise of the well have increased in frequency, even though Mr. Haji admitted at an Environmental Quality and Energy Conservation Commission Meeting on November 6, 2008 that the sound-proofing material installed, even before the well was fully enclosed, helped reduce the noise.

22. The fully enclosed well emits virtually no sound, so short of looking inside the enclosure, the neighbors should have no awareness of when the well is operating.

23. In addition to costs for the enclosure, fencing and landscaping, Power Run has been forced to pay other unnecessary costs as a result of the neighbors around this well. Costly maintenance of the pumping unit is required because the well cannot operate continuously. I have also had to spend a significant amount of time dealing with Mr. Haji and Mr. Dalziel, including a constant barrage of e-mails and having to go out to the site whenever either of them has a problem, including Saturday, April 24, 2010, when I had to respond to yet another break-in on the property. Nothing has been stolen from the property, so we have assumed that the perpetrators are breaking into the site to tamper with Power Run's equipment or see Power Run's operations, as opposed to theft. Furthermore, on April 24, 2010, the intruder activated the override switch to cause the well to start pumping after the permitted hours of operation.

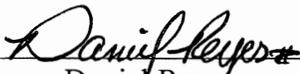
24. The neighbors have also complained about the frequency and times that the trucks come to the property. Power Run has trucks come to the property for a few reasons: maintenance, tanker trucks to ship the oil. All of these are necessary to the operation of an oil and gas facility. Power Run also has vacuum trucks come to the site to remove the water. In some cases, we are required by the regulations of the California Division of Oil, Gas and Geothermal Resources to remove water from cellars immediately.

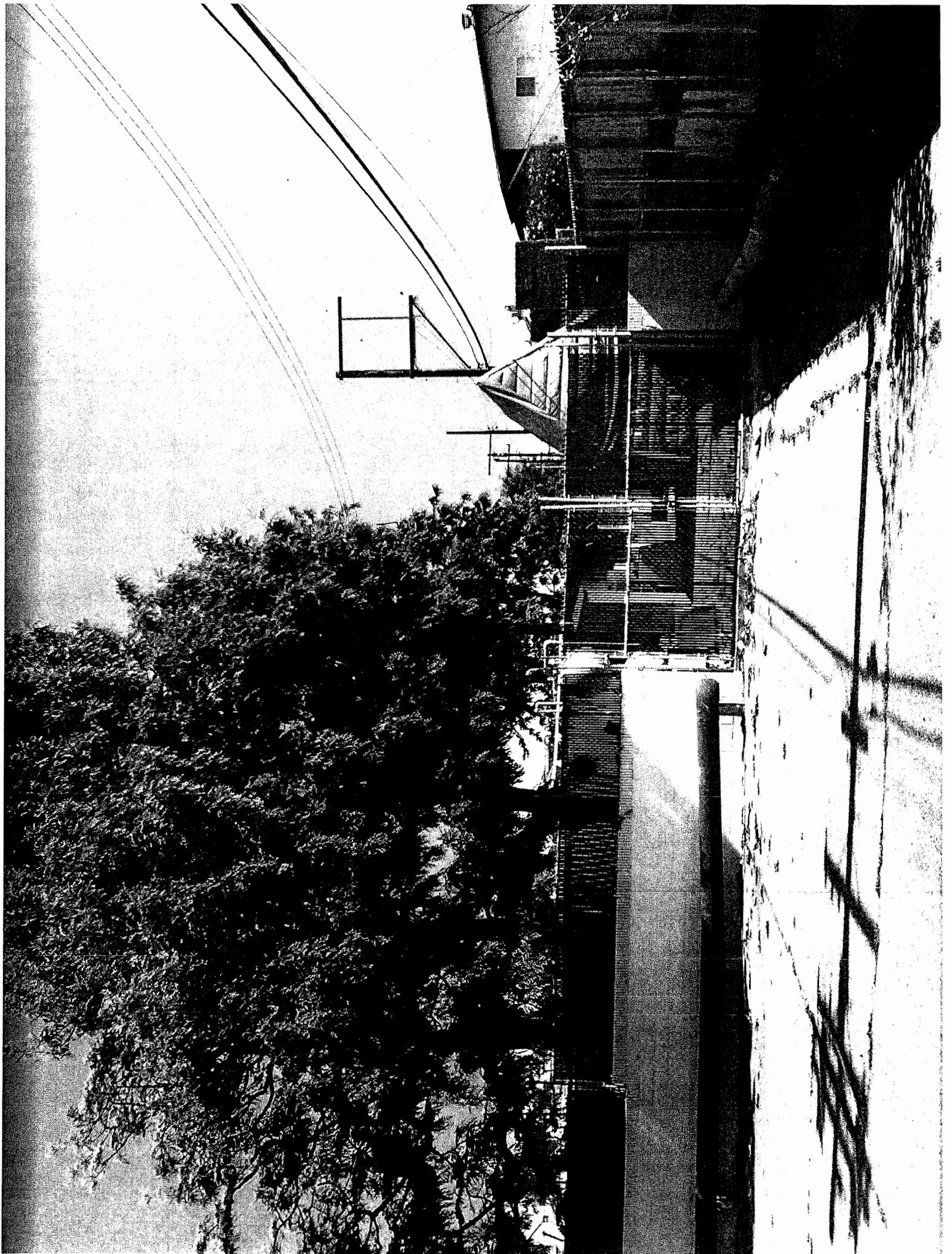
25. Power Run has tried to schedule trucks at times which are convenient to the neighbors, but sometimes maintenance or other operational needs may require us to work around the truck company's schedule. However, the trucks park on the high school's parking lot, and present no greater inconvenience to the neighbors than the numerous school buses and student cars entering and exiting the high school's parking lot on a daily basis.

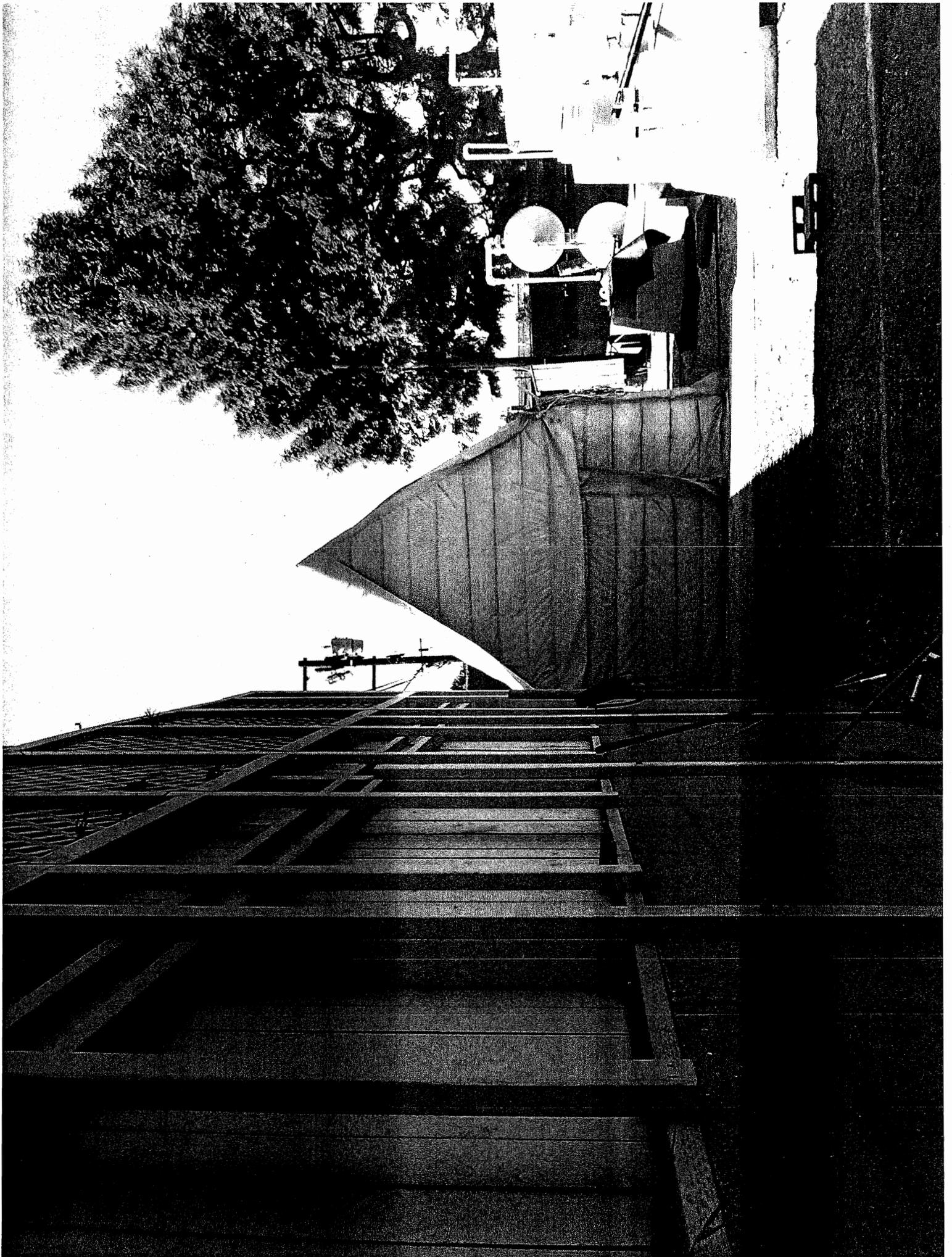
If called as a witness, I could and would testify to the foregoing from my own personal knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of May in Redondo Beach, California.


Daniel Reyes





**APPLICATION OF POWER RUN OIL, LLC TO
TORRANCE ENVIRONMENTAL QUALITY
AND ENERGY CONSERVATION COMMISSION**

Case No. OIL10-00004

May 6, 2010

STATEMENT OF RODGER S. HUNT

1. My name is Rodger S. Hunt, and I am the President of Power Run Oil, LLC ("Power Run"). I am making this statement in support of Power Run's Application to the Torrance Environmental Quality and Energy Conservation Commission for a modification of Condition No. 10 of the Resolution No. 08-110 which states that "Hours of operation shall be limited to no more than 8:00 a.m. to 5:00 p.m." As discussed below, a condition of this type has not been imposed on other operators in the City, is not required by the Municipal Code, and is not only unnecessary, but is also costing Power Run thousands of dollars in increased repair and maintenance costs and in lost oil production.

2. Power Run is an independent oil and gas producer based in Redondo Beach. We operate oil and gas properties in Los Angeles County, and currently operate oil and gas producing wells in Torrance and unincorporated areas of Los Angeles County. In my position as Power Run's President, I am familiar with the company's operations and producing properties.

3. Among the wells that Power Run operates is an oil well, commonly referred to as the St. Francis No. 2 Well, which, along with its related production facilities, is located at 4900 Del Amo Boulevard in Torrance next to the far eastern edge of the parking lot of West High School. Power Run's facilities on the St. Francis Lease include one oil well, 2 crude oil storage tanks, a water clarifier, and related facilities. The facilities and the St. Francis No. 2 Well are located within a small fenced area. The well provides relatively heavy crude oil with a gravity of between 13 and 18 degrees.

4. Power Run operates the St. Francis No. 2 Well as the successor sublessee under a "Community Oil and Gas Lease", recorded on September 8, 1943 in the Los Angeles County Recorder's Office in Book 20262, Page 198. That lease covers the mineral rights over many properties in the area of the well and Power Run pays royalties based on a share of the oil produced and sold from the St. Francis No. 2 Well to property owners who own the mineral rights in properties adjoining the well.

5. As a community lease, there are many royalty owners who derive income from the St. Francis No. 2 Well, and who would benefit from increased production of the St. Francis No. 2 Well.

6. The St. Francis No. 2 well was drilled in the early 1950s, and has operated continuously since then.

7. In November 1999, Power Run acquired the Community Lease and the St. Francis Nos. 1, 2, 3 and 4 Wells from Nanette Sutherland, who operated under the name of Shasta Pan Oil Company.

8. Since acquiring the wells, Power Run has obtained successive three year permits from the City to operate the St. Francis No. 1, the St. Francis No. 2, St. Francis No. 3, St. Francis No. 4, Dominguez No. 1 and Dominguez No. 2 wells. Its current permit for the St. Francis No. 2 was issued on November 6, 2008 by Resolution No. 08-110. That resolution, which approved an exception from Section 94.14.1 of the Torrance Municipal Code for the well, contains 10 conditions, including the condition "The facility be operated and maintained in accordance with the provisions of Torrance Municipal Code, Chapter 7." It also contains Condition No. 10 which states that "Hours of operation shall be limited to no more than 8:00 a.m. to 5:00 p.m." That condition was never included in any of Power Run's prior permits and has resulted in significant financial hardship to Power Run and has resulted in damage to Power Run's well equipment.

9. Power Run also obtained permits pursuant to Resolution Nos. 08-106, 08-107, 08-108 and 08-109 on November 6, 2008 to operate its St. Francis No. 1, St. Francis No. 3, St. Francis No. 4, Dominguez No. 1 and Dominguez No. 2 wells. None of those permits contain the same operating hour restriction as that set forth in Condition No. 10 of the Resolution No. 08-110.

10. In fact, the St. Francis No. 3 Well, located at 20331 Anza Avenue, runs 24 hours a day, 7 days a week with no operating restrictions, and is located directly behind a large apartment building. The well does not have the same soundproofing enclosures as the St. Francis No. 2 Well. Power Run has not received any complaints from any of the residents of the apartment building regarding the operation of the St. Francis No. 3 Well.

11. The St. Francis No. 1 Well located at 4903 White Court, approximately a block away from the St. Francis No. 2 Well, does not have the same soundproofing enclosures as the No. 2 Well. yet we have not received complaints from our neighbors about noise from that well.

12. The St. Francis No. 4 Well located at 20435 Anza Avenue also does not have the same soundproofing enclosures as the No. 2 Well. yet we have not received complaints from our neighbors about noise from that well. Similarly, we have not received complaints regarding the Dominguez No. 1 and Dominguez No. 2 wells located at 20310 Madrona Avenue.

13. Power Run's operations on the St. Francis No. 2 Well, to my knowledge, have always been conducted in full compliance with Chapter 7, as well the conditions of Resolution No. 08-110. Furthermore, we believe that our noise levels at our facilities fully comply with all applicable regulations.

14. Power Run's operations on the St. Francis No. 2 Well and its other wells are subject to extensive regulation by governmental agencies, such as the Division of Oil, Gas and Geothermal Resources and the South Coast Air Quality Management District. Power Run makes every effort to conduct its operations in accordance with applicable DOGGR regulations and any other applicable environmental regulations.

15. Since 1999, Power Run has invested tens of thousands of dollars in the St. Francis Lease and the St. Francis No. 2 Well.

16. Since 1999, Power Run has encountered constant and very expensive equipment problems on its St. Francis No. 2 well because of the wear and tear being placed on the pumping unit as a result of by shutting it off daily. Ordinarily, Power Run's pumping units run continuously, and so they are not designed to be turned on and off daily.

17. As noted, Condition No. 10 of Resolution No. 08-110 for the St. Francis No. 2 Well states that "Hours of operation shall be limited to no more than 8:00 a.m. to 5:00 p.m." Prior to that resolution, no restrictions had been placed, to my knowledge, on the operation of the St. Francis No. 2 Well, other than the restriction that tankers be restricted from coming onto the property before 8:00 a.m. on weekends, which was included as Condition No. 6 of the 2005 permit.

18. In this regard, while Section 46.3.2 and Section 97.8.7 of the Torrance Municipal Code may restrict repair, maintenance, drilling and redrilling operations after 5:00 p.m., neither Section 46.3.2, Section 97.8.7, nor any other provision of the Municipal Code, to my knowledge, contains any restrictions on the operation of electric motors and the pumping units on wells.

19. Furthermore, none of the other wells that Power Run operates are subject to such restrictions, nor has the City of Torrance placed any such restrictions on any of Power Run's other nearby wells, including the St. Francis No. 1, St. Francis No. 3, St. Francis No. 4, Dominguez No. 1 and Dominguez No. 2 wells. The permits for those wells do not have the same operational restrictions as the St. Francis No. 2 Well. We operate those wells continuously and do not encounter the same operational and maintenance problems that we encounter with the St. Francis No. 2 Well. Also, we have not received any complaints regarding those wells from neighbors about noise or any other problems.

20. The restriction on Power Run's operating hours at the St. Francis No. 2 Well has had a significant operational and financial impact on Power Run and its royalty owners. As a result of the current operating restrictions placed on Power Run by the City of Torrance, the pumping unit has recently started having maintenance problems, directly caused from the increased wear and tear on the unit, which is not designed to be shut off daily.

21. By having to shut off the well from 5:00 p.m. until 8:00 a.m., Power Run is losing thousands of dollars a month, both in increased maintenance costs for the repairs of the pumping unit and in lost production in the St. Francis No. 2 Well. This also results in lost revenues for the numerous royalty owners who derive an income from the community lease and the St. Francis No. 2 Well. The restriction produces no benefit for the City or its

residents, or our neighbors, including Mr. Haji and Mr. and Mrs. Dalziel and, in fact, causes the City to lose tax revenue due to Power Run's loss of production.

22. In August of 2009, the City allowed Power Run to operate continuously on a temporary basis to see if such operation resolved Power Run's maintenance issues. Operating continuously solved the maintenance issues and stopped the slight clanking noise.

23. Power Run's St. Francis No. 2 Well has always operated well below the noise restrictions imposed by the Municipal Code. In an attempt to be a good neighbor to the nearby residents, over the past three years Power Run has made significant expenditures to reduce the visual and noise impacts of its operations, in addition to the construction of the enclosure around the St. Francis No. 2 Well. These expenditures were not required by law, and are instead above and beyond any state, federal or local requirement on oil and gas operations.

24. In November of 2007, Power Run employed a contractor to build fencing and trellis-work around the well. Due to the neighbors' varying requests and preferences, Power Run was forced to employ this contractor again twice in 2008 and twice in 2009 to comply with the neighbors' requests. These bills have totaled almost \$10,000 just for fencing and trellis-work.

25. The neighbors have also made various landscaping requests, which have cost Power Run almost \$1000. Again, Power Run made these improvements as an attempt to be a good neighbor.

26. To further address any potential noise issues, Power Run installed a state of the art sound enclosure over the well which effectively soundproofs the St. Francis No. 2 Well. Power Run began constructing the enclosure around the well in November 2009. It was finished in January of 2010, at a cost of over \$12,000.

27. The enclosure completely encloses the pumping unit, blocking it from the sight of the neighbors, and is also draped with acoustic sound-proofing material specifically designed to block out noise from oil and gas operations.

28. This enclosure was built solely for the benefit of our neighbors, since Power Run has never violated any of the decibel level requirements of the City of Torrance. In fact, on multiple occasions, City of Torrance inspectors have determined that the noise from the wells was within the limits of the Torrance Municipal Code.

29. There has never been any evidence that the noise from the oil and gas operations is outside of the permitted noise levels within the City of Torrance, even before the construction of the enclosure. Now, the enclosure blocks out virtually all noise from the well.

30. In addition to costs for the enclosure, fencing and landscaping, Power Run has been forced to pay other unnecessary costs as a result of the neighbors around this well. Costly maintenance of the pumping unit is required because the well cannot operate continuously.

31. We have also had to spend a significant amount of time and money dealing with Mr. Haji Hanif and Mr. Brian Dalziel, including responding to their a constant barrage of e-mails and unsubstantiated complaints.

32. As I understand, the houses owned by Mr. Hanif and Mr. Dalziel were built in 1960, roughly eight years after the St. Francis No. 2 Well was built. Mr. Haji bought his house in 1980, almost thirty years **after** the well was drilled, and Mr. Dalziel purchased his house in 2003, over fifty years after the well was drilled. The well and the pumping unit would have been obvious to any potential buyers of the properties now owned by Mr. Hanif and Mr. Dalziel.

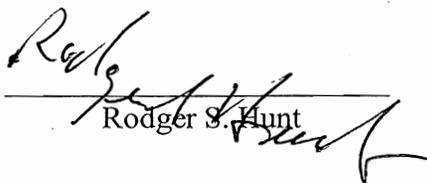
33. Mr. Hanif and Mr. Dalziel have also complained about the frequency and times that the trucks come to the property. Power Run has trucks come to the property for a few reasons: maintenance, trucks to ship the produced oil, and vacuum trucks to remove the water. All of these are necessary to the operation of an oil and gas facility.

34. Power Run has tried to schedule the trucks at times which are convenient to the neighbors, but sometimes maintenance or other operational needs require us to work around the truck company's schedule. Also, the trucks park on the high school's parking lot, and should present no greater obstacle to the neighbors than the numerous school buses and student cars entering and exiting the high school's parking lot on a daily basis.

If called as a witness, I could and would testify to the foregoing from my own personal knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of May in Redondo Beach, California.


Rodger S. Hunt

1424230.3

MAY 5, 2010

ENVIRONMENTAL COMMISSION MEMBERS:

MY NAME IS KATHERINE YAMADA. MY ADDRESS IS 26329 DONORA AVE, TORRANCE, CA 90503, WHERE I HAVE LIVED FOR THE PAST 42 YEARS. ILL HEALTH PREVENTS ME FROM ATTENDING TONIGHT'S IMPORTANT MEETING, FOR WHICH I APOLOGIZE.

I OPPOSE THE PROPOSED 24/7 HOURS OF OPERATION BY POWER RUN OIL. THE FACILITY IS CENTERED DIRECTLY BEHIND MY PROPERTY. MY NEIGHBORS ON ADJACENT PROPERTIES WILL REPRESENT OUR COMBINED OBJECTIONS TO THIS PROPOSAL. THEIR NAMES ARE:

HANIF HAJI, 20323 DONORA AVE., TORRANCE
BRIAN DANIEL, 20333 DONORA AVE., TORRANCE

AGAIN, MY APOLOGIES FOR MISSING THIS MEETING. I LOOK FORWARD TO YOUR PRESERVING OUR QUALITY OF LIFE IN THIS GREAT CITY OF TORRANCE.

RESPECTFULLY,

Katherine Yamada

Hanif & Zohra Haji
20323 Donora Ave
Torrance, CA 90503

Katherine Yamada
20329 Donora Ave
Torrance, CA 90503

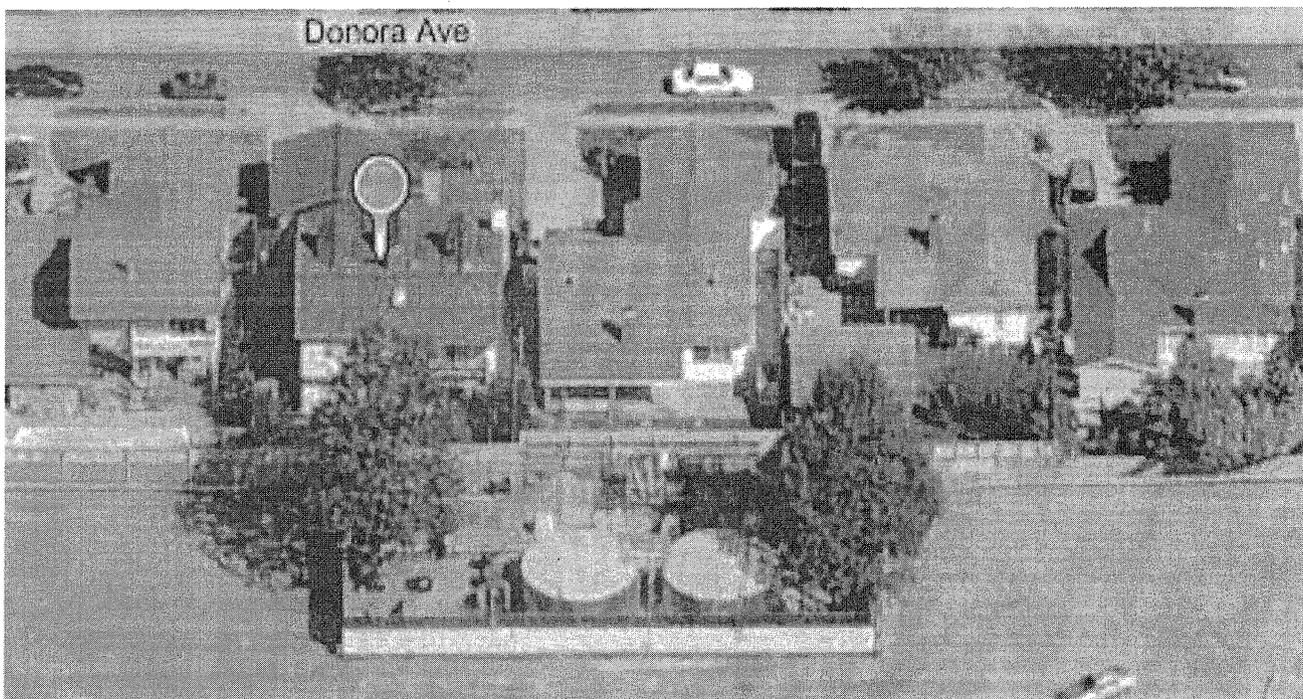
Brian & Tandie Dalziel
20333 Donora Ave
Torrance, CA 90503

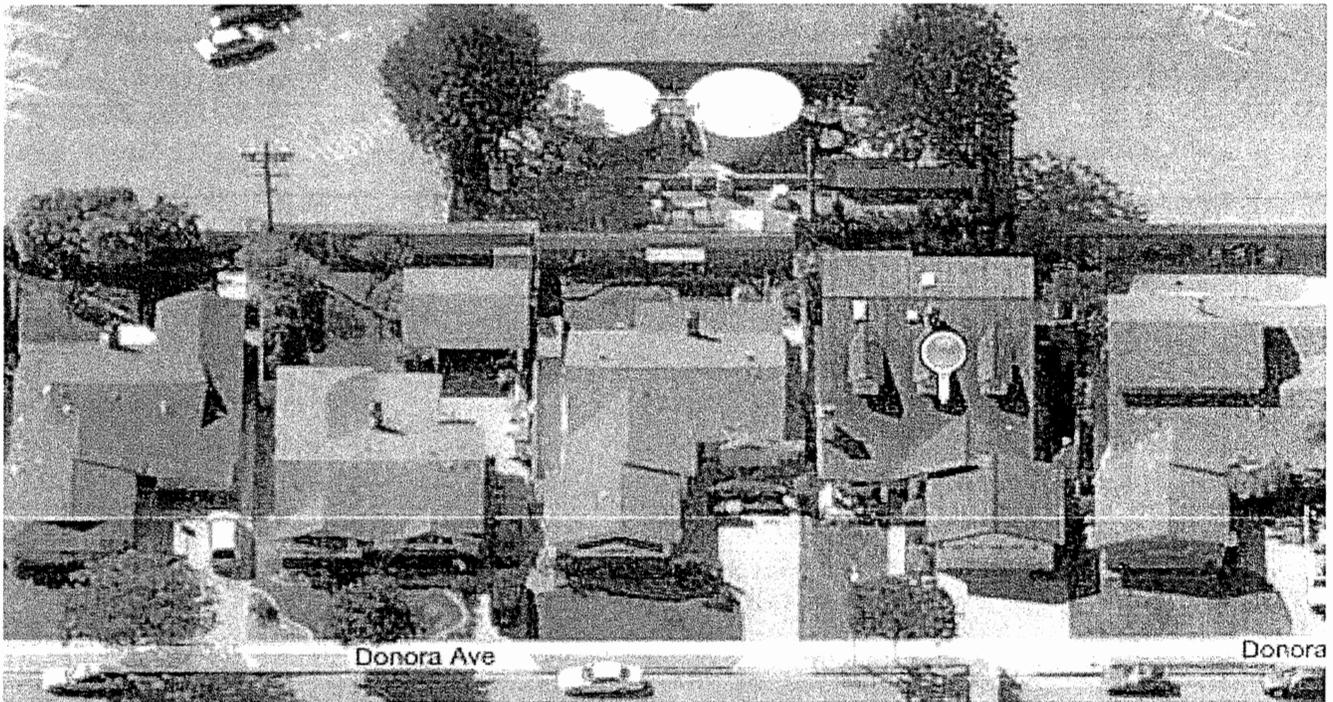
May 6, 2010
City Of Torrance
Environmental Quality and Energy Conservation Commission
3031 Torrance Blvd.
Torrance, Ca 90503

Dear esteemed Commission Members,

This correspondence is in our objection to OIL10-00004 petition of Power Run Oil. Power Run Oil is seeking to extend the current hours of operation of eight hours a day from 8:00 am to 5:00 pm seven days a week to 24/7/52, for the facility located at 4900 Del Amo Blvd. Torrance CA 90503 (along the East wall of the West High School Parking lot). It should be noted that at the last commission hearing in September of 2008, Power Run Oil's request to operate the oil well beyond the standard hours of 8:00 am to 5:00 pm was denied. The commission concurred with the neighbors and agreed this oil well and the two storage tanks sit right in the back yard of homes. It would further deteriorate the neighbors' quality of life if allowed to operate beyond the standard hours of 8:00 am to 5:00 pm. In addition, in the last 30 years this oil well has never run 24/7/52.

We the above three families have resided at the above address's on Donora Ave accumulatively for over 76 years. The residents most affected range from 9 months through 84 years in age. We strongly believe that by allowing this oil well to operate beyond its current hours of operation makes a bad situation worse given that this oil well and storage tanks are located and operating in midst of residential neighbor-hood. Once all the elements of oil pumping and processing processes are taken into consideration it becomes very evident as to why this makes a bad situation worse.



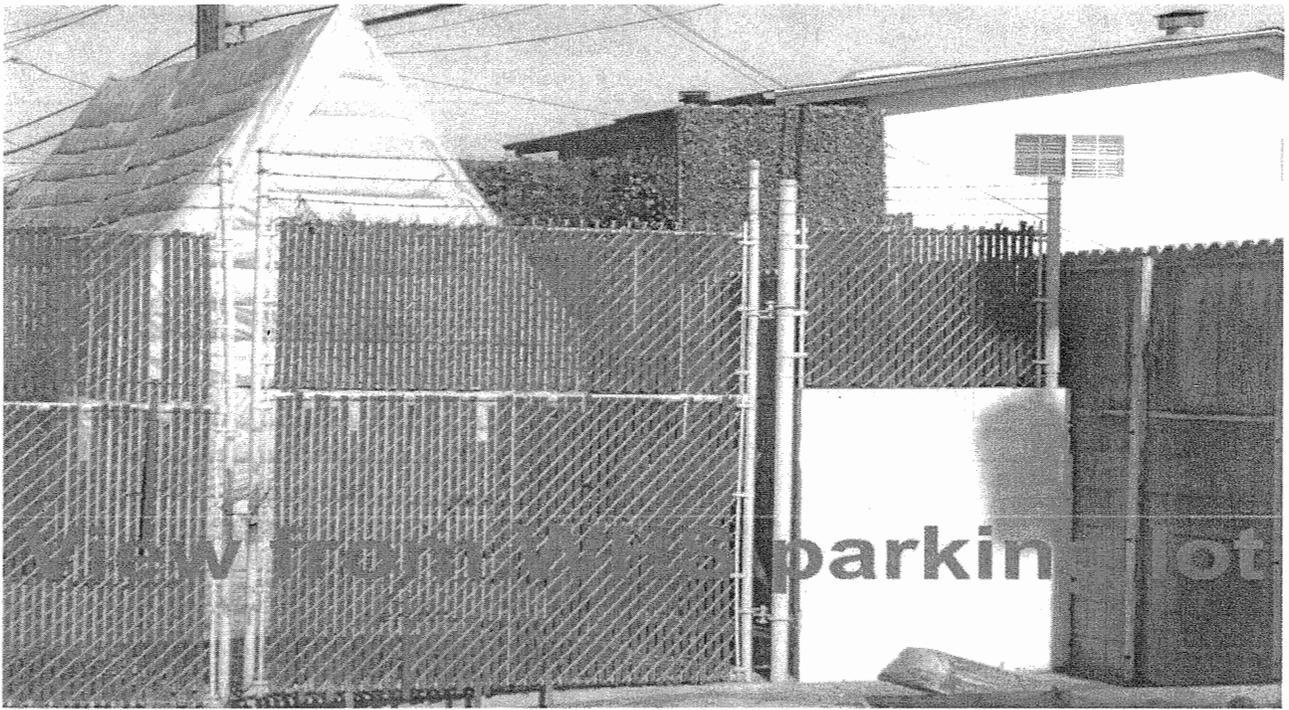


If an extension of operating, hours is granted, it will have a further adverse financial impact to both the immediate & surrounding residents due to drop in values of their homes. It will further increase chronic exposure to both environmental & noise pollution. The immediate neighbors will be subjected to chronic noise pollution because of continuous operation of the oil well and the heaters. Increase in environmental pollution due to increased traffic of diesel tanker trucks.

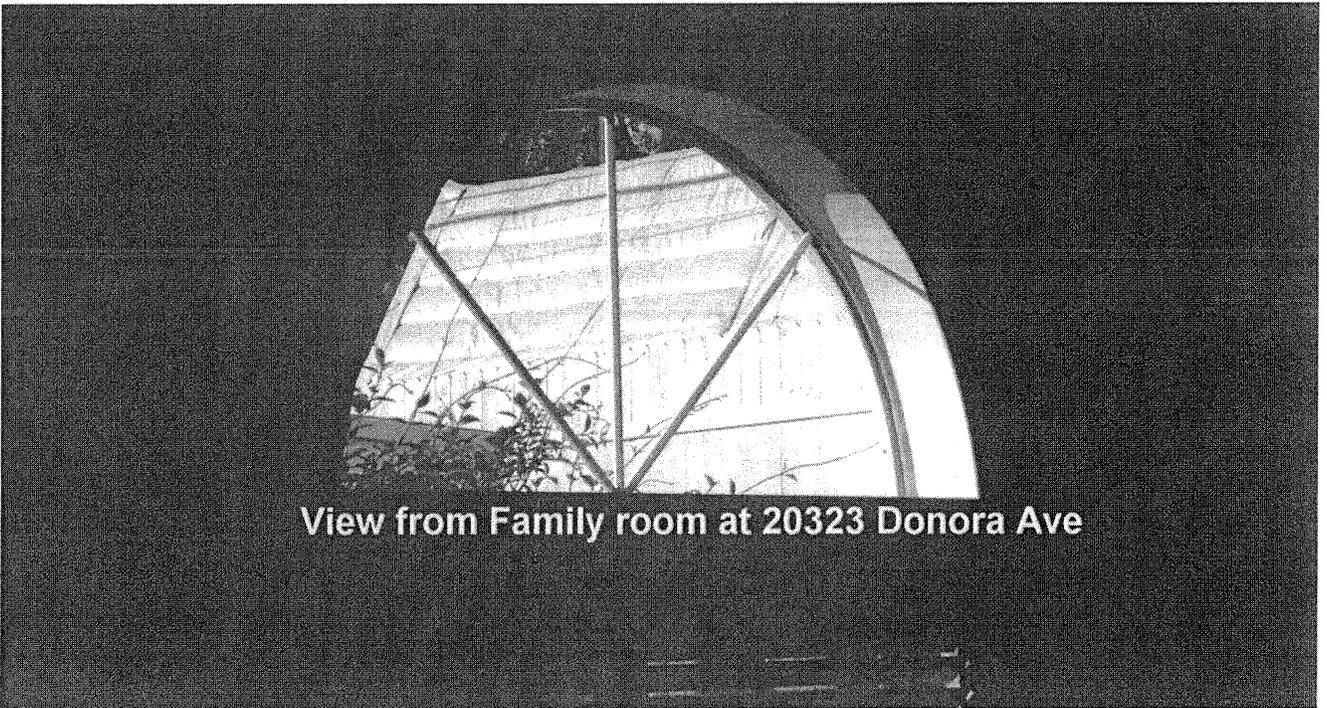
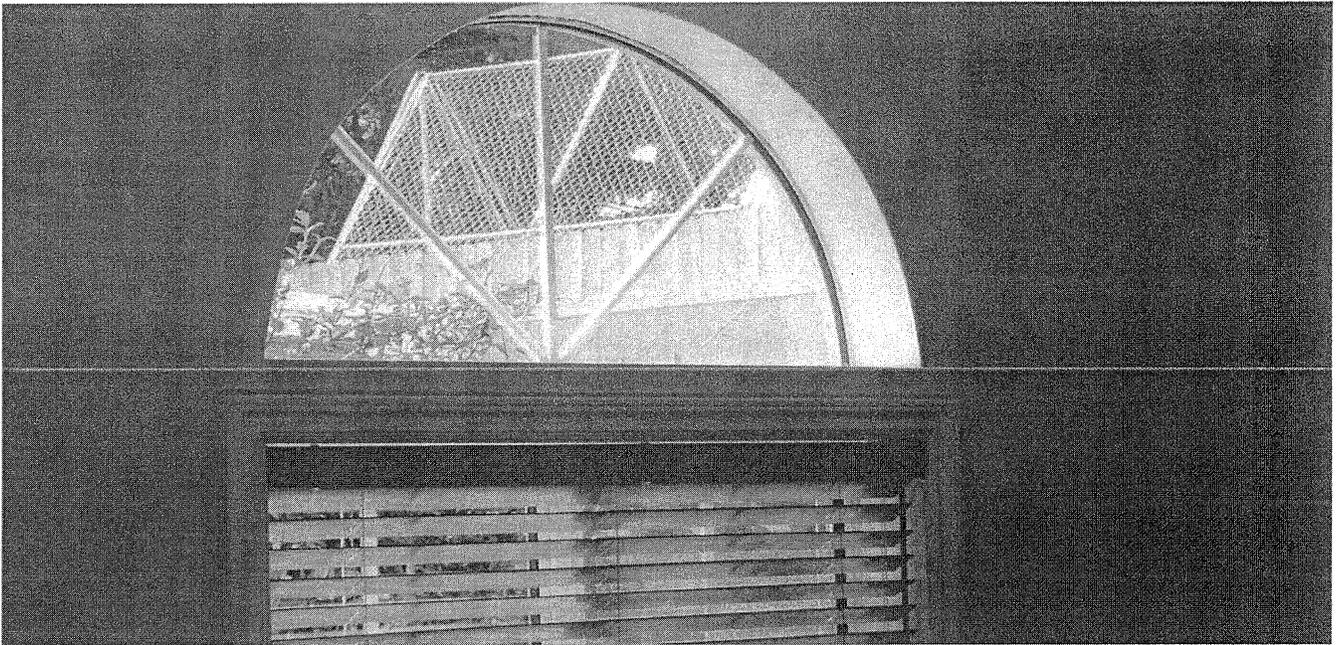
The operator is bullying the neighbors by imposing his own will, whilst violating operating conditions set forth for this non-confirming site. Given the operator's poor record of the last 10-years in areas of non-responsiveness to maintenance & environmental matters, we the neighbors have no confidence or trust in the operator doing anything that is in any interest of the neighbors or the City of Torrance at large.

Case and point:

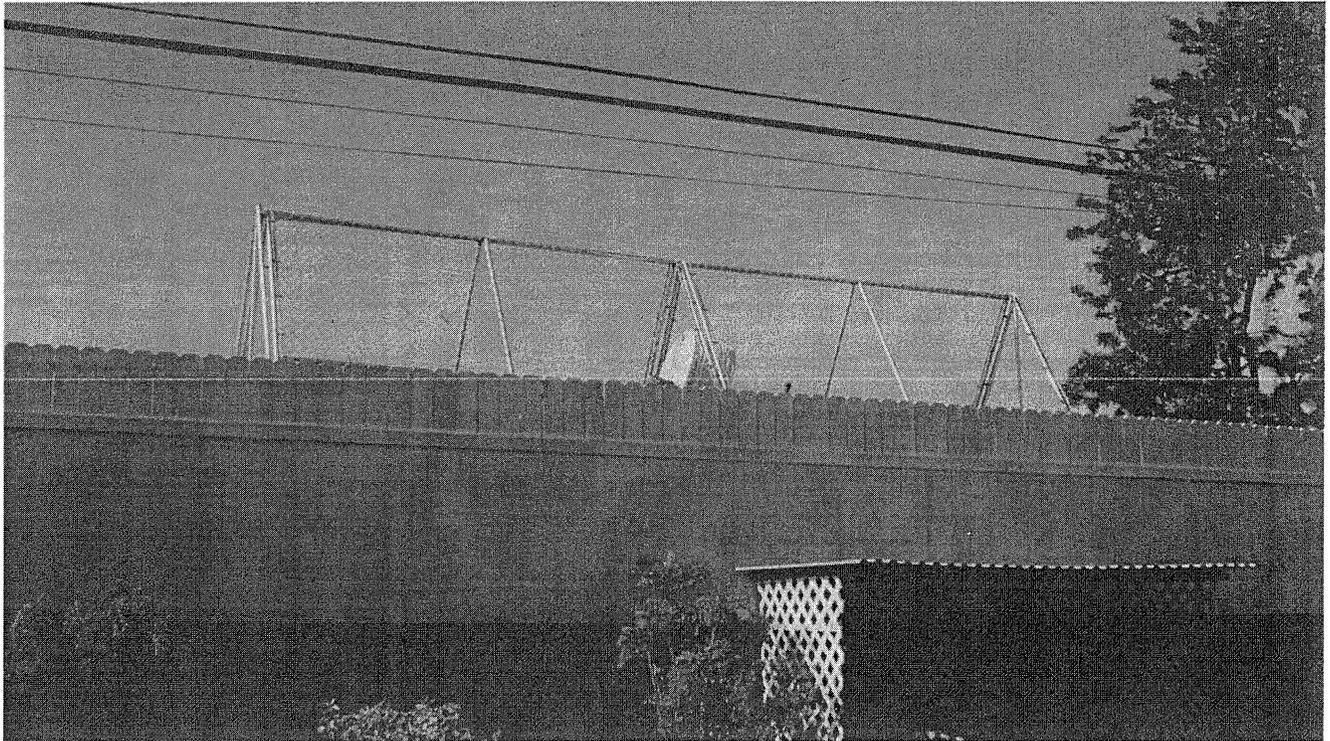
Power run oil built an unapproved and unpermitted structure in November of 2009 that extends approximately 35 feet in length and 20 feet in height, to enclose the oil pump and operate the well 24/7/52. The structure is built from chain link-fencing material and covered with a reflective acoustical blanket. It can be described as looking like a house tented to be fumigated and at best belongs somewhere in the rust belt. This structure is visible from living areas of all the three residents, from the street on Donora Ave, Del Amo Ave & Victor Ave. and is an eye sore. We ask that this structure be immediately dismantled so that we can have some sense of normalcy.



View from Family Room at 20323 Donora Ave



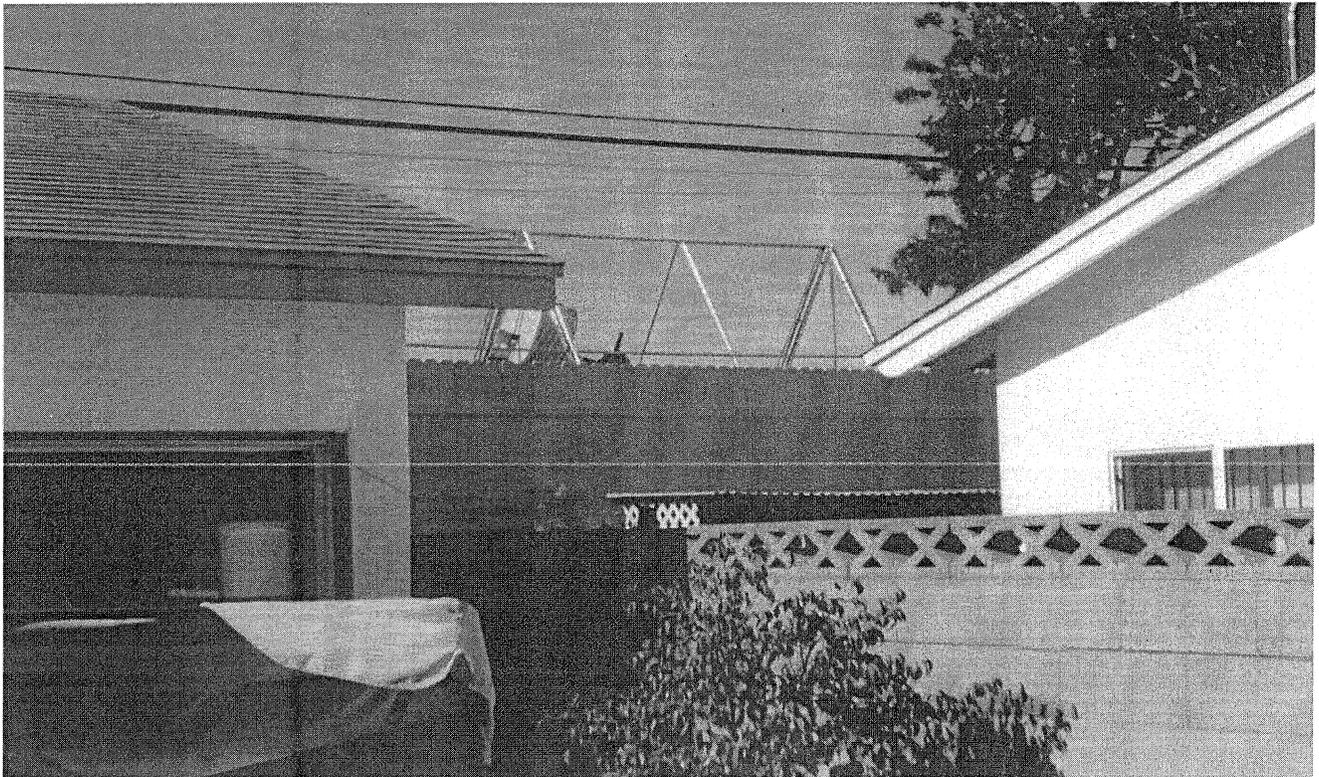
View from Master bedroom 20329 Donora Ave.



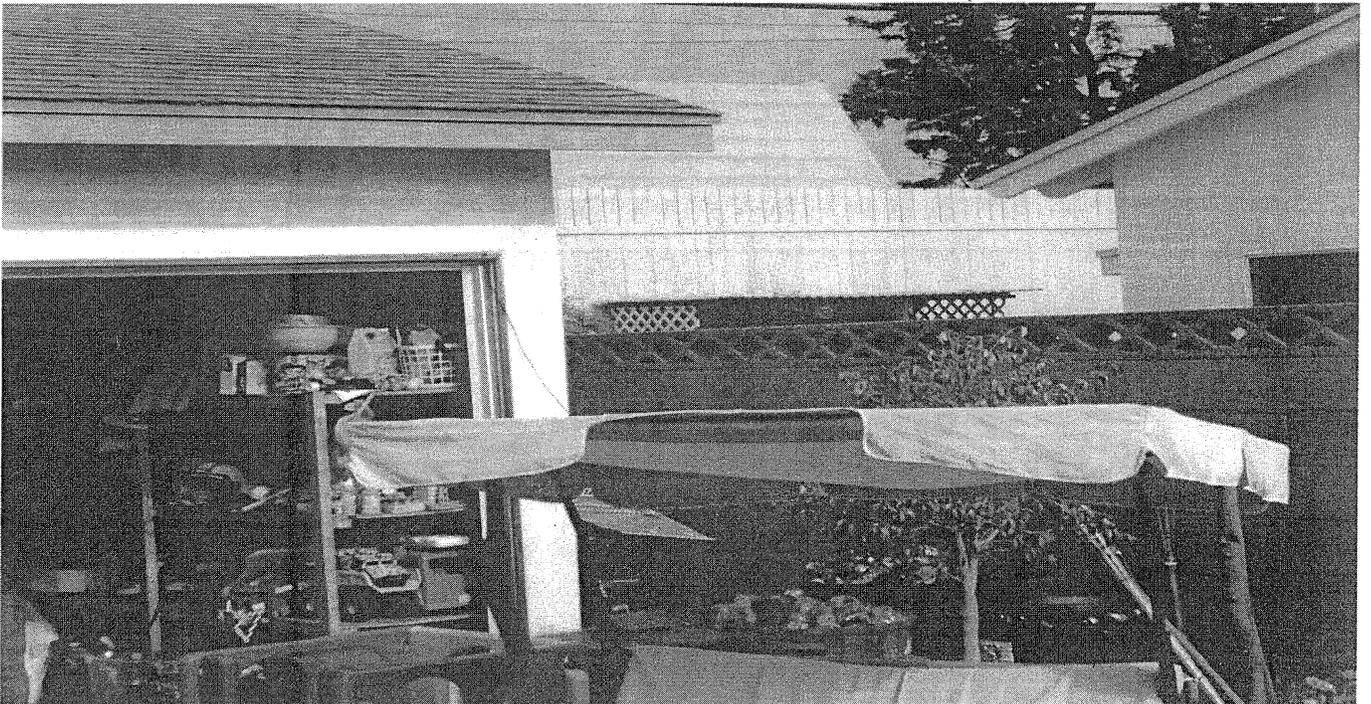
View from Master bedroom 20329 Donora Ave.

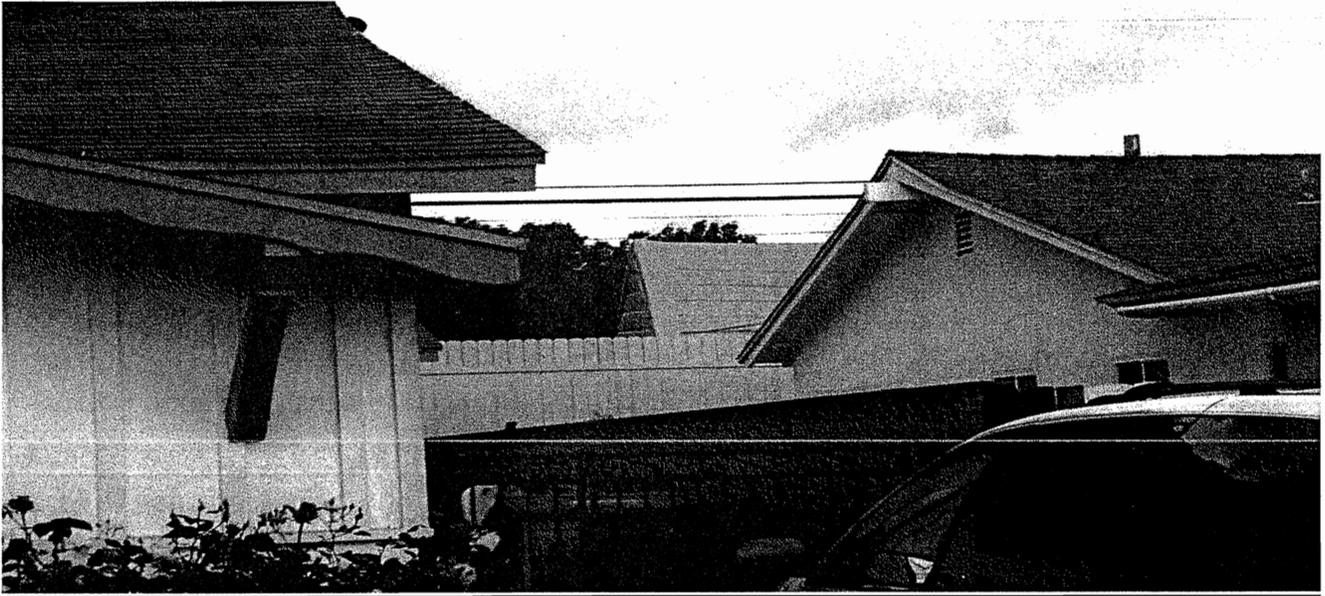


View from Patio & Family Room 20333 Donora Ave



View from Patio & Family Room 20333 Donora Ave



View from Street Donora Ave

Since building the structure, the pump has run 24 hours on many various occasions in violation of the operating condition. The neighbors' complaints regarding the noise generated at night have been ignored. It should be clearly understood that this pump generates a continues low frequency noise and vibration. The noise & vibration are more apparent as the ambient noise decreases. This oil well's noise and vibration increases in intensity at various times of the day (this has been observed and verified by the City staff). Atmospheric conditions, humidity & temperature effect the intensity of the noise. The neighbor at 20323 Donora is the most impacted resident by noise & vibration due to the location of the oil pump motor and the heating unit..

Please see the 88-page study on health hazards of low frequency noise conducted by Dr. Geoff Leventhall. Also attached is other documentation regarding health hazards of continues low-level noise.

As part of the operating conditions set forth in September 2008 by this commission, it required the operator to have landscaping installed and maintained on the east side of the oil well pump. As of today 19 months, later no landscaping material has been installed at the residence of Mrs. Yamada at 20328 Donora Ave.

The reflective acoustical material used to camouflage the oil pump has a limited life span. The noise levels will increase in time as the material deteriorates. Given the operators continuous non-compliance and the city staff's inability to hold him accountable we urge the commission to reject Power Run Oil's request.

Supporting Material:

1. Time line of issues & complaints since September 2008
2. Graphical interpretation of flow of oil to Power Run Oil's WHS parking lot facility from different Power Run Oil facilities in West Torrance
3. Petition signed by 26 neighbors opposing renewal of permit in September 2008
4. Letters submitted by residents to the commission in September 2008
5. Documentation on citation significant noncompliance of industrial waste treatment requirements for calendar year 2007
6. Documentation on health effects due to continues low level noise

Sincerely,

Hanif & Zohra Haji



Katherine Yamada

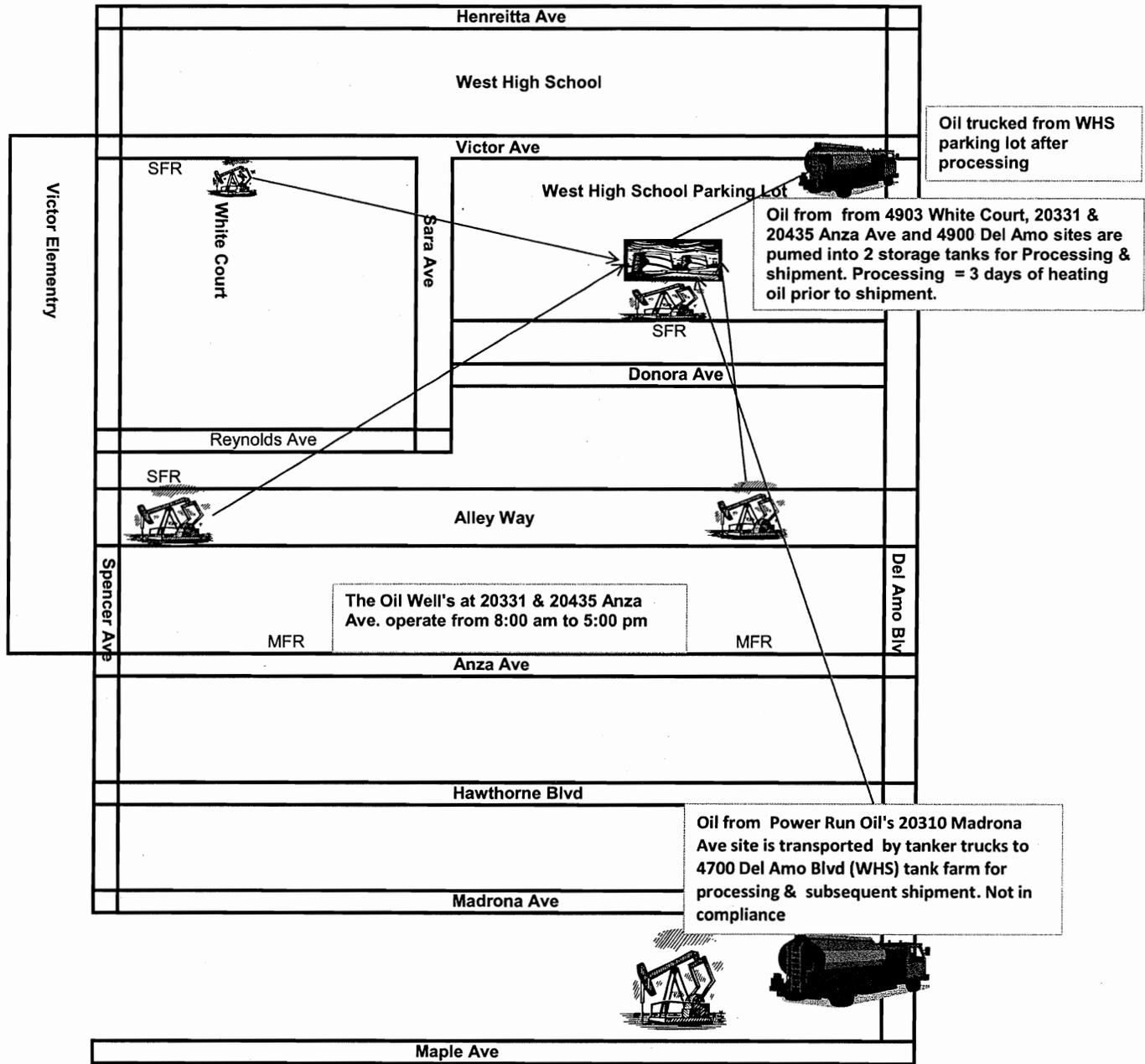


Brian & Tandie Dalziel



c.c: The Honorable Mayor and the City Council of Torrance

Oil Flow to WHS Parking Lot



Time Line 10/6/2008 through 4/24/2010

10/9/2008	Mtg. at Mrs. Yamada's residence rd landscape. (landscape material was removed on 9/27/2007) 32 months later No landscaping material to date	12/30/2009	Chain link fence structure, covered with reflective acoustical material	12/31/2009	Oil tanker pumping Oil past 7:00 pm	1/13/2010	Notified City Staff that oil pump was running 24/7 Major maintenance work being done at site neighbors not notified	2/23/2010	Tanker trucks at site 7:46 am no notification	3/15/2010	10:00pm Oil pump running. Called Power Run Oil. Pump shut off	3/22/2010	Oil pump running. 9:30 pm Pump excessively noisy. Power Run Oil refuses to respond, claiming that City officials are aware that the pump is running.	3/23/2010	4:00 am Oil pump running extremely noisy - No Response	3/27/2010	9:58pm Oil Pump running - No Response	4/15/2010	Tanker trucks pumping oil - no notification	4/24/2010	10:00 am Oil Odor - No Response 8:54pm Oil pump running - Oil pump shut off about 9:30 pm	9/9/2009	Oil Pump running at 5:45 pm Notified Power Run Oil	69
11/2/2009	High pitch noise from heating unit. Dan Reyes agreed to get some acoustical material around it - no action to date	3/6/2009	Oil Tanker pumping oil past 7:15 pm	3/13/2009	Maintenance crew & equipment at site 7:30 pm - No Notification	3/15/2009	Oil pumping run past 5:30pm	4/11/2009	Oil odor- notified Power Run oil	4/17/2009	Oil Tanker Truck pumping Oil- No Notification	7/16/2009	Landscape follow up with City Of Torrance	8/7/2009	City staff approve Power Run Oil to run the well 24/7 effective 8/10/2009 through 8/17/2009. Despite immediate neighbors concerns & protests	8/10/2009	Neighbors escalate matter within the City ranks.	8/11/2009	City rescinds Power Run Oil's permission to run 24/7					

September 2, 2008

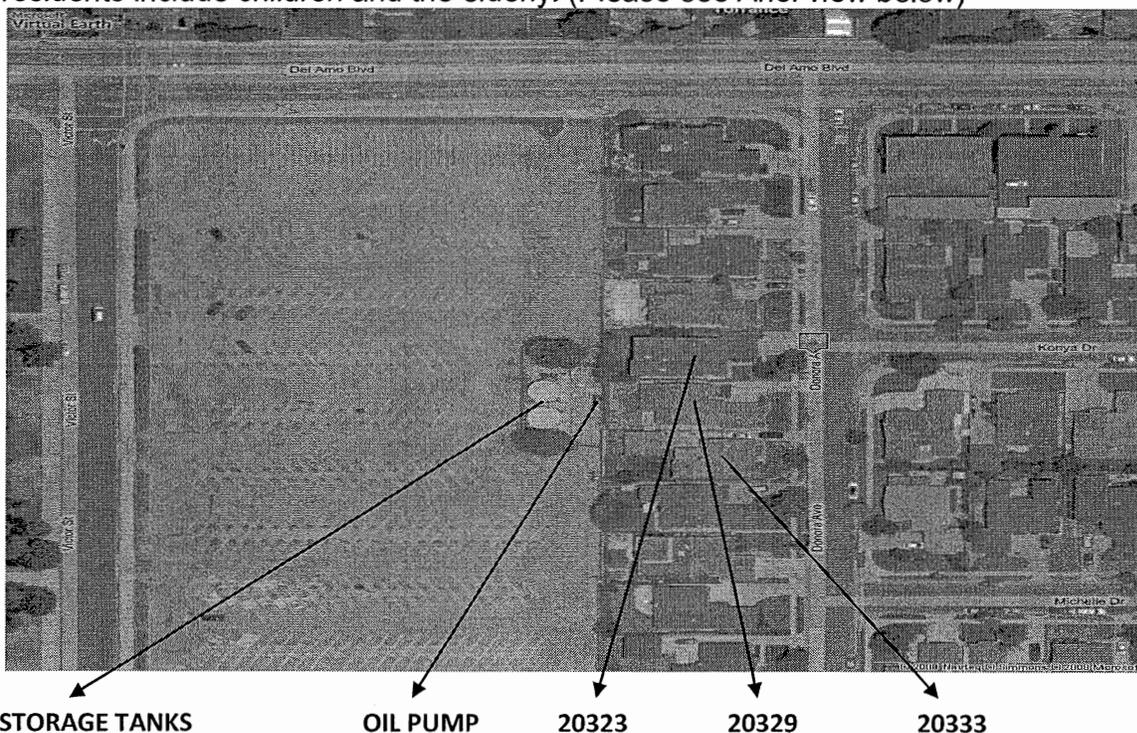
City Of Torrance
Environmental Division and Energy Conservation Commission

Ref. OIL08-00005 petition of Power Run Oil LLC

Dear esteemed members of the Environmental Division and Energy Conservation Commission

We the undersigned are requesting that this petition for non-renewal of permit along with all its attachments be entered as permanent record for the above-mentioned extension.

This facility in the West High School parking lot includes of two storage tanks that hold approximately 1000 gallons of crude oil each and an oil pump that is right against the back wall of residents at 20329, 20323 and 20333 Donora Ave. The oil is pumped from other wells in the area and stored at this site until transferred to diesel tankers for transportation. This facility is surrounded by mostly single-family homes whose residents include children and the elderly. (Please see Ariel view below)



Over the last few years the general appearance and the physical state of the facility has deteriorated. It has not been maintained in respect to its residential surroundings and as agreed upon at previous extension hearings or as agreed upon with the surrounding neighbors. Thus making this facility a nuisance and unsafe to its immediate neighbors.

This lack of oversight and conscience diligence impacts each neighbor differently. Some of the common threads are:

1. Oil odor
2. Excessive and sporadic noise generated by the oil pump
3. Diesel exhaust fumes from oil tankers
4. Lack of landscape and its maintenance
5. Slow or no response to neighbor concerns
6. Lack of a good neighbor policy

We the neighbors consider this facility in its current state to be unsafe and a nuisance to the community at large, to West High School and its surrounding residents. We also firmly believe that this facility is maintained at minimum industrial standards and not at levels fit for a residential neighborhood. This has been evident with a major oil spill on September 11, 2002, various verified visits by the AQMD due to complaints of excessive oil odor, and numerous complaints to the city.

The City of Torrance in its effort and vision to maintain an environmentally safe community with all the trappings, of safe schools, clean and safe neighborhoods, would better serve its citizens by not granting Power Run Oil an operating extension for this facility as it stands in its current state. In closing, we ask that the commission take a more holistic view and take into consideration all the safety and nuisance nuances that have revolved and posed by this facility, the breach of trust created by Power Run Oil, the concerns and well being of the residents, before considering an operating extension.

We the residents thank you for your time and consideration.

PRINT NAME	SIGNATURE	ADDRESS	TELEPHONE #
OLIVER UMENAGA	<i>[Signature]</i>	20309 DONORA AVE	310-371-9310
BILL DEACERNA	<i>[Signature]</i>	20317 DONORA AVE	310-371-3114
RUTH CERMELEA		20349 DONORA	(310) 370-3882
VERA SIEGEL	<i>[Signature]</i>	20353 DONORA	310 371-7231
BOB THUNE	<i>[Signature]</i>	4812 MICHELLE	310/371-2682
LINDA HOUSTON	<i>[Signature]</i>	4923 SARA DRIVE	310/921-3419
JANIE HICKMAN	<i>[Signature]</i>	4903 SARA DRIVE	310.371-0119
REBECCA A. KILBURN	<i>[Signature]</i>	4909 SARA DR.	310/989-9618
FRANKIE ALBERT	<i>[Signature]</i>	4915 SARA DR	310-370-6903
JAMES KOTECKI	<i>[Signature]</i>	4904 SARA DR.	310-371-2545
MARY KOTECKI	<i>[Signature]</i>	4904 SARA DR.	310-371-2545
REBECCA A. KILBURN	<i>[Signature]</i>	4910 Sara Drive	310 370-2218
HANIF HASSE	<i>[Signature]</i>	20323 DONORA AVE	310-370-1830
ZOHRA HASSE	<i>[Signature]</i>	20323 DONORA AVE	310 370 1830
RAY NAKANO	<i>[Signature]</i>	20313 DONORA AVE	310 542-5234
MICHAEL SALES	<i>[Signature]</i>	20343 DONORA AVE	310.542.3039

**Haji Family
20323 Donora Ave.
Torrance, Ca 90503**

September 2, 2008
City Of Torrance
Environmental Quality and Energy Conservation Commission
3031 Torrance Blvd.
Torrance, Ca 90503

Dear esteemed Commission Members,

This correspondence is in regards to OIL08-00005 petition of Power Run Oil, who is seeking a three-year extension for the facility located at 4900 Del Amo Blvd. Torrance CA 90503 (along the East wall of the West High School Parking lot). My family and I have resided at 20323 Donora Ave. in Torrance for over 28 years. With a level of certainty, I can attest that the facility operated by Power Run Oil over the years has deteriorated and is not maintained at a level one would expect from a facility of this nature, being located in midst of a residential neighbor-hood. Over the years, there have been documented instances of carelessness and a lax approach to resolving issues. The operator has shown no sign of understanding of its physical location in a residential neighborhood and has no regard or respect for its immediate neighbors. We the immediate neighbors have paid a penalty for the operator's quest for profit and lack of investment in improving the site. The operator has constantly stonewalled the residents and the city when tasked to live up to his obligation. We continue to live with Oil odor, noise and diesel fumes.

Basic mantaince matters that impact the lives of the immediate residents have taken over a year to resolve.

Case in point, during a winter storm in February of 2007 a dividing fence between my property and the tank farm was blown over. It took over 1 year, until March of 2008 for Power Run Oil to step up to its obligation to have the fence satisfactorily completed. This was after numerous meetings and intervention by the city. During the process, the operator breached his agreements on a number of occasions. For example, it was agreed that the fence would be 4 feet in height. The fence installed was 3 feet high, granted it was eventually corrected. The operator had no clue of what was installed until I brought it to the city's attention. During the course of this on Thursday November 8, 2007, it was agreed that an arborist would be hired to trim the trees along my property line to facilitate the

installation of the fence, with the condition that the arborist would consult with me prior to trimming the trees. The so-called arborist never contacted me and the trees on one side were hacked. This begs questions if the operators cannot manage installation of a simple fence and basic communication, are they truly capable of managing a facility that uses and houses toxic chemicals in its processes, without grave risk to the residents and the city?

As part of an operating condition, the operator is required to have landscaping on the east side of the oil pump to camouflage it from the residents. This landscaping had not been maintained and was removed 11 months ago on September 27 2007, with no replacement landscaping planted to date.

The oil pump has progressively gotten noisier over the years it is a low grade rumbling noise. This noise is very irritating in nature and can be best described as "Chinese water torture". This noise generated by the pump can be heard in my house with all doors and windows closed. The city staff has verified this noise. Given the location of the pump, I am the neighbor most impacted by it. A city approved acoustical consultant did a study and proposed a solution to the operator over 2 years ago, the operator has chosen not to take any action and continue business as usual, while we as neighbors suffer on a daily basis.

The operator does not have a good neighbor policy in place. Basic maintenance takes place without consideration to the neighbors or for their real or personal property. Example, they chose to have trees trimmed on their side without notifying any of the neighbors. I walk into my house at the end of the day and there is dust all over. There is no schedule of trucks coming to pump oil out of the tanks again; I can walk into my house and reeks of diesel fumes. Everybody here understands the risks posed by diesel fumes.

I ask all the members of the commission and staff given the history, non-compliance and risks this site poses, if this was in your neighborhood or back yard would it be acceptable?

My family and I ask that the usual renewal not be granted until there is plan and an acceptable time line in place to resolve these issues once and for all.

Hanif Haji Zohra Haji Nurbanu Haji Alikhan Haji

c.c: The Honorable Mayor and the City Council Of Torrance

Sept. 4, 2008

Environmental Quality + Energy Conservation Commission
Public Hearing - OIL 08-00005: Petition of Power Run Oil LLC
for 3-year Operating Extension

Members of the Commission,

I apologize for not attending this important public hearing. Unfortunately, my doctors have advised me to limit my current activities due to health problems. In lieu of attendance, I respectfully submit this written objection to Power Run Oil LLC's petition for a 3 year extension of operation at 4900 Del Amo Blvd.

My name is Katherine Yamada, owner of residence at 20329 Donera Ave, immediately adjacent to Power Run Oil. I am probably the resident most impacted by the oil facility. Power Run has not been a "Good Neighbor" by ignoring its commitment to the community. I object to its petition for extension.

I will limit this presentation to only three areas:

- (1) Non-maintenance of fencing
- (2) " " " Landscaping
- (3) Poor housekeeping

After years of non-compliance, the rotten deteriorating add-on fence was replaced a few months ago. Due to the timing, I believe this gesture was intended to influence the Commission + enhance its petition for extension. The fence was literally hanging down my side of the wall, ready to fall onto my backyard + built-in B-B-A.

Landscaping was abandoned years ago by Power Run. I requested the dried out brush be removed + replaced. Power Run removed the dead brush but felt no obligation to replace it. Subsequent research revealed that, indeed, there is a requirement for landscaping. Nothing yet.

Oil is a constant problem. Oil seeped onto my property during the 2002 spill. A visitor commented on the foul odor only last month while standing by the front

door. An on-site visit to discuss the fence, attended by an Environmental member, the oil operator, facilitator, & nearby community property owners revealed a dirty and unkept facility. Undoubtedly, this contributes to the unpleasant odor.

Again, I strongly object to the petition by Power Run Oil LLC for a 3 year extension to operate the facility. Elimination of the operation is ideal for the clean image of our West High School & surrounding area. I am in total agreement & support Mr. Haniz Haji's extensive & complete report on the oil facility & how it impacts adversely & affects our community & the City of Torrance.

I sincerely thank you for this opportunity to voice my concerns.

Respectfully submitted,

Katherine S. Yamada
20329 Donora Ave., Torrance
(310) 371-2262

Haniz, I'm sorry I can't attend. I hurt after a long day & the doctors don't want to risk my falling. Surgery was just scheduled for Tuesday, 10/14. Also I have night blindness. Please turn in my written objection. Trx.
Katha

September 3, 2008

City of Torrance
Environmental Division and Energy Conservation Commission
Ref: OIL08-00005 petition of Power Run Oil LLC

Dear Members,

My name is Brian Dalziel and I live at 20333 Donora Ave., in Torrance. I am writing to you regarding the potential lease renewal operating extension for Power Run Oil LLC.

I am a life-long resident of the West Torrance area and have lived at the above address since February 2003. My house and back yard is located against a partial part of the oil pump and two storage tanks that are located in the West High School parking lot.

Since moving to Donora Avenue, this site has been not only an eyesore but also a nuisance to my family and neighborhood. My family would like the Commission to consider NOT renewing this permit for a number of reasons.

First and foremost, the oil smell that comes from these tanks is exceedingly overbearing.

As a family we like to enjoy our backyard setting, play with our 3-year-old son, cook on the BBQ and sit and relax with friends on the porch. However, there have been countless times when the odor is so bad, that we can't even stay outside. In addition, if our windows are open, the fumes come into the house and make it unpleasant.

Also, noise from the pump as well as the diesel trucks that come into the parking lot are bothersome and annoying. As a community we have asked Power Run Oil LLC to fix the pump noise problem, but nothing has been done. Secondly, when the diesel trucks come into the parking they are loud and when they are getting oil from the tanks, the smell of both diesel fumes and oil are immanent.

In addition, there are no schedules for the trucks to come pick up the oil. On Saturday, August 30th, on a three-day holiday weekend, a diesel truck came at 7:55 a.m. to pick up oil. The noise coming from this truck was horrendous.

Lastly, the general appearance of the facility is unacceptable and an eyesore.

Power Run Oil LLC agreed last year to fix the fence surrounding the backyards of the houses affected by the sight of the pump. Also the company agreed to put up landscaping to at least cover-up the mess inside. The fence was not put up at the agreed height and since no landscaping has been situated.

Over, Power Run Oil LLC has not done its due-diligence in keeping the facility safe and environmentally sound for our neighborhood. The company is consistently slow in responding to our neighbors' concerns and surely lacks a policy of being "a good neighbor."

I am asking the City of Torrance and the Environmental Division and Energy Conservation Commission to take the first step in cleaning up our city and NOT RENEW this operating lease extension.

I ask the Commission to see our point of view and to ask yourself, "Would you want your family and children to be exposed to such a nuisance?"

Regards,

Brian Dalziel
Tandie Dalziel
Brenden Dalziel
20333 Donora Ave.
Torrance, CA 90503
(310) 793-0856 (Home)

COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

SIGNIFICANT NONCOMPLIANCE OF INDUSTRIAL WASTE PRETREATMENT REQUIREMENTS

For Calendar Year 2007

The United States Environmental Protection Agency (EPA) General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR Part 403, require the Sanitation Districts of Los Angeles County to publish on an annual basis a list of "Industrial Users which, during the previous 12 months, were significantly violating applicable Pretreatment Standards or other Pretreatment Requirements". For the purpose of this provision, significant noncompliance is defined under 40 CFR 403.8 (f)(2)(vii) and 55 Federal Register 30082 as, (1) Chronic violations in which sixty-six percent or more of all of the measurements taken during a six-month period exceed by any magnitude the daily maximum limit or the average limit for the same pollutant parameter., (2) Technical Review Criteria (TRC) violations in which thirty-three percent or more of all the measurements taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit times the applicable TRC (TRC = 1.4 for BOD, TSS, Fats, Oil & Grease, and 1.2 for all other pollutants except pH)., (3) Any violation of a pretreatment effluent limit which alone or in combination with other discharges is determined by the POTW to have caused interference or pass-through., (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge., (5) Violations of compliance schedule milestones contained in a local control mechanism or enforcement order by 90 days or more after the schedule date., (6) Failure to provide reports for compliance schedules, self-monitoring data or categorical standards within 45 days of the due date., (7) Failure to accurately report noncompliance., (8) Any violation or group of violations that the POTW determines will adversely affect the operation or implementation of the local pretreatment program. For the purpose of this publication "Pretreatment Standards" are "any regulation containing pollutant discharge limits promulgated by the EPA which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to Section 403.5" (Section 403.3 (j)). The term "Pretreatment Requirements" means any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User (Section 403.3(r)).

The Sanitation Districts found the following industrial facilities to be significantly violating applicable Pretreatment Standards or Pretreatment Requirements during 2007. All of these companies have been subject to the Sanitation Districts' administrative enforcement procedures. In addition to the Sanitation Districts' routine enforcement procedures, some of these companies have been referred to the Los Angeles County District Attorney for criminal investigation.

888 Foods Company, South El Monte, #16884, (1,2,6); A. J. Daw Printing Ink Co, City of Commerce, #5793, (6); Ace Clearwater Enterprises, Paramount, #12792, (1,2); Advanced Mirror & Design, Vernon, #14928, (6); Aerodynamic Plating Co Inc, Gardena, #11229, (6); Aerospace Corporation, El Segundo, #5587, (6); Aerospace Corporation, El Segundo, #5586, (6); Al Salam Farm, Los Angeles, #10621, (6); Alcoa Global Fasteners Inc, City of Industry, #16324, (2); American Dye House, Los Angeles, #16616, (6); American Powder Coating & Painting, Downey, #10820 & 13826 (2,6); Anaplex Corporation, Paramount, #13078, (2); Anemostat, Carson, #4315, (2); Angelica Healthcare Services Group, Pomona, #3390 & 3391 (6); Aqua Pure, El Monte, #16040, (6); Aramark Uniform Services Inc, Los Angeles, #9006, (1,2,6); Arcadia Radiator Service, Arcadia, #10466, (1); Ariza Cheese Co, Paramount, #10936, (6); Associated Plating Co Inc, Santa Fe Springs, #15820, (2); Astro Pak Corporation, Downey, #1664, (6); Astro Pak Corporation, Downey, #12157, (1,2,6); Athens Services, Industry, #13340, (1,2,6); Bachem California Inc, Torrance, #14347, (1,2,6); Bachem California Inc, Torrance, #15001, (6); Baker Commodities Inc, Vernon, #17025, (2,6); Bay Cities Laundry Inc, Gardena, #16308, (1,2); Bay Valley Foods, City of Industry, #16938, (2,6); BCI Coca-Cola Bottling Company, Downey, #15155, (2); Bellwood Laundry and Linen Supply Co, La Mirada, #16630, (1); Best Brands Corp, La Mirada, #16892, (6); Bimbo Bakeries USA Inc, Montebello, #16303, (6); Blue Ribbon Baking Inc, Azusa,

#15994, (1); McDonnell Douglas Corp, Long Beach, #17108, (2); McDonnell Douglas Corp, Long Beach, #15939, (2); McDowell And Craig Mfg Co, Norwalk, #5214, (6); Melcast Litho, City of Commerce, #13470, (1,2); Mercury Die & Container, Alhambra, #13236, (2); Merit Day Meat Co, Pico Rivera, #11812, (6); Metal Surfaces Inc, Bell Gardens, #284, (2); Metropolitan State Hospital, Norwalk, #3885, (6); Micro-Etch Co, Gardena, #14540, (2); Mid West Fabricating Co. Inc, Santa Fe Springs, #3582, (2); Mikailian Meat Products, Santa Clarita, #9668, (6); Miller Dial LLC, El Monte, #16774, (6); Mission Foods, City of Commerce, #12224, (6); Mitchell Laboratories Inc, Pico Rivera, #14807, (2); Moog Inc, Torrance, #13818, (1,2,6); Multichrome Co Inc, Inglewood, #14108, (2); Nasco Aircraft Brake, Los Angeles, #9418, (1,2,6); Neville Chemical Co, Santa Fe Springs, #4012, (2); Newhall Signal, Santa Clarita, #10977, (2,6); Norac Inc, Azusa, #281, (1,2); Northrop Grumman, Redondo Beach, #16347, (1,2,6); Northrop Grumman, Redondo Beach, #16346, (2); Okeh Caterers Inc, Bell, #12668, (6); Orange County Chemical Supply, Santa Fe Springs, #17114, (6); Ortel A Div of Emcore, Alhambra, #16367, (6); Otani Radiator, Montebello, #17185, (1,2,6); Pachacom Inc, Torrance, #16048, (1,2,6); Pacific Fabric Printers, Vernon, #10511, (2); Pacific Forge, Fontana, #5753, (1,2); Pacifica Chemical Inc, Carson, #16768, (6); Packaging Advantage Corp, Vernon, #15615, (1,2,6); Packaging Advantage Corp, Vernon, #15616, (1,2); Paper-Pak Industries, La Verne, #16045, (1,2); Parsec Inc, Commerce, #16071, (2); Penn Lithographics, Inc, Cerritos, #16596, (1,2); Peptisyntha Inc, Torrance, #15941, (1,2,6); Peter J Pitchess Honor Rancho, Santa Clarita, #12265, (6); Power Run Oil LLC, Torrance, #15435, (2,6); Precision Coil Spring Co, El Monte, #3776, (2); Prime Wheel Corporation, Gardena, #14262, (2); Pro Color Lab West Inc, Carson, #13619, (1,2); Procal Air Separation Facility, Santa Fe Springs, #13297, (1); R R Donnelley & Sons Co, Los Angeles, #11113, (1,2); Rhodia Inc, Carson, #14723, (6); Rice Field Corporation, City of Industry, #14689, (6); Rich Products Inc, Santa Fe Springs, #16122, (6); Risvolds Incorporated, Gardena, #3616, (1,2); Romac Supply Co, City of Commerce, #10889, (2); Ross Name Plate Co, Monterey Park, #6890, (2); Royal Truck Bodies Inc, Paramount, #9122, (1,2); Rudy's Wholesale Corp, South Gate, #14304, (6); Santa Clarita Sports Complex, Santa Clarita, #16077, (6); Sanyo Solar LLC, Carson, #16467, (2); Saugus Industrial Center LLC, Saugus, #16902, (6); Sebastian Laundry & Finishing, El Monte, #17159, (6); Sermatech International Inc, Compton, #10377, (1,2,6); Shaw Diversified Services Inc, Santa Fe Springs, #15869, (2); Shultz Steel Co, South Gate, #5093, (2); Silmar Resins Div Interplastics, Hawthorne, #13582, (6); Simply Fresh Fruit, Vernon, #16643, (1); Six Flags Magic Mountain Inc, Santa Clarita, #9333, (1,2); Smithway Associates Inc, City of Commerce, #12069, (6); Solid State Devices Inc, La Mirada, #13158, (1,2); Solo Foods Distributor, Inglewood, #17078, (6); Specialty Laboratories Inc, Santa Clarita, #16156, (1,6); Spectrum Plating, Los Angeles, #17013, (1); Spyglass Homeowners Association, Whittier, #16758, 16759, 16760 (6); Stable Plating Co Inc, Covina, #5195, (2); Steelcase Inc, City of Industry, #16291, (2); Steelscape Inc, Rancho Cucamonga, #15978, (2); Superior Controls Co Inc, Santa Clarita, #11674, (6); Swift-Cor Precision Inc, Gardena, #16701, (1,2); Ted Levine Drum Company, South El Monte, #11556, (2,6); Telic Company, Santa Clarita, #16549, (6); Temple-Inland, Bell, #1374, (2); Tengu Company Inc, Santa Fe Springs, #15627, (6); Termo Company, Long Beach, #12289, (6); The Los Angeles Salad Co Inc, City of Industry, #16435, (6); Thompson Industries Ltd, Hawthorne, #4704, (1,2); Trident Plating, Santa Fe Springs, #15714, (2); Trojan Battery Company, Santa Fe Springs, #3673, (1,2); Trojan Battery Company Inc, Santa Fe Springs, #9401, (2); Trojan Fabricators Inc, Paramount, #15439, (1,2); Troy-CSL Lighting Inc, City Of Industry, #15849, (1,2); Truett Laboratories Inc, Azusa, #14363, (6); Truett Laboratories Inc, Azusa, #14584, (2); U. S. Chrome of California, Long Beach, #17042, (1,2,6); U.S. Prefinished Metals Corp, Los Angeles, #4794, (2); Unifirst Corp, Ontario, #14909, (2); Unilever Home & Personal Care, City of Industry, #14992, (6); Union Pacific Railroad, City of Commerce, #8179, (6); Unipolo Fabric Corp, Vernon, #16524, (6); United Site Services of California Inc, El Monte, #16820, (1,2,6); United States Postal Service, Santa Clarita, #14010, (1,2,6); Vertis Inc, Pomona, #16371, (6); Vicorp Restaurant Inc, Santa Fe Springs, #10935, (6); Vons Companies Inc., City of Commerce, #12120, (1,2); Weber Metals Inc, Paramount, #10111, (1,2,6); Weber Metals Inc, Paramount, #9693, (6); White Wave Foods, City of Industry, #16370, (2); Whoosh, Los Angeles, #16642, (6); William S Hart Union High School, Santa Clarita, #13308, (6); Winters Industrial Cleaning Inc, Pico Rivera, #3276, (1,2);

The Human Brain Relaxation

Low-Level Noise is an Insidious Stressor

Not just loud or sudden noises provoke a stress response. Chronic low-level noise also negatively influences the brain and behavior. Whether from the road or in the office, low-intensity noise has a subtle yet insidious effect on our health and well-being.

Noise at home or school can affect children's ability to learn. Compared to kids from quieter neighborhoods, children living near airports or busy highways tend to have lower reading scores and develop language skills more slowly. Psychiatric hospitalizations are higher in noisy communities. Bad moods, lack of concentration, fatigue, and poor work performance can result from continual exposure to unpleasant noise. [Family Circle, November 1991]

According to Dr. Alice H. Suter, an audiologist at the National Institute for Occupational Safety and Health: "Included in noise-related problems are high blood pressure, peptic ulcers, cardiovascular deaths, strokes, suicides, degradation of the immune system, and impairment of learning. Noise is also associated with an increase in aggression and a decrease in cooperation." [New York Times, March 6, 1990]

Since a drug approach is not a likely solution to noise, pharmaceutical companies are not currently researching the problem. But, science is starting to verify the severity of low-level noise.

Traffic Stress at Home

Even everyday traffic noise can harm the health and well-being of children. In the first study to look at the non-auditory health effects of typical ambient community noise, it was shown that chronic low-level noise from local traffic raised levels of stress hormones in children, as well as their blood pressure and heart rates.

"We found that even low-level noise can be a stressor. It elevates psychophysiological factors and triggers more symptoms of anxiety and nervousness," says environmental psychologist Gary Evans of Cornell University, an international expert on environmental stress, such as noise, crowding, and air pollution.

Evans and his European colleagues analyzed data on 115 fourth-graders in Austria. Half the children lived in quiet areas – below 50 decibels (dB), the sound level of a clothes dryer or a quiet office. Half lived in a noisier residential area – above 60 dB, about the intensity of an average dishwasher or raised voices.

"We are really not looking at loud kinds of noise. They are typical levels found throughout neighborhoods in Europe," says Evans. The non-auditory effects of noise, however, appear to occur at levels far below those required to damage hearing.

The children in noisier neighborhoods experienced higher overnight levels of the stress hormone cortisol, marginally higher resting systolic blood pressure, and greater heart rate reactivity to a stress test – all signs of modestly elevated physiological stress.

"Anything that increases blood pressure, for example, has negative implications for long-term health effects," says co-author Peter Lercher, M.D., an epidemiologist at the Institute of Hygiene and Social Medicine at the University of Innsbruck. Elevated blood pressure in childhood is thought to predict higher blood pressure later in life.

Background noise had a significant effect on stress levels, said Lercher. Therefore, chronic exposure to nearby sounds from roads and train lines are a concern.

The study adds evidence to Evans' previous research showing that noise can have serious health, learning, and task-motivation effects in children and adults exposed to chronic noise. "The findings suggest that children living in noisier areas are subject to stress, which may have serious health implications," conclude the researchers. [Journal of the Acoustical Society of America, March 2001]

Females at Higher Risk from Noise Stress

When children have no control over prolonged exposure to noise, it can lead to "learned helplessness" syndrome – a condition linked to forms of depression and to poverty. "It's a pretty pervasive phenomenon," says Evans. He found that "girls exposed to the traffic noise become less motivated, presumably from the sense of helplessness that can develop from noise they couldn't control."

Women respond differently to loud noise, too. A study at Texas A&M University found that "women have a lower threshold to experience noise as stressful," according to psychologist Dr. Mary W. Meagher. "Our data suggest that women may be more sensitive to noise stress than men." (While the women in the study were more easily "frightened" by a loud unexpected noise, the men were only more "startled.") [The Journal of Pain, February 2001]

Noise Annoys Neighborhoods

"The U.S. Census Bureau reports that Americans cite noise – more than crime, litter, traffic, or inefficient government – as the biggest problem affecting their neighborhoods. One-hundred thirty-eight million people are regularly exposed to noise levels labeled as excessive by the Environmental Protection Agency." [ABC News, August 27, 2001]

British investigators found that a greater amount of neighborhood problems, including noise, was associated with residents being three

times as likely to say their physical function was impaired and twice as likely to report poorer health. "What we think is happening is that neighborhood stress influences the biological processes that promote disease risk," said Dr. Andrew Steptoe of University College London. [Annals of Behavioral of Medicine, August 2001]

Office Noise

In another low-intensity study, Gary Evans and environmental psychologists at Cornell found that low-level noise in open-style offices seems to result in higher levels of stress, and lower task motivation.

Forty experienced female clerical workers (average age 37) were assigned for three hours to either a quiet office or one with low-intensity office noise (including speech). The workers in the noisy office experienced significantly higher levels of stress (as measured by urinary epinephrine, a stress hormone), made 40% fewer attempts to solve an unsolvable puzzle, and made only half as many ergonomic adjustments to their workstations, compared to their colleagues in quiet offices.

Interestingly, however, the workers themselves did not report higher levels of stress in the noisy office. "But just because people fail to report that environmental conditions are negative, we can't assume that there are no adverse impacts," Evans says.

"Our findings resemble those in studies of very noisy environments in that we found that realistic, open-office noise has modest but adverse effects on physiological stress and motivation," says Evans, and might contribute significantly to health problems such as heart disease (due to elevated levels of epinephrine) and musculoskeletal problems. "Even low levels of noise can have a potentially stressful effect." [Journal of Applied Psychology, October 2000]

TORRANCE ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION

TO: Chairperson McCabe and Members of the Torrance Environmental Quality and Energy Conservation Commission

DATE: November 6, 2008

RE: Request for a three (3) year operation extension for a Power Run Oil Site, 4900 Del Amo Boulevard, OIL08-00005.

On September 4, 2008, this Commission requested that the public hearing on the above oil site be continued to allow the owner and residents to work on solutions for the noise and other operational issues at the site.

As of mid October, sound proofing materials were installed directly around the motor of the pump and on the chain link fencing surrounding the entire pumping unit. In a phone conversation on October 27, neighboring resident, Mr. Haji, stated there's been a noticeable reduction in the noise level.

Since the September meeting, neighbors have been notified 3 days prior to diesel truck arrivals at the site.

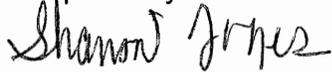
Artificial landscaping materials have been proposed to provide an added buffer between the well site and the residences. The landscape will be mostly behind the Yamada residence (20329 Donora Avenue), but needs to extend slightly to the north and south to prevent gaps. The landscape material will be attached to lattice and then adhered to the fencing on the oil well side, with the actual landscape material facing the rear yard of the residences.

Staff recommends approval of the continued operation of this site with the following conditions:

- 1) At least 365 barrels of oil or 3,650,000 cubic feet of gas must be produced per year.
- 2) The facility must be operated and maintained in compliance with the provisions of Torrance Municipal Code, Chapter 7.
- 3) That conditions requested in the Precise Plan must be continuously maintained.
- 4) All provisions of the City's Fire and Building Codes must be observed.
- 5) This extension shall be for three years only per Section 97.14.5(b) of the Torrance Municipal Code and the Commission may revoke said extension if said criteria are not met during said period.

- 6) On weekends, tanker trucks shall not come onto the property earlier than 8:00 a.m.
- 7) Neighbors shall be notified prior to any major maintenance occurring at the site.
- 8) Landscape material shall be installed on the oil property behind the residence at 20329 Donora Avenue and shall extend slightly behind the properties at 20323 and 20333 Donora Avenue, to eliminate gaps and create a continuous landscaped buffer.
- 9) The landscape material shall be maintained so that it does not become faded or deteriorated.
- 10) Absorbent material shall be placed around the tank area to reduced odor. The absorbent shall be changed or refreshed every 90 days.

Respectfully Submitted,



Sharron Jones
Sr. Environmental Quality Officer

CONCUR:



Linda Cessna, Deputy Director
Community Development

TORRANCE ENVIRONMENTAL QUALITY AND
ENERGY CONSERVATION COMMISSION

DATE: September 4, 2008

CASE: OIL08-00005 (PP83-53)

NAME: Power Run Oil Company

ADDRESS: P.O. Box 3087, Redondo Beach, CA 90277

PURPOSE OF APPLICATION: Three (3) year operating extension for existing non-conforming oil well site.

WELL NAME: St. Francis #2

LOCATION: 4900 Del Amo Boulevard, Torrance, CA 90503 (West High Parking Lot)

ZONING: P-U

ADJACENT ZONING AND LAND USE:

North: P-U Parking lot

South: P-U Parking lot

East: R-1 Single Family Residential

West: P-U Parking lot

EXISTING OIL EQUIPMENT AND STRUCTURE: One (1) oil well, Two (2) storage tanks, Two (2) clarifier tanks, heater and gas trap.

BACKGROUND AND DISCUSSION:

This request is in compliance with Article 14 of the Torrance Oil Code that requires all non-conforming oil wells to be abandoned or obtain operating extensions every third year.

This site is located at the eastern edge of the West High School parking lot adjacent to single-family residences. It measures approximately 125 feet by 76 feet. The oil well has been at this location since the 1930's and the storage tanks were relocated to the site from 4903 White Court in 1962. Oil is pumped from the well into the storage tanks and removed from the site by truck approximately three times per month. Oil from three other sites owned by Power Run is piped and stored in the tanks at this site.

Staff has received numerous complaints, especially over the past two years regarding noise and odor from this site. Several noise readings have been taken directly from the well and from the rear yard of one of the residential properties, however, there were no violations of the noise code at the time of readings. There seems to be a low frequency noise associated with the

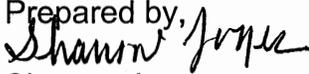
pumping of the well that is consistent with the other oil operations in the city. For most odor problems the residents have directly contacted the South Coast Air Quality Management District. Staff was able to obtain copies of inspection reports from the AQMD.

This site was inspected for compliance with Torrance Oil Codes and Precise Plan requirements in August 2008. Proof has been submitted that this site has produced more than 365 barrels of oil per year over the past three years.

RECOMMENDATION:

Staff recommends APPROVAL of the three (3) year operation extension with the following conditions:

- 1) At least 365 barrels of oil or 3,650,000 cubic feet of gas must be produced per year per well.
- 2) The facility must be operated and maintained in compliance with the provisions of Torrance Municipal Code, Chapter 7.
- 3) The conditions requested in the Precise Plan must be continuously maintained.
- 4) All provisions of the City's Fire and Building Codes must be observed.
- 5) This extension shall be for three years only per Section 97.14.5(b) of the Torrance Municipal Code and the Commission may revoke said extension if said criteria are not met during said period.
- 6) Tankers shall be restricted from moving onto the property no earlier than 8:00 a.m. on the weekends.
- 7) Absorbent material shall be placed around the tank area to help ward-off odor problems. This material shall be changed or refreshed every 90 days.
- 8) Landscape materials shall be placed on site adjacent to the 20329 Donora Avenue residence.

Prepared by,

Sharron Jones
Sr. Environmental Quality Officer

CONCUR:

Gregg Lodan, Manager
Development Review and Environmental Division

Sept. 4, 2008

Environmental Quality + Energy Conservation Commission
Public Hearing - OIL 08-00805: Petition of Power Run Oil LLC
for 3-year Operating Extension

Members of the Commission,

I apologize for not attending this important public hearing. Unfortunately, my doctors have advised me to limit my current activities due to health problems. In lieu of attendance, I respectfully submit this written objection to Power Run Oil LLC's petition for a 3 year extension of operation at 4900 Del Amo Blvd.

My name is Katherine Yamada, owner of residence at 20329 Donora Ave, immediately adjacent to Power Run Oil. I am probably the resident most impacted by the oil facility. Power Run has not been a "Good Neighbor" by ignoring its commitment to the community. I object to its petition for extension.

I will limit this presentation to only three areas:

- (1) Non-maintenance of fencing
- (2) " " " Landscaping
- (3) Poor housekeeping

After years of non-compliance, the rotten deteriorating add on fence was replaced a few months ago. Due to the timing, I believe this gesture was intended to influence the Commission + enhance its petition for extension. The fence was literally hanging down my side of the wall, ready to fall onto my backyard + built-in B-B-Q.

Landscaping was abandoned years ago by Power Run. I requested the dried out brush be removed + replaced. Power Run removed the dead brush but felt no obligation to replace it. Subsequent research revealed that, indeed, there is a requirement for landscaping. Nothing yet.

Oil is a constant problem. Oil seeped onto my property during the 2002 spill. A visitor commented on the foul odor only last month while standing by the front

door. An on-site visit to discuss the fence, attended by an Environmental member, the oil operator, facilitator, & nearby community property owners revealed a dirty and unkept facility. Undoubtedly, this contributes to the unpleasant odor.

Again, I strongly object to the petition by Power Run Oil LLC for a 3 year extension to operate the facility. Elimination of the operation is ideal for the clean image of our West High School & surrounding area. I am in total agreement & support Mr. Henry Haji's extensive & complete report on the oil facility & how it impacts adversely & affects our community & the City of Torrance.

I sincerely thank you for this opportunity to voice my concerns.

Respectfully submitted,

Katherine S. Yamada
20329 Donora Ave., Torrance
(310) 371-2262

September 3, 2008

City of Torrance
Environmental Division and Energy Conservation Commission
Ref: OIL08-00005 petition of Power Run Oil LLC

Dear Members,

My name is Brian Dalziel and I live at 20333 Donora Ave., in Torrance. I am writing to you regarding the potential lease renewal operating extension for Power Run Oil LLC.

I am a life-long resident of the West Torrance area and have lived at the above address since February 2003. My house and back yard is located against a partial part of the oil pump and two storage tanks that are located in the West High School parking lot.

Since moving to Donora Avenue, this site has been not only an eyesore but also a nuisance to my family and neighborhood. My family would like the Commission to consider NOT renewing this permit for a number of reasons.

First and foremost, the **oil smell** that comes from these tanks is exceedingly overbearing.

As a family we like to enjoy our backyard setting, play with our 3-year-old son, cook on the BBQ and sit and relax with friends on the porch. However, there have been countless times when the odor is so bad, that we can't even stay outside. In addition, if our windows are open, the fumes come into the house and make it unpleasant.

Also, **noise** from the pump as well as the diesel trucks that come into the parking lot are bothersome and annoying. As a community we have asked Power Run Oil LLC to fix the pump noise problem, but nothing has been done. Secondly, when the diesel trucks come into the parking they are loud and when they are getting oil from the tanks, the smell of both diesel fumes and oil are immanent.

In addition, there are no schedules for the trucks to come pick up the oil. On Saturday, August 30th, on a three-day holiday weekend, a diesel truck came at 7:55 a.m. to pick up oil. The noise coming from this truck was horrendous.

Lastly, the **general appearance** of the facility is unacceptable and an eyesore.

Power Run Oil LLC agreed last year to fix the fence surrounding the backyards of the houses affected by the sight of the pump. Also the company agreed to put up landscaping to at least cover-up the mess inside. The fence was not put up at the agreed height and since no landscaping has been situated.

Overall, Power Run Oil LLC has not done its due-diligence in keeping the facility safe and environmentally sound for our neighborhood. The company is consistently slow in responding to our neighbors' concerns and surely lacks a policy of being "a good neighbor."

I am asking the City of Torrance and the Environmental Division and Energy Conservation Commission to take the first step in cleaning up our city and NOT RENEW this operating lease extension.

I ask the Commission to see our point of view and to ask yourself, "Would you want your family and children to be exposed to such a nuisance?"

Regards,

Brian Dalziel
Tandie Dalziel
Brenden Dalziel
20333 Donora Ave.
Torrance, CA 90503
(310) 793-0856 (Home)

**Haji Family
20323 Donora Ave.
Torrance, Ca 90503**

September 2, 2008
City Of Torrance
Environmental Quality and Energy Conservation Commission
3031 Torrance Blvd.
Torrance, Ca 90503

Dear esteemed Commission Members,

This correspondence is in regards to OIL08-00005 petition of Power Run Oil, who is seeking a three-year extension for the facility located at 4900 Del Amo Blvd. Torrance CA 90503 (along the East wall of the West High School Parking lot). My family and I have resided at 20323 Donora Ave. in Torrance for over 28 years. With a level of certainty, I can attest that the facility operated by Power Run Oil over the years has deteriorated and is not maintained at a level one would expect from a facility of this nature, being located in midst of a residential neighborhood. Over the years, there have been documented instances of carelessness and a lax approach to resolving issues. The operator has shown no sign of understanding of its physical location in a residential neighborhood and has no regard or respect for its immediate neighbors. We the immediate neighbors have paid a penalty for the operator's quest for profit and lack of investment in improving the site. The operator has constantly stonewalled the residents and the city when tasked to live up to his obligation. We continue to live with Oil odor, noise and diesel fumes.

Basic maintenance matters that impact the lives of the immediate residents have taken over a year to resolve.

Case in point, during a winter storm in February of 2007 a dividing fence between my property and the tank farm was blown over. It took over 1 year, until March of 2008 for Power Run Oil to step up to its obligation to have the fence satisfactorily completed. This was after numerous meetings and intervention by the city. During the process, the operator breached his agreements on a number of occasions. For example, it was agreed that the fence would be 4 feet in height. The fence installed was 3 feet high, granted it was eventually corrected. The operator had no clue of what was installed until I brought it to the city's attention. During the course of this on Thursday November 8, 2007, it was agreed that an arborist would be hired to trim the trees along my property line to facilitate the

installation of the fence, with the condition that the arborist would consult with me prior to trimming the trees. The so-called arborist never contacted me and the trees on one side were hacked. This begs questions if the operators cannot manage installation of a simple fence and basic communication, are they truly capable of managing a facility that uses and houses toxic chemicals in its processes, without grave risk to the residents and the city?

As part of an operating condition, the operator is required to have landscaping on the east side of the oil pump to camouflage it from the residents. This landscaping had not been maintained and was removed 11 months ago on September 27 2007, with no replacement landscaping planted to date.

The oil pump has progressively gotten noisier over the years it is a low grade rumbling noise. This noise is very irritating in nature and can be best described as "Chinese water torture". This noise generated by the pump can be heard in my house with all doors and windows closed. The city staff has verified this noise. Given the location of the pump, I am the neighbor most impacted by it. A city approved acoustical consultant did a study and proposed a solution to the operator over 2 years ago, the operator has chosen not to take any action and continue business as usual, while we as neighbors suffer on a daily basis.

The operator does not have a good neighbor policy in place. Basic maintenance takes place without consideration to the neighbors or for their real or personal property. Example, they chose to have trees trimmed on their side without notifying any of the neighbors. I walk into my house at the end of the day and there is dust all over. There is no schedule of trucks coming to pump oil out of the tanks again; I can walk into my house and reeks of diesel fumes. Everybody here understands the risks posed by diesel fumes.

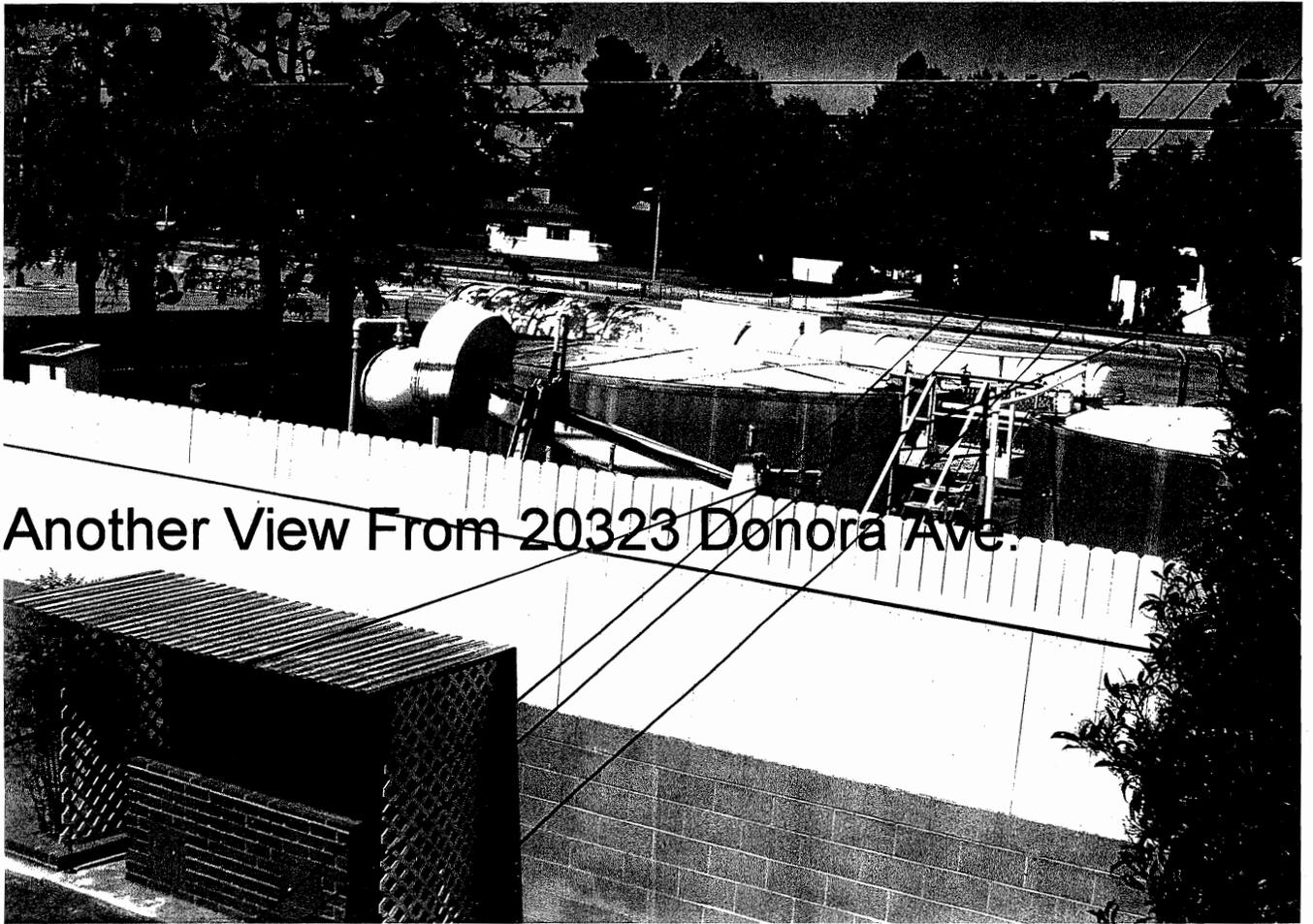
I ask all the members of the commission and staff given the history, non-compliance and risks this site poses, if this was in your neighborhood or back yard would it be acceptable?

My family and I ask that the usual renewal not be granted until there is plan and an acceptable time line in place to resolve these issues once and for all.

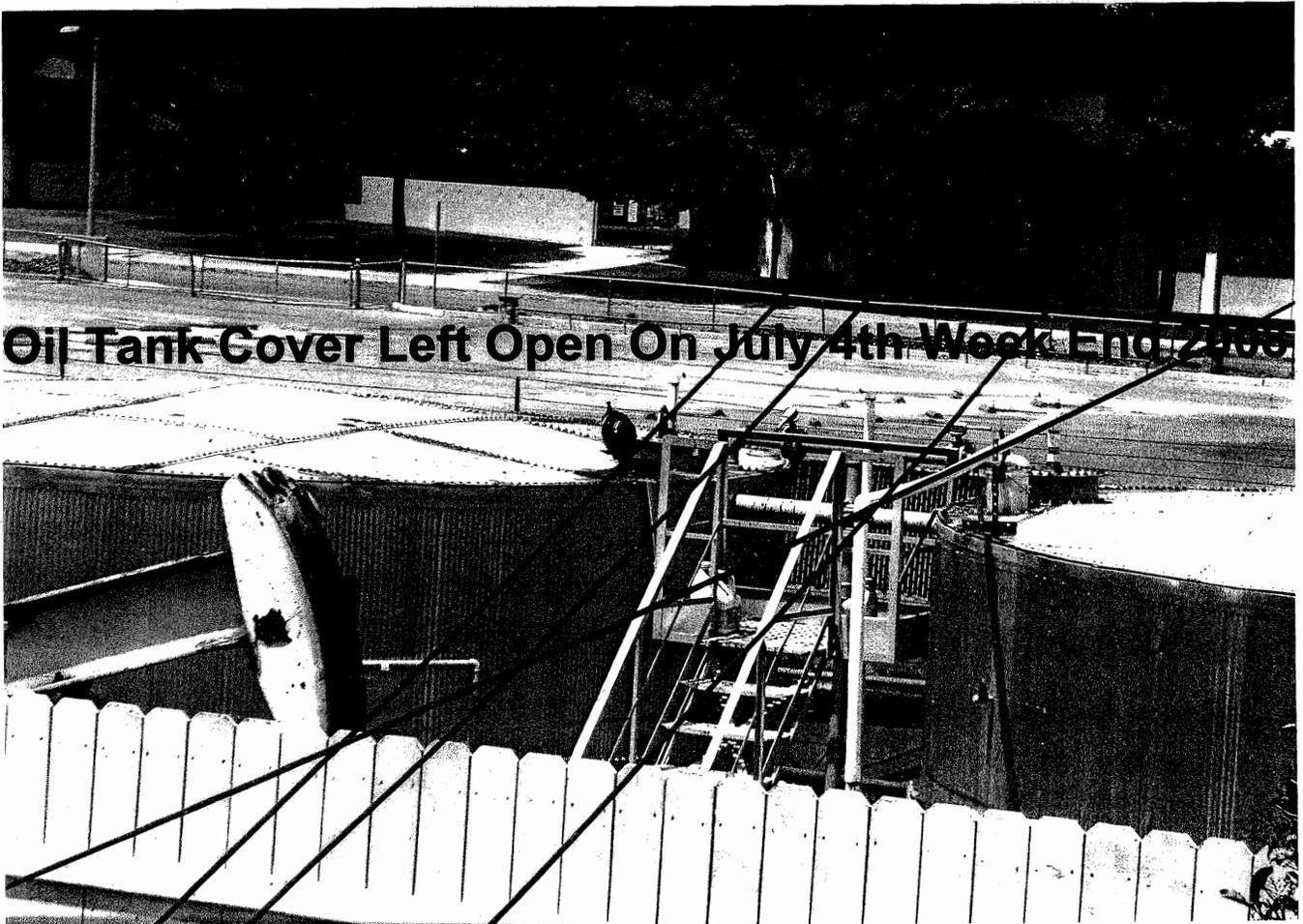


 Hanif Haji Zohra Haji Nurbanu Haji Alikhan Haji

c.c: The Honorable Mayor and the City Council Of Torrance

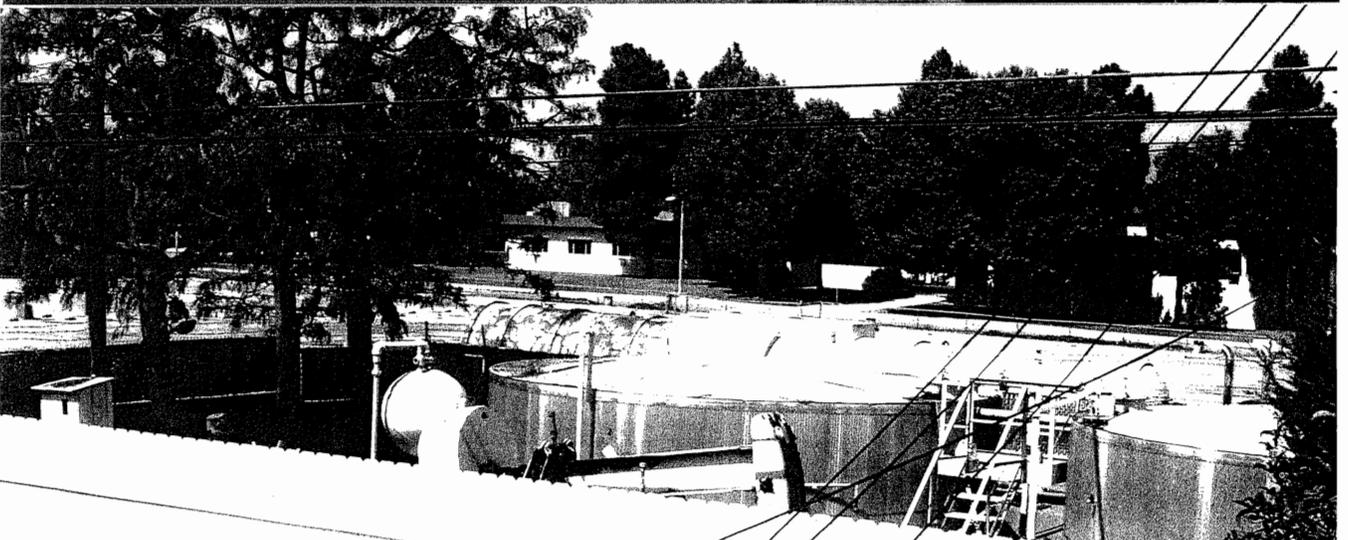


Another View From 20323 Donora Ave.

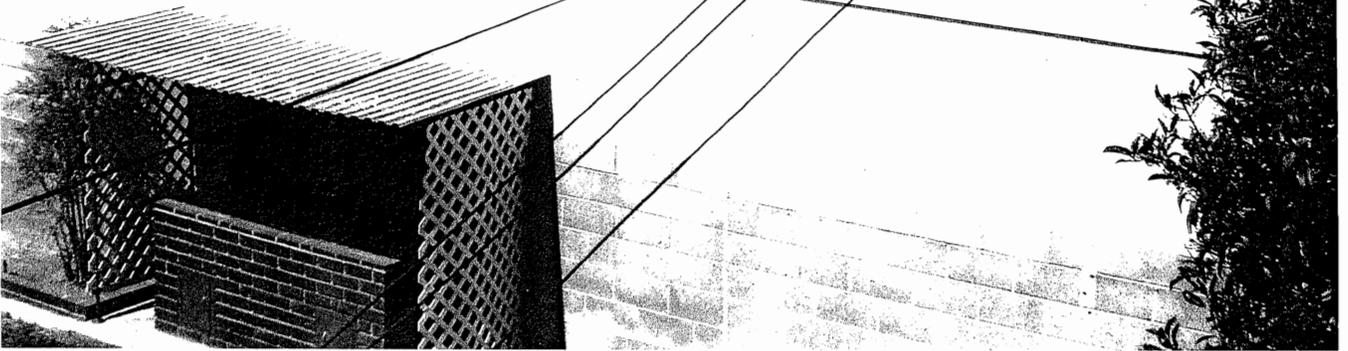


Oil Tank Cover Left Open On July 4th Week End 2005

BROKEN FENCE TOOK OVER 12 MONTHS TO FIX



View of Oil Tanks, Oil Well & Tanker from 20323 Donora Ave.



From: Jones, Sharron (SJones@TORRNET.COM)
To: 'Hanif Haji'
Date: Tuesday, July 8, 2008 11:11:01 AM
Subject: RE: AQMD CONTACT

Thank you Mr. Haji. I've already left a message for Mr. Rank....waiting for his call.

Sharron

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Tuesday, July 08, 2008 11:06 AM
To: Jones, Sharron
Subject: AQMD CONTACT

Sharron,,

Hope all is well with you. The AQMD inspector who verified that the oil odor that emitted for most of the day on Sunday from the oil pump & tanks in the WHS parking lot was due to careless and reckless maintenance procedures by the the operator, his name is:
Harold Rank
(909) 396-2322

I am sure he will be able to provide the pertinent details. I have pictures if need be. If there are any questions I can be reached at (310) 721-1358.

Thank you & Best Regards
Hanif Haji

From: Jones, Sharron (SJones@TORRNET.COM)
To: 'Hanif Haji'
Date: Monday, April 28, 2008 10:31:23 AM
Subject: RE: Follow Up

Hello Mr. Haji,

I was at a leadership class on Thursday (4/24/08) and City Hall was closed on Friday. I spoke with Mark Reminger moments ago, he apologized for not calling us before hand, apparently, work was being done with the tank on site. The tank is being inspected, vacuumed, stream cleaned and resealed. Mark was hoping work would be completed this weekend but they actually need two more days to complete everything.

I am hoping to take this site as well as the others operated by Power Run to the Commission in July or August. I will take the other oil operators first, and try to review all of the Power Run sites at once.

I've been told that Mr. Hunt is currently out of town and will be for a while. The landscape issue may have to hold until the Commission meeting, at which time I could make it a condition of the site. I plan to focus on the noise issue first.

Thank you for your time and patience.

Sharron Jones
City of Torrance
(310) 618-5924

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Thursday, April 24, 2008 9:24 AM
To: Jones, Sharron
Subject: Follow Up

Sharron,

I would like to thank you for taking time to meet with me to better understand how the noise generated by the oil pump in the WHS parking lot, is impacting the lives of the immdaite surrounding neighbors.

Please let me know where the operator currently stands on replacing the landscape taken down in October or November of 07 to repair the fence. Also I would like to know what are some the steps he is taking to suppress the noise.

Again thanks for your time, help and understanding.

From: Jones, Sharron (SJones@TORRNET.COM)
To: 'Hanif Haji'
Date: Tuesday, March 18, 2008 4:04:15 PM
Subject: RE: Power Run Fence Extension

Thank you Mr. Haji, I'll notify Mr. Hunt and get dates for the work on the fence and installing the blanket. We'll tackle the landscape after the fence extension is complete.

Sharron Jones

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Tuesday, March 18, 2008 3:26 PM
To: Jones, Sharron
Subject: Power Run Fence Extension

Sharron,

Hope all is well with you. Thanks for dropping of the drawings for the fence extension. I am in agreement as long as the work is done as prescribed on the drawings. Please let me know when Mr. Hunt plans to commence and complete the work.

I would like to know where Mr. Hunt is on replacing the landscaping. In addition the oil pump has been noisier than normal, when is Mr. Hunt planning on replacing the temporary acoustical blanket. Thanks for all your help.

Thank you & Best Regards
Hanif Haji

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From: Hanif Haji (hanifhaji2002@yahoo.com)
To: sharronjones@torrnet.com
Date: Thursday, February 14, 2008 3:27:32 PM
Subject: Re: 4900 Del Amo fence height

Hi Sharron,
 Hope all is well with you. Are there any updates on fence & the landscaping issues? Please advise.

Thank you & Best Regards
 Hanif Haji

----- Original Message -----

From: Hanif Haji <hanifhaji2002@yahoo.com>
 To: "Jones, Sharron" <SJones@torrnet.com>; "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>
 Cc: "Widman, Lance" <lwidman@elcamino.edu>
 Sent: Tuesday, January 29, 2008 8:48:53 AM
 Subject: Re: 4900 Del Amo fence height

Sharron,

I did get a chance to talk with Mrs. Yamada over the week end. She agrees that the fence does need to be extended. However we would like to see a rendering of what Mr. Hunt intends to do and fully understand how it will look esthetically. As home owners this is our primary concern. I would also like to clarify that extending the fence is not in lieu of replacing the landscaping that camouflaged the oil pump from various different angles.

This whole fence issue has raised a number of concerns for me:

Mr. Hunt agreed to a plan. I am presuming he contracted and paid for according to the plan. If that is the case how would he or his maintenance person not know what they got as the end result. Given the lack of attention to maintenance detail, and the proximity of the oil tanks to the residences, how may other details are ignored or not understood by the the operators that puts us the residents in harms way.

Also the oil pump motor has got progressively noisier over the past months and the issue has been ignored by the operator after repeated complaints.

If there are any questions I can be reached at (310) 721-1358.

***Thank you & Best Regards
Hanif Haji***

----- Original Message -----

From: "Jones, Sharron" <SJones@torrnet.com>

To: "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>

Cc: "Widman, Lance" <lwidman@elcamino.edu>

Sent: Wednesday, January 9, 2008 3:22:06 PM

Subject: 4900 Del Amo fence height

Hello,

Spoke with Mr. Hunt this morning, he apologizes for the outcome. He is willing to extend the height by attaching more material, same type and color. Can go an additional 12" or 15" in height depending on what Mr. Haji and Mrs. Yamada prefer.

He explained the attachment method and stated it would be attractive... but I suggest we at least a simple drawing. He would use the same contractor.

Please let me know your thoughts.

Sharron Jones

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From: Jones, Sharron (SJones@TORRNET.COM)
To: 'Hanif Haji'
Date: Wednesday, January 23, 2008 8:27:58 AM
Subject: RE: 4900 Del Amo Pump Noise

Mr. Haji,

I understand that the noise is an important issue...unfortunately we need to deal with one hurdle at a time. Please give me your opinion regarding extending the height of the fence. I will speak with Mr. Hunt this afternoon regarding the noise.

Thank you,

Sharron Jones

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Tuesday, January 22, 2008 2:22 PM
To: Jones, Sharron
Subject: Re: 4900 Del Amo Pump Noise

Sharron,

I strongly disagree that there is nothing unusual about the noise. Please have them help me understand how the level of noise is normal and acceptable. I can hear it in my house with all the doors and windows closed and my back yard rendered unusable due the noise.

Let us not forget that during our April meeting at the site Mr. Hunt agreed to put up acoustical damping material around the well. I would still like to you regarding the noise issue. And going back to working with Lance originally was due to the noise issue.

Thank you & Best Regards
Hanif Haji

----- Original Message -----

From: "Jones, Sharron" <SJones@TORRNET.COM>
To: Hanif Haji <hanifhaji2002@yahoo.com>
Sent: Tuesday, January 22, 2008 9:57:59 AM

Subject: RE: 4900 Del Amo Pump Noise

Mr. Haji,

The operators claim there is nothing unusual about the pump operation, but I will speak with them again. What do you think about Mr. Hunt's proposal to heighten the fence another 18". Lance thinks it's a good idea but we need to get more details on the attachment method.

Sharron Jones

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]

Sent: Sunday, January 20, 2008 2:22 PM

To: Jones, Sharron

Subject: 4900 Del Amo Pump Noise

Sharron,

I hope you had a good long week end. The noise from the oil pump at 4900 Del Amo continues to be nuisance. I do not believe that the operators maintenance people have even addressed the issue since the last time you and I talked. Can you please give a call at (310) 721-1358 when you get in on Tuesday? I would like to set a time for you to come and observe and listen to the pump.

Thank you & Best Regards
Hanif Haji

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From: Hanif Haji (hanifhaji2002@yahoo.com)
To: sharronjones@torrnet.com
Date: Tuesday, May 20, 2008 9:52:54 AM
Subject: Fw: Follow Up

Thank you & Best Regards
Hanif Haji

----- Forwarded Message -----
From: Hanif Haji <hanifhaji2002@yahoo.com>
To: "Jones, Sharron" <SJones@TORRNET.COM>
Sent: Friday, May 9, 2008 10:37:54 AM
Subject: Follow Up

Hi Sharron,

Hope all is well with you. Thanks for your response. I am not sure what is going on over at the site, over the course of last couple of weeks we had to have AQMD come out twice due to excessive "oil odor" the last being Wednesday night at about 8:30 pm.

This morning at before 7:30 am there was huge diesel rig that was doing some work at the site. I understand and appreciate that the operators have to have maintenance etc done. However it would be nice and neighborly if we were at least notified of the work being performed rather than being jolted by unexpected noise at that hour of the morning.

Have a great mothers day.

Thank you & Best Regards
Hanif Haji

----- Original Message -----
From: "Jones, Sharron" <SJones@TORRNET.COM>
To: Hanif Haji <hanifhaji2002@yahoo.com>
Sent: Monday, April 28, 2008 10:31:23 AM
Subject: RE: Follow Up

Hello Mr. Haji,

I was at a leadership class on Thursday (4/24/08) and City Hall was closed on Friday. I spoke with Mark Reminger moments ago, he apologized for not calling us before hand, apparently, work was being done with the tank on site. The tank is being inspected, vacuumed, stream cleaned and resealed. Mark was hoping work would be completed this weekend but they actually need two more days to complete everything.

I am hoping to take this site as well as the others operated by Power Run to the Commission in July or August. I will take the other oil operators first, and try to review all of the Power Run sites at once.

I've been told that Mr. Hunt is currently out of town and will be for a while. The landscape issue may have to hold until the Commission meeting, at which time I could make it a condition of the site. I plan to focus on the noise issue first.

Thank you for your time and patience,

Sharron Jones
City of Torrance
(310) 618-5924

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Thursday, April 24, 2008 9:24 AM
To: Jones, Sharron
Subject: Follow Up

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Please let me know where the operator currently stands on replacing the landscape taken down in October or November of 07 to repair the fence. Also I would like to know what are some the steps he is taking to suppress the noise.

Again thanks for your time, help and understanding.

Thank you & Best Regards
Hanif Haji

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From: Hanif Haji (hanifhaji2002@yahoo.com)
To: sharronjones@torrnet.com
Date: Thursday, February 21, 2008 10:52:12 AM
Subject: Follow Up - 4900 Del Amo fence height

Hi Sharron,
 Good Morning. Do you have any updates? Please advise.

Thank you & Best Regards
Hanif Haji

----- Forwarded Message -----

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: sharronjones@torrnet.com
Sent: Thursday, February 14, 2008 3:27:32 PM
Subject: Re: 4900 Del Amo fence height

Hi Sharron,
 Hope all is well with you. Are there any updates on fence & the landscaping issues? Please advise.

Thank you & Best Regards
Hanif Haji

----- Original Message -----

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: "Jones, Sharron" <SJones@torrnet.com>; "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>
Cc: "Widman, Lance" <lwidman@elcamino.edu>
Sent: Tuesday, January 29, 2008 8:48:53 AM
Subject: Re: 4900 Del Amo fence height

Sharron,

I did get a chance to talk with Mrs. Yamada over the week end. She agrees that the fence does need to be extended. However we would like to see a rendering of what Mr. Hunt intends to do and fully understand how it will look esthetically. As home owners this is our primary concern. I would also like to clarify that extending the fence is not in lieu of replacing the landscaping that camouflaged the oil pump from various different angles.

This whole fence issue has raised a number of concerns for me:

Mr. Hunt agreed to a plan. I am presuming he contracted and paid for according to the plan. If that is the case how would he or his maintenance person not know what they got as the end result. Given the lack of attention to maintenance detail, and the proximity of the oil tanks to the residences, how may other details are ignored or not understood by the the operators that puts us the residents in harms way.

Also the oil pump motor has got progressively noisier over the past months and the issue has been ignored by the operator after repeated complaints.

If there are any questions I can be reached at (310) 721-1358.

***Thank you & Best Regards
Hanif Haji***

----- Original Message -----

From: "Jones, Sharron" <SJones@torrnet.com>

To: "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>

Cc: "Widman, Lance" <lwidman@elcamino.edu>

Sent: Wednesday, January 9, 2008 3:22:06 PM

Subject: 4900 Del Amo fence height

Hello,

Spoke with Mr. Hunt this morning, he apologizes for the outcome. He is willing to extend the height by attaching more material, same type and color. Can go an additional 12" or 15" in height depending on what Mr. Haji and Mrs. Yamada prefer.

He explained the attachment method and stated it would be attractive...but I suggest we at least a simple drawing. He would use the same contractor.

Please let me know your thoughts.

Sharron Jones

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From: Jones, Sharron (SJones@TORRNET.COM)
To: Hanif Haji
Date: Thursday, December 27, 2007 9:07:17 AM
Subject: RE: WHS OIL PUMP

Hello Mr. Hanji,

I've left a message with Mark, Mr. Hunt's assistant, to investigate the noise and vibration from the well. I also left word with Mr. Hunt regarding the fence height and landscaping.....just got a return call from Mark, stating he would check out the well and that Mr. Hunt was out of town until sometime tomorrow. Once I have the opportunity to discuss these issues with Hunt, I'll get back to you.

Sharron

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Sunday, December 23, 2007 1:33 PM
To: Jones, Sharron
Subject: WHS OIL PUMP

Sharron,

The the oil pump in the WHS parking lot has been excessively noisy again. Around 12:30 to 1:30 pm the pump starts to make a vibrating noise and the tense cables clanking. Please keep in mind I am the most impacted by the noise given the NE location of the motor and the cable> Is it possible for you to meet me at site this week? Also do you have any further news regarding the landscaping and fence height issue?

Thank you & Best Regards
Hanif Haji

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From: Hanif Haji (hanifhaji2002@yahoo.com)
To: sharronjones@torrnet.com
Date: Tuesday, August 28, 2007 2:36:31 PM
Subject: Power Run Tank Farm West High Sch.

Sharron,

Thank you for taking the time to talk to me earlier today. I would like to reiterate my concerns regarding the maintenance and the up keep of this facility in a residential neighborhood. The issue of the excessive motor noise, oil odor and general up keep continue to be systemically ignored or stone walled by the operators.

The current issue at hand is the dividing fence that was blown down during a storm in February of 07. The operators met with the neighbors impacted in April of 07 to discuss repair and replacement. At that meeting in April the operators agreed to have an engineered and a designed concept to camouflage the tank farm from the neighbors. It was also agreed at that meeting that it would be a solid material that would be architecturally acceptable. It was also agreed that netting material would not be acceptable. In mid July the operators proposed a very basic design that include lattice fencing and the netting material. This was rejected by the neighbors. The operator agreed to look for some solid material. I took the time to research some solid vinyl fencing and provided the sources to the city.

The operators at a later time (in early August) proposed a 4 feet high painted wooden fencing. That was acceptable to the neighbors. As of today the operators have not made a concerted effort to replace the dividing fence. Portion of the fence is now leaning against mature trees in my backyard, which are prone to permanent damage from the weight of the fence.

The operators for years have stone walled and systematically ignored their responsibility and obligation to the City Of Torrance and the neighbors impacted by this tank farm. This brings me back to point of the past few years that this tank farm is not maintained to a standard given it is in middle of a residential neighborhood. In addition it is a public nuisance and a drain on the resources of City Of Torrance.

If there are any questions I can be reached at (310) 721-1358.

Thank you & Best Regards
Hanif Haji

From: Hanif Haji (hanifhaji2002@yahoo.com)
To: sharronjones@torrnet.com
Date: Friday, July 13, 2007 2:57:32 PM
Subject: Vinyl Fencing

Sharron,

Thank you for your time in regards to the Power Run Oil tank farm in the West High School parking lot. Following are web sites of companies that specialize in solid vinyl privacy fencing.

I also wanted to bring to your attention again that there are maintenance people at the site before the legal starting time. I know Brian has brought this to your attention that he has seen people working there at about 5:00 am in the morning and he has noticed on more than one occasion when jogging in the neighborhood.

http://www.fencefactory.com/vinyl_f.html

<http://www.usavinyl.com/privacyfence.html>

<http://avinylfence.com/index-g.php?source=googleppc&gclid=CLru3ObBpY0CFR2elwodH1YVsA>

***Thank you & Best Regards
Hanif Haji***

Got a little couch potato?
[Check out fun summer activities for kids.](#)

Hanif & Zohra Haji
20323 Donora Ave
Torrance, Ca 90503

City Of Torrance
Attn: Sharron Jones
Sr. Environmental Quality Officer
3031 Torrance Blvd.
Torrance, CA 90503
October 26, 2007

Dear Ms. Jones,

I am in receipt of Mr. Hunt's response to my concerns addressed in my letter of September 20, 2007 in regards to the "Indemnity Agreement" from Power Run Oil in regards to installing a new fence adjoining my property. I am not interested in getting into a "he said she said" match with Mr. Hunt, in regards to the fence issue. However it is important that the facts remain what they are, and we do not loose sight of the time line of events:

1. The fence in question is not being replaced at my request. This fence has always been maintained by the oil operator as part of their operating permit.
2. Portion of the fence was blown and broken during a storm in February of 2007.
3. The oil operators met with the residents in mid April 2007, to discuss replacement options.
4. First proposal of the fence design was submitted to the home owners in mid July of 2007. This proposal was not accepted the homeowners.
5. A revised proposal was submitted in early August and accepted by the homeowners.
6. I inquired regarding the status of when the fence would be replaced, end of August.
7. On September 10th I received the "Indemnity agreement and responded with my concerns by the 20th of September.

It should be noted that the broken fence has been leaning against the trees in my backyard since February of 2007 and has effectively rendered by backyard unusable.

My concerns regarding the "indemnity agreement" remain as follows:

1. The agreement does not specify time duration that the contractors will need access to my property.

2. The agreement does not specify that the property and grounds will be left in the same condition as at commencement of work.
3. The agreement does not clarify that Power Run Oil will be responsible for any damage done to the property, grounds or any structures during the course of this work. Power Run Oil is contracting for the work and not the homeowner. Thus any claims made will have to be by Power Run Oil.
4. To access the above mentioned property, for any future maintenance to the fence. Power Run Oil will be required to ask for permission from the property owner on an as needed basis. Mr. Hunt claims the delays are caused by non action of the homeowners. On the contrary the delays and stone walling have been on part of Power Run Oil and this can be documented by my contacts with the city regarding this fence. I will reiterate in the 27 years that I have resided at this address not once has Power Run Oil had the need to come on to my property to conduct any sort of maintenance.
5. Release and waiver claims paragraph is overarching and too broad for the scope of work.
6. Trimming of trees and shrubs. I agree with Mr. Hunt that he can trim the trees that hang over the property line. However common sense dictates that the fence contractors may need to trim the trees on my side of the property. To trim the trees on my side of the property they will have to use a licensed arborist.

I thank you in advance for your utmost attention to this matter and it may be in the best interest of all to have a short meeting to iron out some of the details.

Sincerely,

Hanif Haji

Hanif Haji

Hanif & Zohra Haji
20323 Donora Ave
Torrance, Ca 90503

City Of Torrance
Attn: Sharron Jones
Sr. Environmental Quality Officer
3031 Torrance Blvd.
Torrance, CA 90503

Dear Ms. Jones,

I am in receipt of an "Indemnity Agreement" from Power Run Oil in regards to installing a new fence adjoining my property. I have concerns regarding this agreement and need clarification as follows:

1. The agreement does not specify start and completion dates of the project.
2. The agreement does not specify contractors to be used on the project and their contractor's license numbers.
3. The agreement does not specify that the property and grounds will be left in the same condition as at commencement of work.
4. The agreement does not clarify that Power Run Oil will be responsible for any damage done to the property, grounds or any structures during the course of this work.
5. To accesses the above mentioned property, for any future maintenance to the fence. Power Run Oil will be required to ask for permission from the property owner on as needed basis. In the 27 years that I have resided at this address not once has Power Run Oil had the need to come on to my property to conduct any sort of maintenance. I am not going to grant them that "carte blanche".
6. Release and waiver claims paragraph is overarching and too broad for the scope of work.
7. Trimming of trees and shrubs. I have always used a licensed arborist to trim the trees on my property and expect Power Run Oil to do the same. In addition I need to work with arborist to fully understand the amount of trimming to be done.

I thank you advance for your utmost attention to this matter.

Sincerely,

Hanif Haji
Hanif Haji

Hanif & Zohra Haji
20323 Donora Avenue
Torrance, California 90503

February 1, 2005

CITY OF TORRANCE

Community Development Department

Environmental Quality and Energy Conservation Commission

3031 Torrance Blvd

Torrance, Ca 90503

Dear esteemed members of the Environmental Quality & Energy Conservation Commission,

This correspondence is in regards to OIL04-00010 petition of Power Run Oil, who is seeking a three year operating extension for facility located at 4900 W. Del Amo Blvd. Torrance, CA 90503 (on East wall of the West High School Parking lot). My wife and I, as neighbors of this tank farm hereby provide you with written testimony concerning our experiences and concerns of living with this tank farm in our "back yard".

The tank farm that is in the West High School parking lot was relocated here in 1962, and has been in operation since. It was relocated here, in the midst of a densely populated residential area, with hundreds of families living within 2000 feet of this tank farm, without any consideration to its long term impact to the neighborhood. The West High community that is impacted by this tank farm includes the elderly, babies, teens, and expecting mothers. The operations of this tank farm has robbed those of us who live near it, the use of our yards, the ability to have our windows open in the summer and has eroded the quality of our lives. We are left with questions and concerns regarding our health and the future threat posed by years of exposure to the oil residue, odors, and diesel exhaust from the loading of oil tankers and the use of chemicals in the process.

Our concerns have a basis. This tank farm has been in operation for approximately 40 years. There have been little or no upgrades to the equipment or general vicinity. The landscaping has not been improved in last 18 years. To the best of our knowledge, no environmental impact study has been conducted during any of the renewal processes. We firmly believe that the tank farm is maintained at minimum industrial standards and not at levels fit for a residential neighborhood. This was very evident with a major oil spill on September 11th 2002. We have constantly complained to the city and the EPA, for operators to comply with the least minimum

operational standards. With these facts in mind, we request that the commission review and reconsider the operational conditions of this tank farm.

Due to the circumstances surrounding the oil spill in September of 2002 and the ongoing nuisances caused by this tank farm, we hereby request the City of Torrance to consider the following:

- 1. Immediate discontinuation of Power Oil Run's operating permit at this location.**

- 2. A restricted operational permit be issued after the following conditions are adhered to:**
 - A redesign of the area that includes higher block walls and well maintained landscaping to fully camouflage the oil pump and the tanks from the surrounding homes.
 - A program to monitor chemical levels and noise generated at this site.
 - Reconfigure the equipment to utilize new and modern technology to minimize odors, pollution, chemical hazards and noise

- 3. Relocate the oil tanks to an industrial area.**

We again request that this commission along with the City Council discuss and review our concerns, regarding the health and safety of our community members and the deterioration of quality of life that this tank farm imposes on us, prior to any further consideration for another three year extension.

Sincerely,

Hanif & Zohra Haji

Hanif & Zohra Haji



POWER RUN OIL

August 26th, 2005

CERTIFIED MAIL

Mr. Hanif Haji
20323 Donora Avenue
Torrance, CA. 90503

RE: St. Francis Lease

Dear Mr. Haji:

I am writing to express and document my concerns regarding your ongoing efforts to interfere with Power Run Oil Company's operations of its "St. Francis Lease" in Torrance. Power Run has been operating the lease for approximately 6 years. However, wells have been operated at that location for over 50 years now. Power Run has all the necessary permits from the City of Torrance and state regulatory agencies, including the California Division of Oil, Gas and Geothermal Resources, to conduct our oil production operations. Those agencies regularly inspect our lease and we carefully comply with all of their requirements.

Despite our efforts, you have made complaints to the City of Torrance and to residents in the area about our operations. Among other things, you have complained about alleged noise from our wells, which the City investigated and, as we understand, found to be without merit. We also understand that you have attempted to persuade other residents to complain to City staff about our operations.

Power Run is one of the few remaining locally based, independent oil companies operating in this area. All of Power Run's oil production operations are located in urban and suburban areas, such as the St. Francis Lease. As a local company, we do our best to be a good neighbor to the homeowners and businesses adjoining our properties and with the City to try to accommodate all of their legitimate concerns. Having made that effort as a matter of company policy, and being a part of the community, we do not believe that it asking too much to expect that we would be left in peace to continue to conduct our business in our community.

We do not question your and anyone else's right to bring genuine problems to the attention of appropriate governmental agencies when they are actually based on facts. However, we do not believe that you have the right to make accusations about Power Run's operations which are not completely accurate or to incite others to do so.



POWER RUN OIL

August 26th, 2005
Mr. Hanif Haji
Page 2....

CERTIFIED MAIL

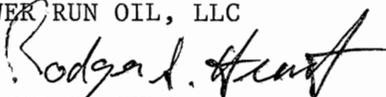
Your constant barrage of complaints raises a concern that your ultimate objective may not be to confirm that Power Run conducts its operations in compliance with applicable law, but rather to harass us so that we will abandon our operations on the St. Francis Lease. The St. Francis Lease is a valuable asset to Power Run and we do not intend to walk away from it.

Power Run has no interest whatsoever in engaging in any disputes with any of our neighbors in Torrance. We also have no interest in escalating whatever dispute you may believe that you have with Power Run.

However, you should also know that Power Run intends to fully protect and assert all of its legal rights in the event any false accusations are made regarding its operations on or related to the St. Francis Lease, or if any other efforts are made to interfere with Power Run's operations. Power Run will also expect to be compensated for any lost revenues from any unwarranted interference with its operations on the St. Francis Lease.

We look forward to your cooperation.

Very truly yours,
POWER RUN OIL, LLC


RODGER S. HUNT

RSH:dm

September 2, 2008

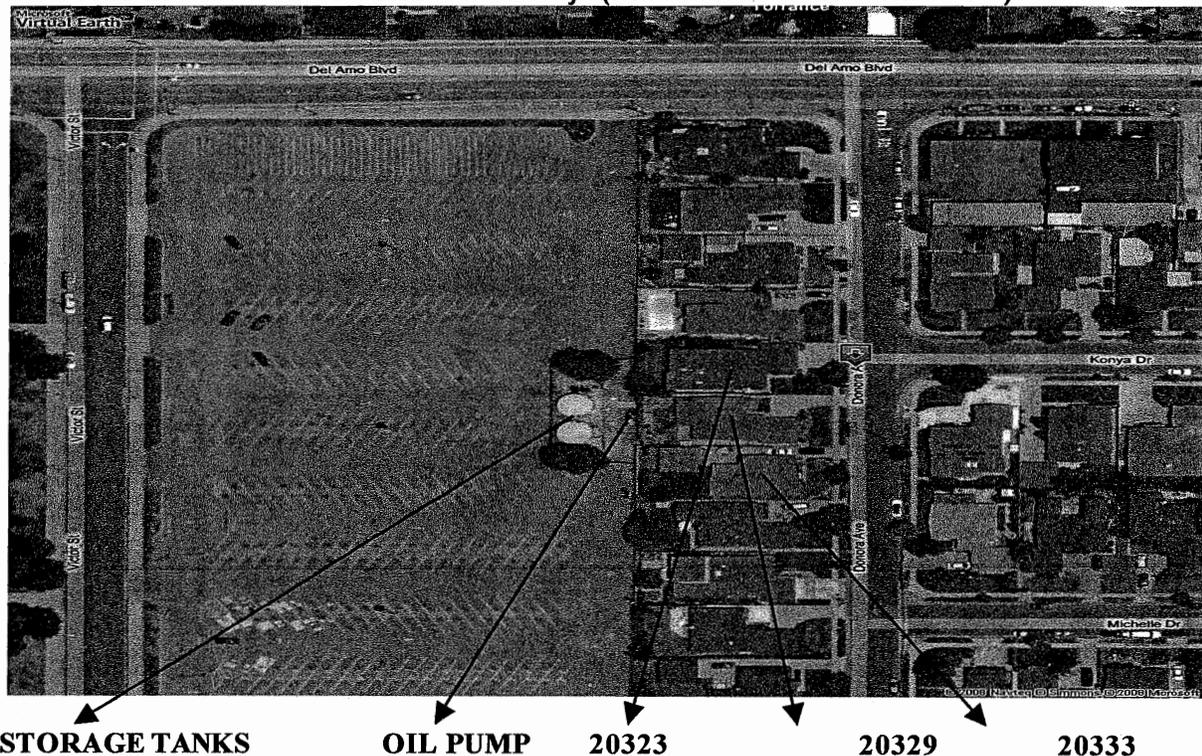
City Of Torrance
Environmental Division and Energy Conservation Commission

Ref. OIL08-00005 petition of Power Run Oil LLC

Dear esteemed members of the Environmental Division and Energy Conservation Commission

We the undersigned are requesting that this petition for non-renewal of permit along with all its attachments be entered as permanent record for the above-mentioned extension.

This facility in the West High School parking lot includes of two storage tanks that hold approximately 1000 gallons of crude oil each and an oil pump that is right against the back wall of residents at 20329, 20323 and 20333 Donora Ave. The oil is pumped from other wells in the area and stored at this site until transferred to diesel tankers for transportation. This facility is surrounded by mostly single-family homes whose residents include children and the elderly. (Please see Ariel view below)



Over the last few years the general appearance and the physical state of the facility has deteriorated. It has not been maintained in respect to its residential surroundings and as agreed upon at previous extension hearings or as agreed upon with the surrounding neighbors. Thus making this facility a nuisance and unsafe to its immediate neighbors.

This lack of oversight and conscience diligence impacts each neighbor differently. Some of the common threads are:

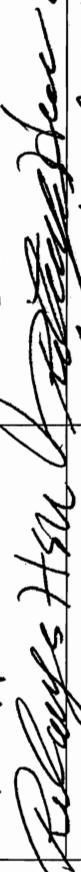
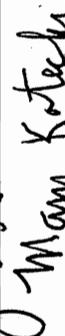
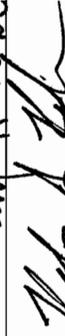
1. Oil odor
2. Excessive and sporadic noise generated by the oil pump
3. Diesel exhaust fumes from oil tankers
4. Lack of landscape and its maintenance
5. Slow or no response to neighbor concerns
6. Lack of a good neighbor policy

We the neighbors consider this facility in its current state to be unsafe and a nuisance to the community at large, to West High School and its surrounding residents. We also firmly believe that this facility is maintained at minimum industrial standards and not at levels fit for a residential neighborhood. This has been evident with a major oil spill on September 11, 2002, various verified visits by the AQMD due to complaints of excessive oil odor, and numerous complaints to the city.

The City of Torrance in its effort and vision to maintain an environmentally safe community with all the trappings, of safe schools, clean and safe neighborhoods, would better serve its citizens by not granting Power Run Oil an operating extension for this facility as it stands in its current state. In closing, we ask that the commission take a more holistic view and take into consideration all the safety and nuisance nuances that have revolved and posed by this facility, the breach of trust created by Power Run Oil, the concerns and well being of the residents, before considering an operating extension.

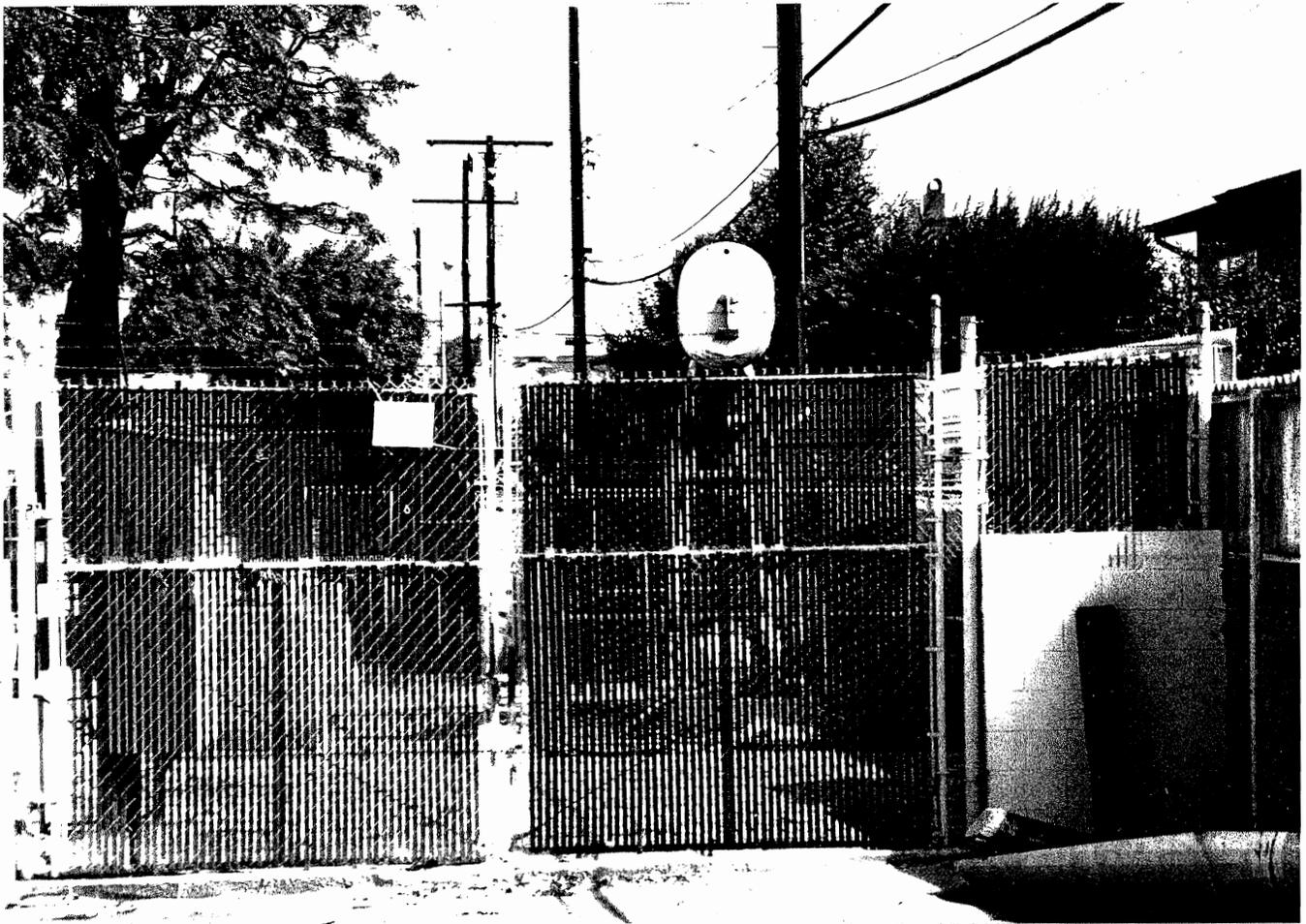
We the residents thank you for your time and consideration.

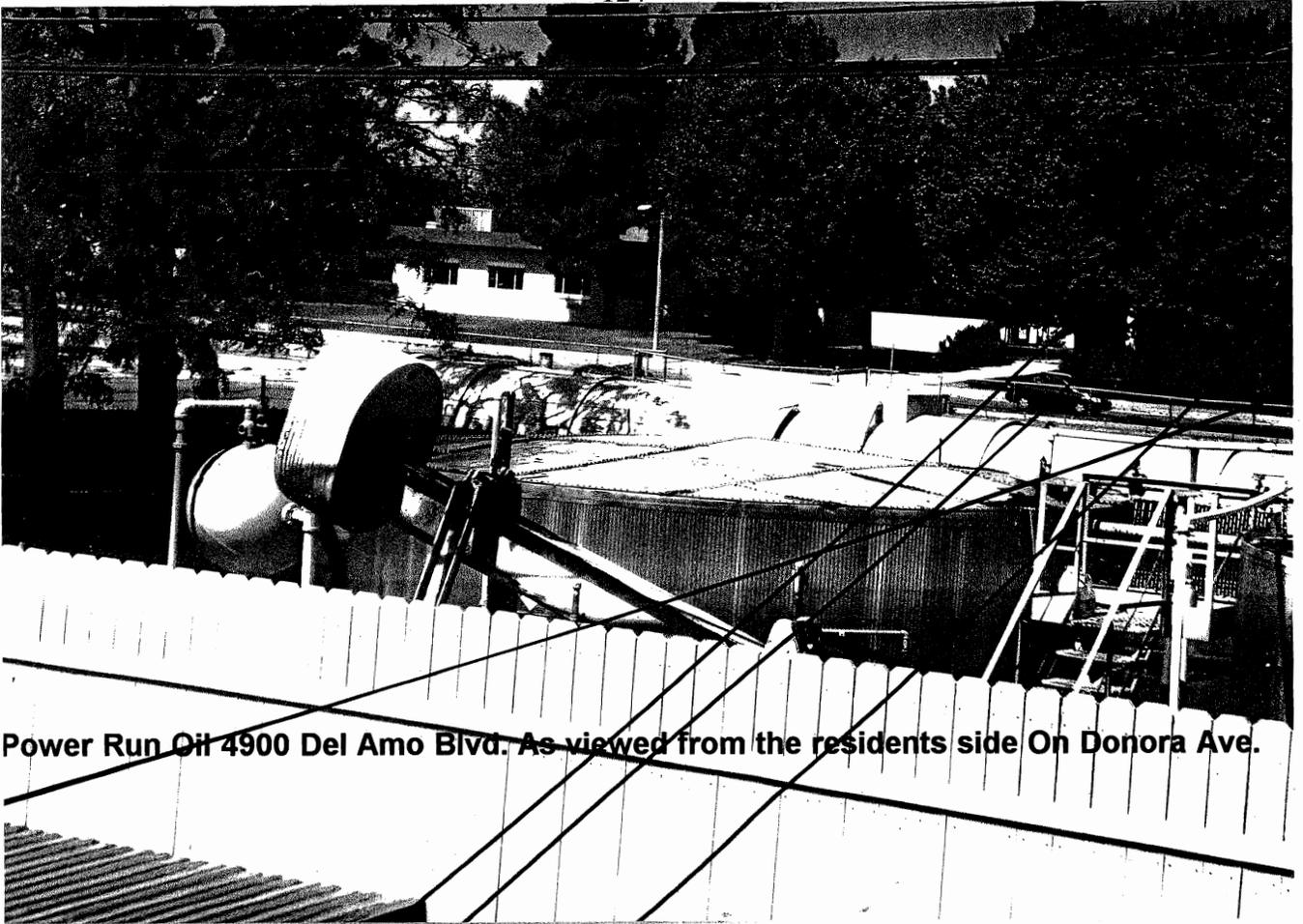
c.c: The Honorable Mayor and the City Council Of Torrance

PRINT NAME	SIGNATURE	ADDRESS	TELEPHONE #
OLIVER UMBRATO		20309 DONORA AVE	310-371-9310
BILL DEACERNA		20317 DONORA AVE	310-371-3114
RUTH CERAMELAI		20349 DONORA	(310) 370-3282
Yeva Siegel		20353 Donora	310 371-7231
Bob Thune		4812 Michelle	310/371-2682
Linda Houser		4923 Sara Drive	310/921-3419
JANIE NICKMAN		4903 SARA DRIVE	310.371-0119
Rebecca Hsu		4909 SARA DR.	310/989-9118
FRANKIE ALBERT		4915 SARA DR	310-370-6903
JAMES KOTECKI		4904 SARA DR.	310-371-2545
Mary Kotecki		4904 Sara Dr.	310-371-2545
Rebecca A. Kilburn		4910 Sara Drive	310 370-2218
HANJIE HASE		20323 Donora Ave	310-370-1830
ZOHRA HASE		20323 DONORA AVE	310 370 1830
RAY NAKANO		20313 DONORA AVE	310 542-5234
MICHAEL SALES		20343 DONORA AVE	310.542.3039

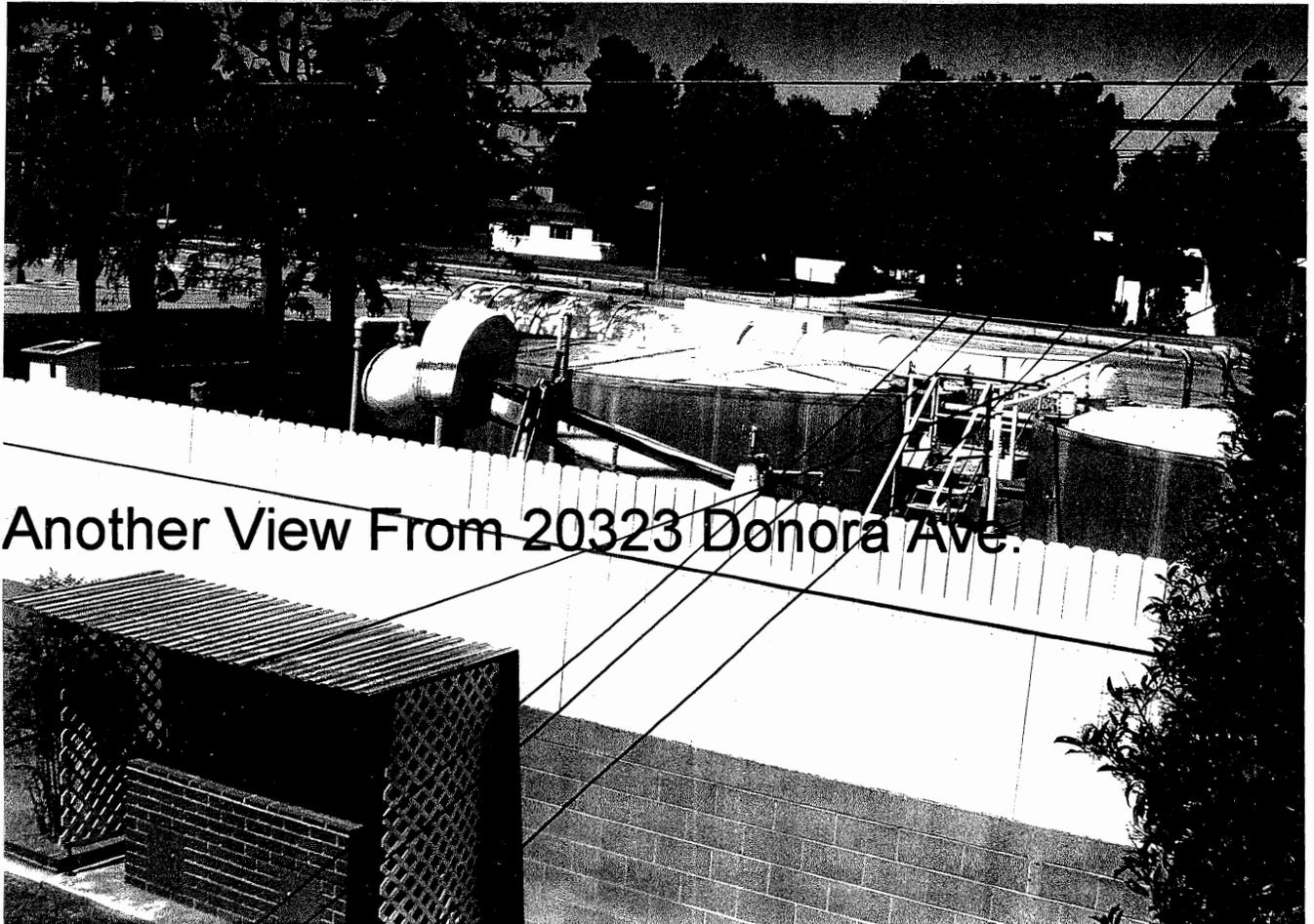
View From WHS Parking Lot







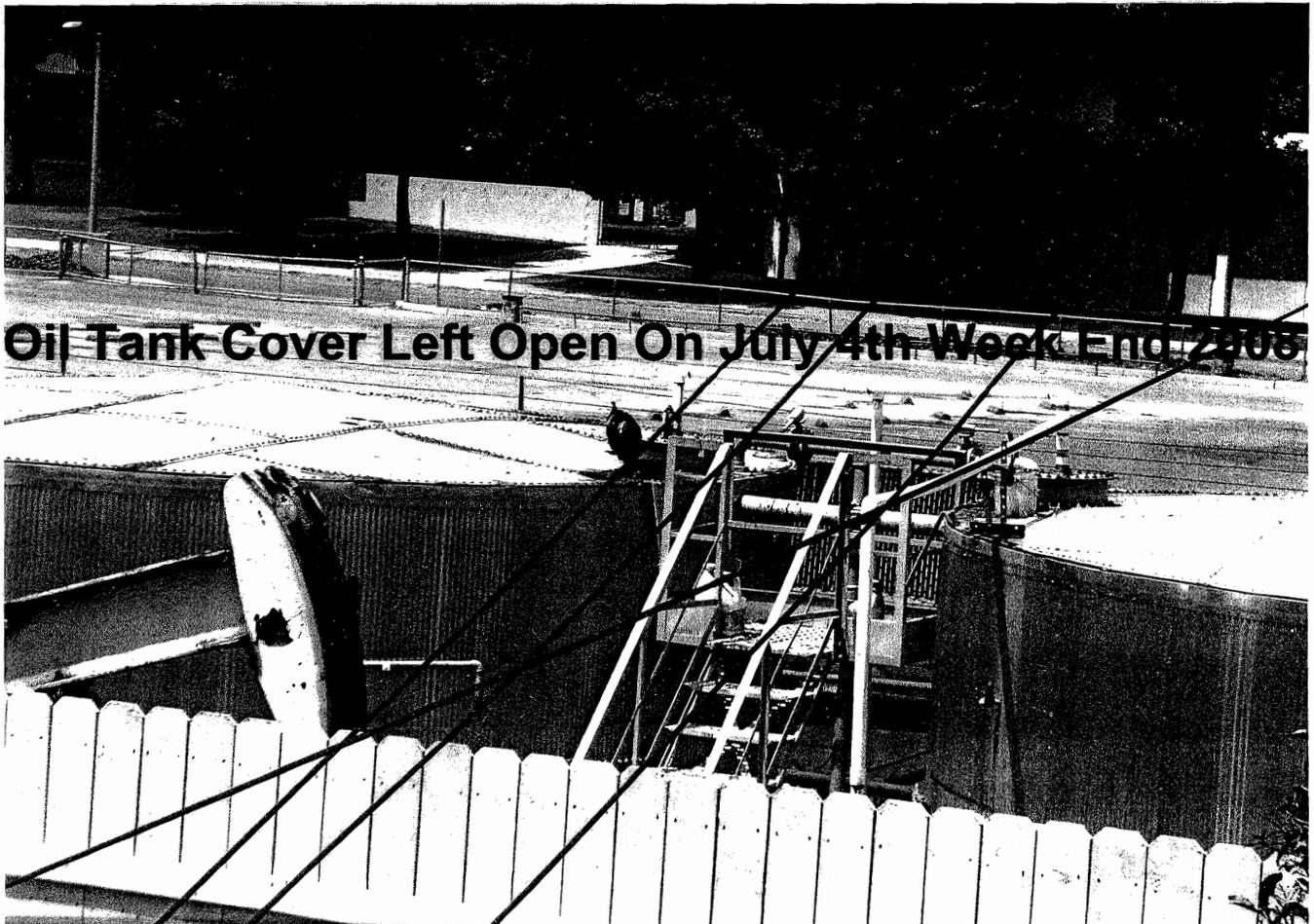
Power Run Oil 4900 Del Amo Blvd. As viewed from the residents side On Donora Ave.



Another View From 20323 Donora Ave.



Tanker Truck Emptying Tanks on a Week-end



Oil Tank Cover Left Open On July 4th Week End 2008

City Of Torrance
 Environmental Division, CITY Hall
 3031 Torrance Blvd.
 Torrance, CA 90503

February 21, 1999

Ref. OIL99-Ex08 Petition of Shasta Pan Oil Co.

Members of the Environmental & Energy Conservation Commission.

We the undersigned are requesting that this petition for non renewal of permit, along with all it's attachments be entered as a permanent record for the above mentioned extension.

Over the last few years the general appearance and upkeep of the facility has deteriorated and has not been maintained, as agreed upon at previous extension hearings. Thus making the facility unsafe and the general appearance unpleasant to the surrounding residents.

Instances:

1. A constant oil odor from spillage and non-maintenance of the facility.
2. Approximately 3 years ago a smaller horse pump was replaced with large horse, on a temporary basis as, of today the horse has yet to be replaced.
3. The pump makes a constant thumping noise. The resident at 20323 Donora has complained to Mr. Smith and the city on numerous occasions. Mr. Smith's response to this is, it will cost \$3000.00 to repair it and the pump does not generate enough revenue to justify the repair. This raises serious issues as to the financial stability of Shasta Pan Oil Co. and to its commitment and capability to control and maintain a safe facility in a residential community.
4. The residents at 20323 Donora on numerous occasions have noticed an open gray barrel with hazardous material signs on it, emitting odor.
5. The landscape surrounding properties at 20317, 20323, 20329 20333 Donora has deteriorated and has not been properly maintained.

Based on the above facts Shasta Pan Oil co. has been in breach of its agreement with the residents and the City Of Torrance.

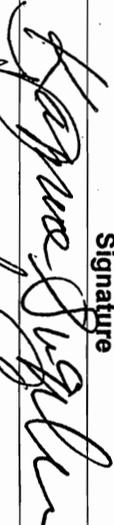
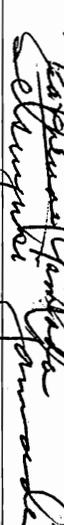
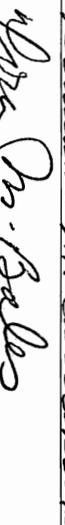
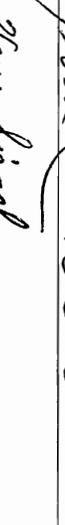
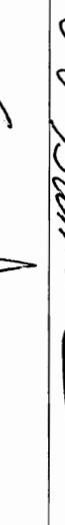
We the undersigned have co-existed with the existing oil facility located at 4900 Del Amo Blvd. Torrance, Ca 90503 anywhere from 1 to 30 years. We have always regarded this facility to be unsafe and a nuisance to the community, to West High School and its surrounding areas. In addition it posses grave health and environmental risks to the families residing in its immediate vicinity. In light of all the recent bomb threats and an explosion at West High School, this facility remains a prime target for potential mischief.

The City of Torrance in its effort to maintain its high standard, with all the trappings, of excellent schools, clean and safe neighborhoods, would be better served by not renewing Shasta Pan Oil Co. permit to operate at 4900 Del Amo Blvd. We the residents of this area very strongly believe this facility has passed its usefulness and has no place in a residential community. In closing, we ask the commission to take into consideration all the safety hazards posed by this facility, the breach of trust created by Shasta Pan Oil co., the concerns and well being of the residents of the area, before granting another 3 year extension to this non conforming facility.

Attached are 8 pictures illustrating the general condition of the area. Names and signatures of the residents in the immediate area of the Shasta Oil facility opposing the 3 year extension are also attached.

1984 - S20
 1993 - S20

24 RESIDENTS
 B SURROUNDING
 THE PARKING LOT
 PERMITS

Name	Signature	Address	Telephone #
KAZUO Sugihara		20303 Donora Ave, Torrance 90503 20304 20349	320-542-7202
RUTH ZERNECKI		20309 Donora Ave, Torrance 90503	
RAYMOND H. NAKANO		20313 Donora Ave, Torrance 90503	
PAUL H. HOSCHER		20317 Donora Ave, Torrance 90503	370-2329
HANIF & ZOHRA HASS		20323 Donora Ave, Torrance 90503	370-1830
Katherine Yamada S. Sawayuki, ARITHA Margaret Huang		20329 Donora Ave, Torrance 90503	310/371-2262
MYRON S. CARSTENSEN Berdeaga M. Carstensen		20333 Donora Ave, Torrance 90503	371-7356
Michael & Dora Bates 20343 DONORA AVE		20337 Donora Ave, Torrance 90503	310-370-2789
Jack & Vera Siegel		20343 Donora Ave, Torrance 90503	(310) 542-3039
TEGU WATSUNOTO		20309 20359 Donora Ave, Torrance 90503	310 371-7231
LENAS L GRANMAN		20359 Donora Ave, Torrance 90503	310-542-0071
WEN JEN SAN		4823 Sara Ave, Torrance 90503	
FRANZ KLONSON		4829 Sara Ave, Torrance 90503	310 542 9331
Ray Tale Hsu		4903 Sara Ave, Torrance 90503	324-3887
Margaret Albert		4909 Sara Ave, Torrance 90503	542-9745
Eric R. Abeyaratne		4915 Sara Ave, Torrance 90503	
Polando N. Jones		4921 Sara Ave, Torrance 90503	370-4838
		4927 Sara Ave, Torrance 90503	

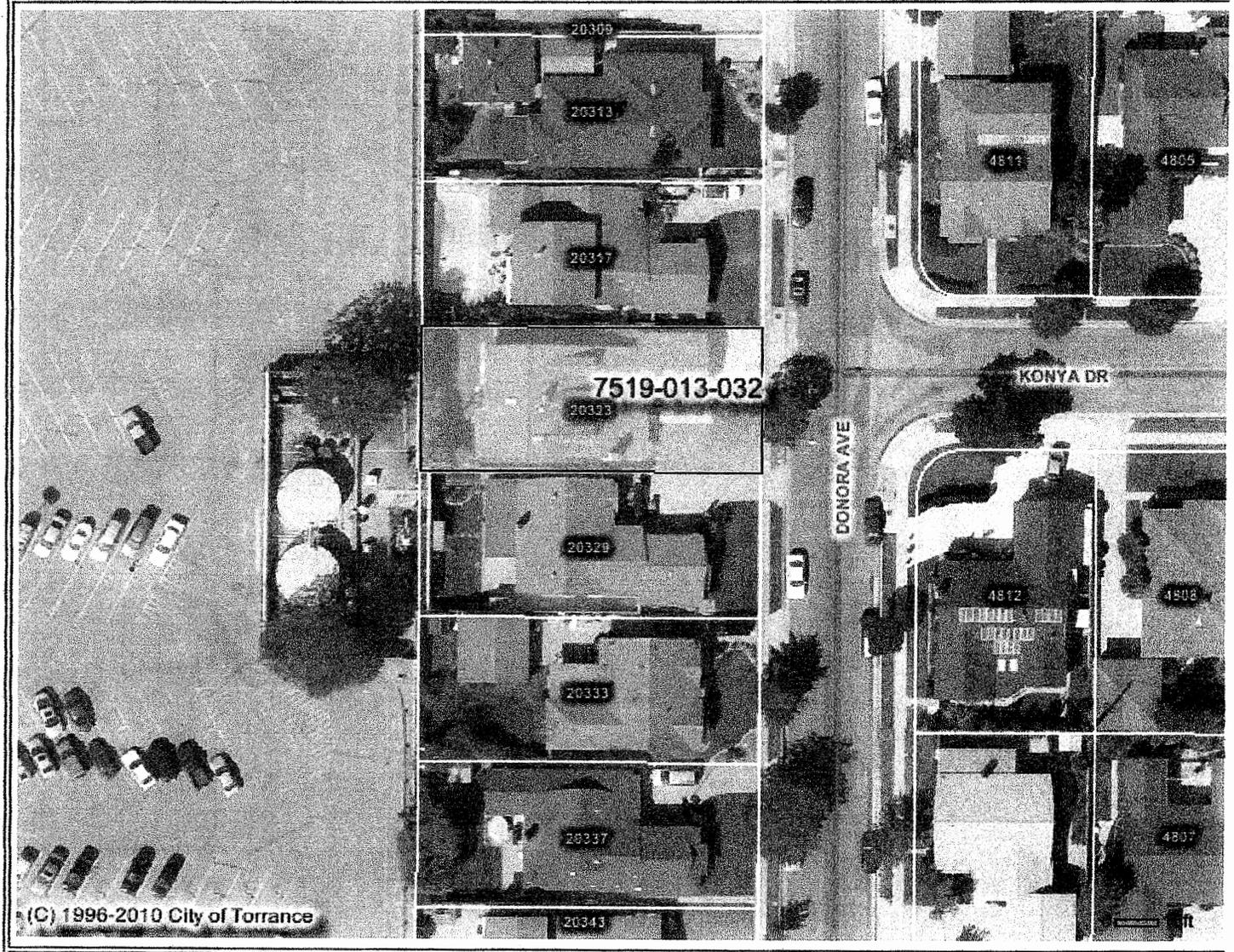
Residents supporting non renewal of OIL99-EX08

		4928 Sara Ave, Torrance 90503	
		4922 Sara Ave, Torrance 90503	
FRED RIGANTI	Fred Riganti	4916 Sara Ave, Torrance 90503	(310) 370-7657
MARGARET O'NEGAN	Margaret M.O. Negean	4910 Sara Ave, Torrance 90503	(310) 370-2228
Mary Kotecki	Mary Kotecki	4904 Sara Ave, Torrance 90503	(310) 371-2545
GRETCHEN MITCHELL	Gretchen Mitchell	4828 Sara Ave, Torrance 90503	310-370-2781
		4822 Sara Ave, Torrance 90503	
		4814 Sara Ave, Torrance 90503	
		4813 Sara Ave, Torrance 90503	
		4807 Sara Ave, Torrance 90503	
Robert + Carleae Thune	Robert & Carleae Thune	4812 Michelle Dr. Torrance 90503	
		4808 Michelle Dr. Torrance, 90503	
		4811 Michelle Dr, Torrance 90503	
		4807 Michelle Dr, Torrance 90503	
Susan DuRand	Susan DuRand	4812 Konya Dr. Torrance 90503	
		4808 Konya Dr. Torrance, 90503	
		4811 Konya Dr, Torrance 90503	
		4807 Konya Dr, Torrance 90503	

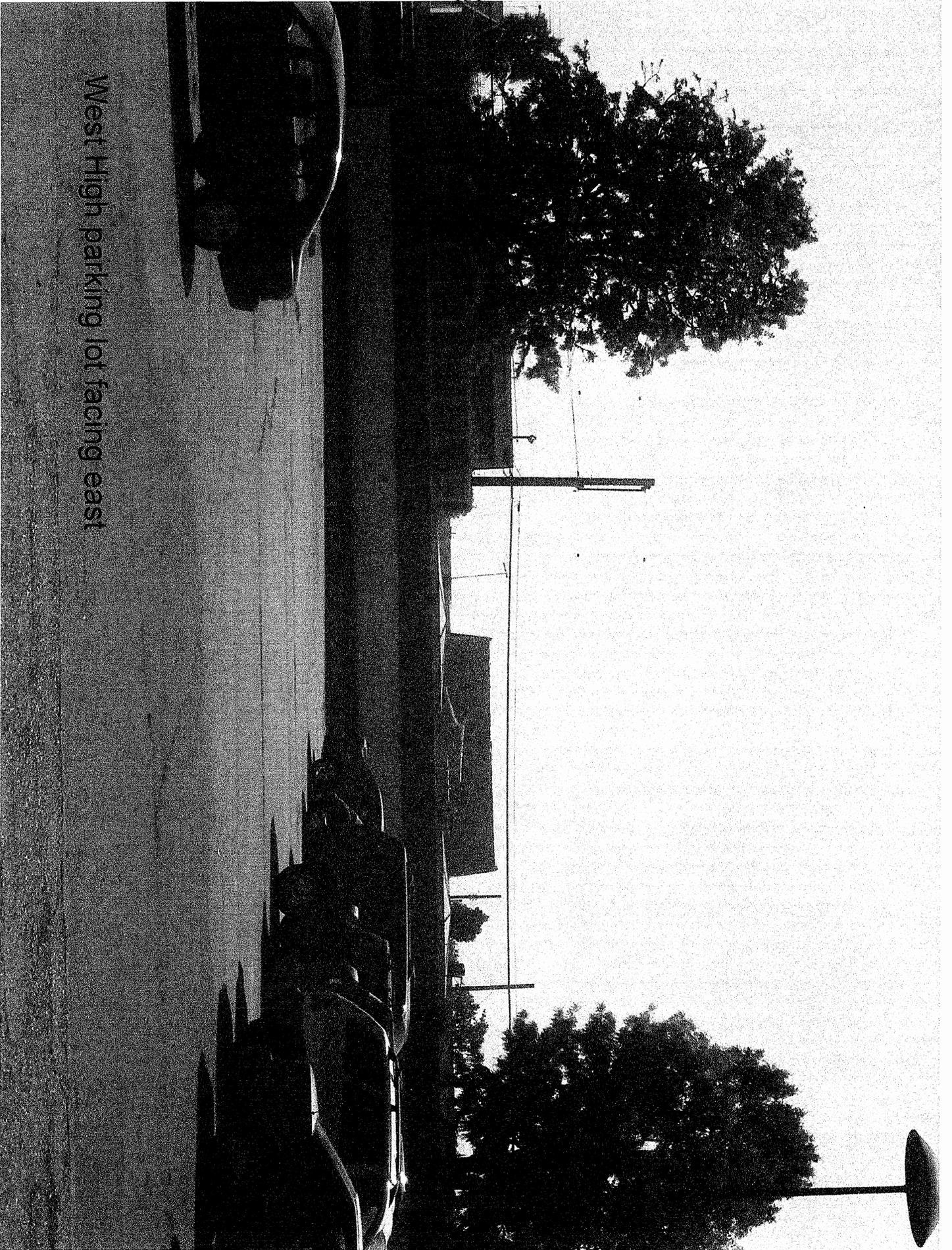
Attached photos were taken by Community Development Staff
May 2010

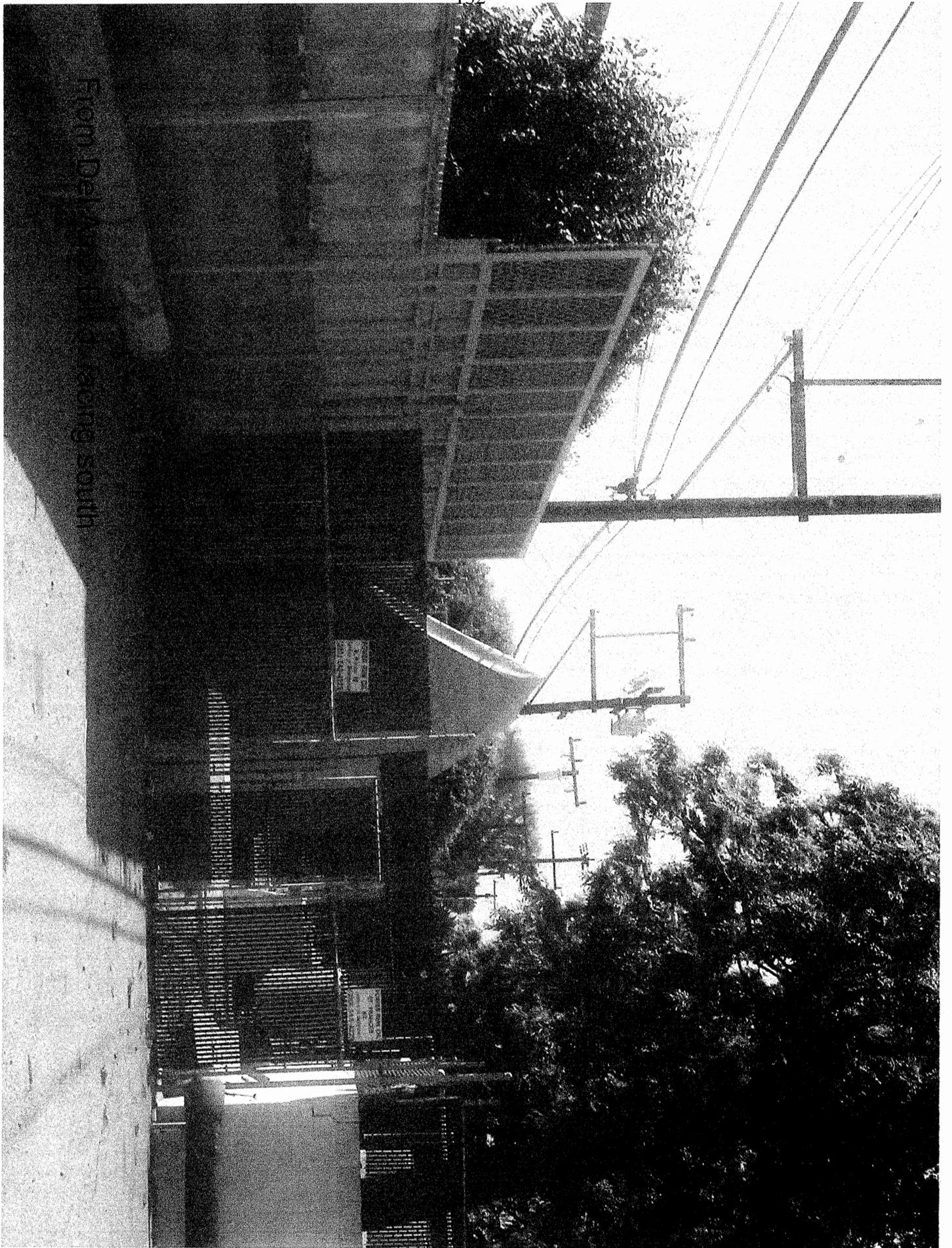
Note: Lines and photos are approximate, not to be used for establishing absolute or relative positions.

Parcel Map and Data

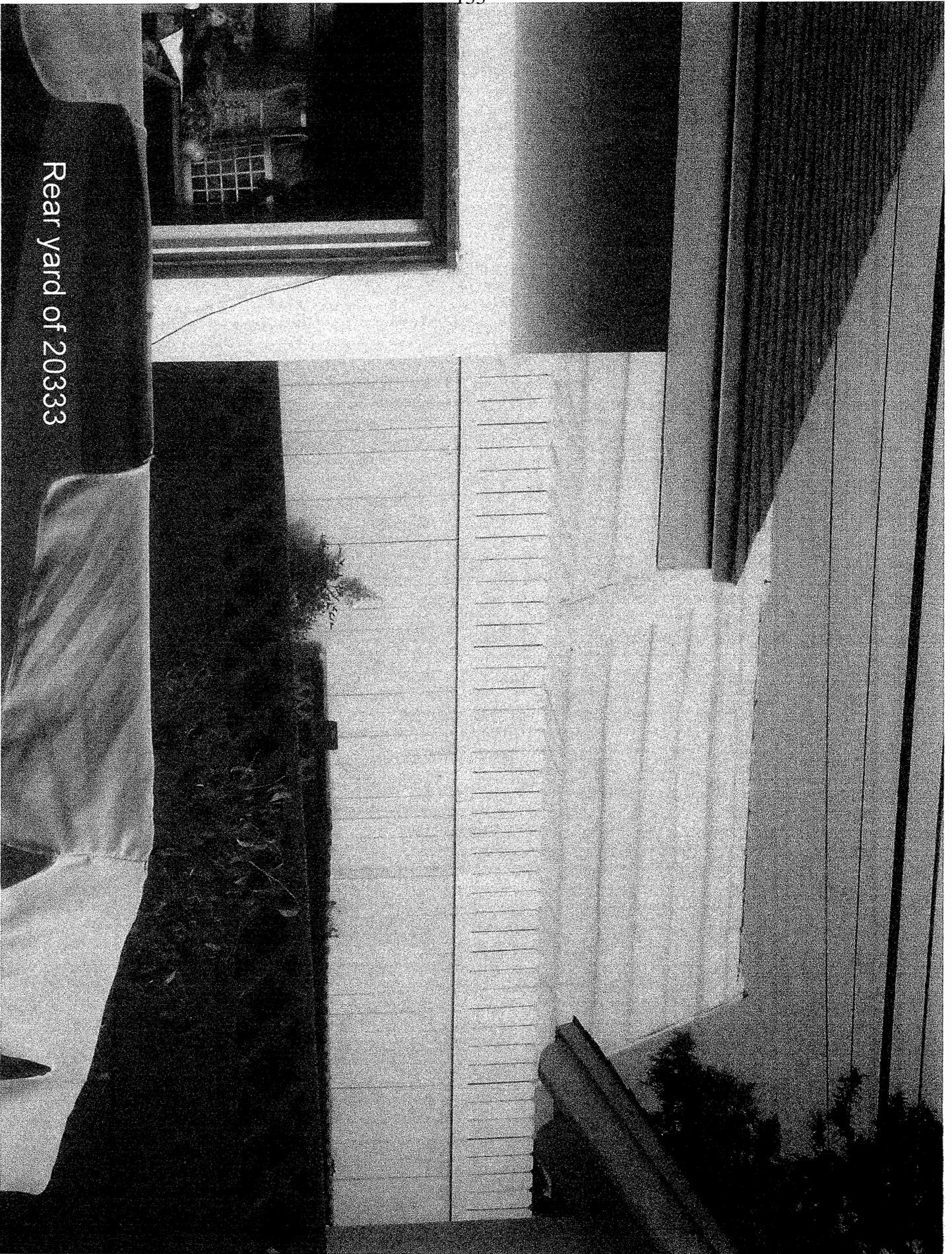


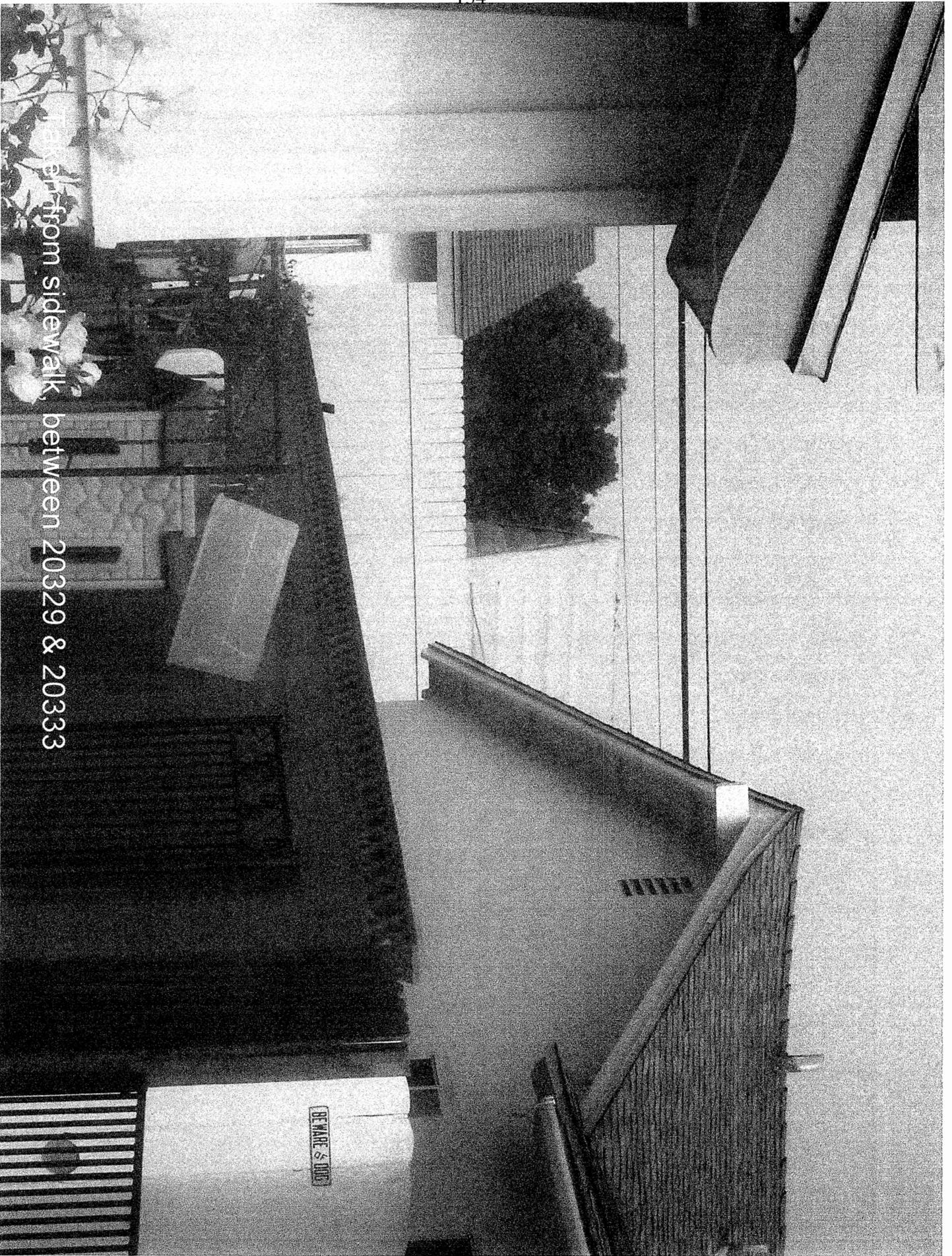
West High parking lot facing east





Rear yard of 20333

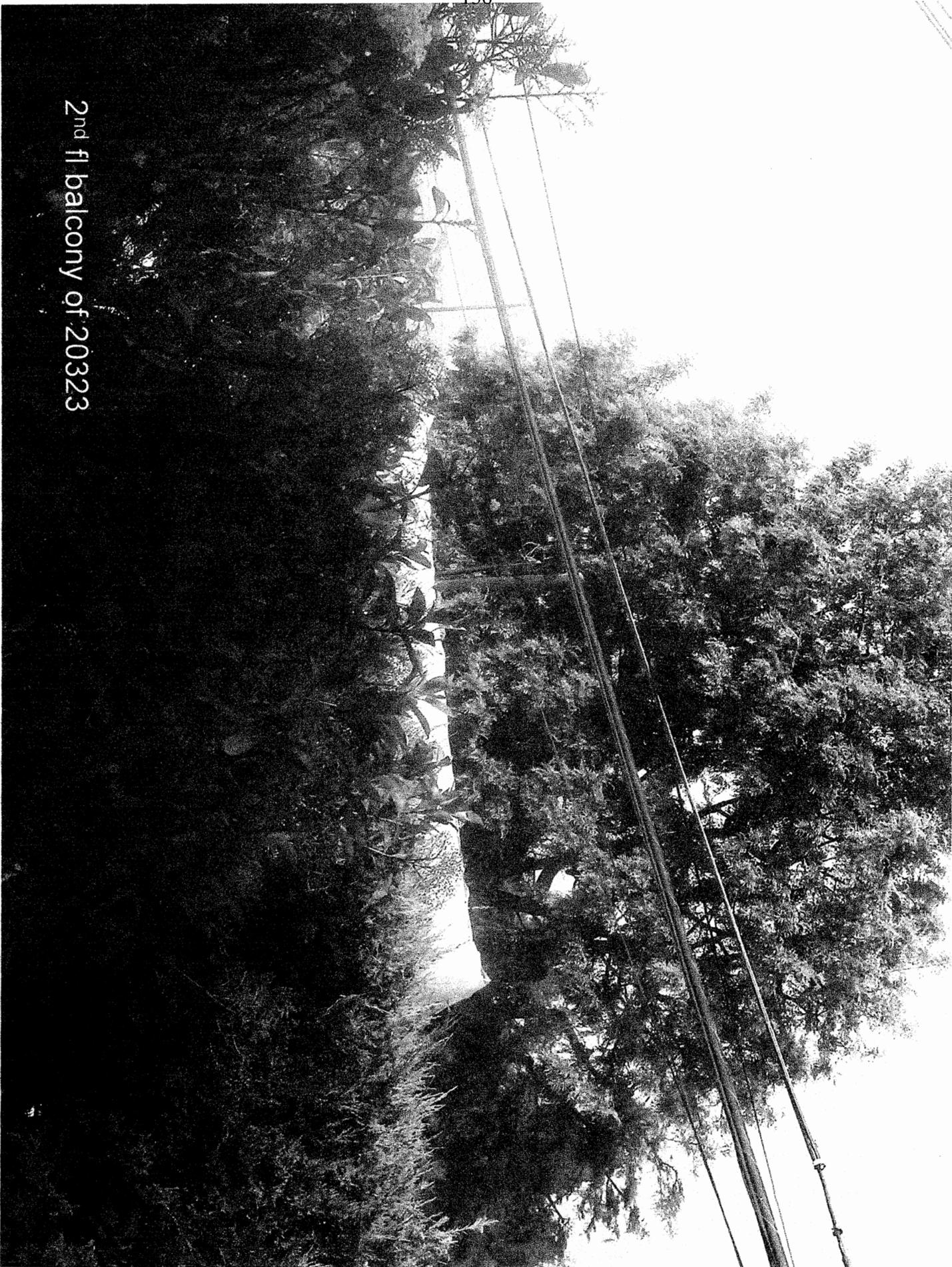




Taken from sidewalk, between 20329 & 20333

Rear yard of 20329





2nd fl balcony of 20323

2nd fl library of 20323



From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Monday, February 21, 2011 1:02 PM
To: Jones, Sharron
Cc: dalziel11@verizon.net
Subject: Email Documentation for the Council

Hi Sharron,

Attached are the emails in PDF format for the Mayor and the council's package as part of the resident's appeal. These emails cover various matters and shows a pattern regarding various issues as to the operation and maintenance of the Oil facility located at 4700 Del Amo Blvd. in Torrance and operated by Power Run Oil.

Please confirm receipt of emails. If there are any questions please feel free to call me at (310) 721-1358

Best Regards
Hanif Haji

Re: Power Run Oil

...

"petroleum360@live.com" <petroleum360@live.com>

From: ...

View Contact

Hanif Haji <hanifhaji2002@yahoo.com>; Sharron Jones <SJones@TorranceCA.gov>;

To: Rogers email <rshdmh@aol.com>; "<bdecatrel@socal.rr.com> St."

<bdecatrel@socal.rr.com>; st@yahoo.com

I'm very sorry to everyone, I messed up the schedule and thought I was giving at least a 48 hour notice there will be no trucks tomorrow. Again very sorry.

Sent from my Verizon Wireless BlackBerry

From: Hanif Haji <hanifhaji2002@yahoo.com>

Date: Sun, 16 Jan 2011 21:54:02 -0800

To: Petroleum 360 <petroleum360@live.com>

Cc: <sjones@torranceca.gov><sjones@torranceca.gov>;

<bdecatrel@socal.rr.com><bdecatrel@socal.rr.com>;

<dalziel11@verizon.net><dalziel11@verizon.net>; Carol Power run<rshdmh@aol.com>

Subject: Re: Power Run Oil

Dan

If I may remind you the the conditional operating permit issued to Power Run Oil by the City Of Torrance

requires 72 hours notice to the neighbors NOT less than 24 hour. Please be mindful of of the operating conditions going forward

With Best Regards Hanif Haji

On Jan 16, 2011, at 8:32 PM, Petroleum 360 <petroleum360@live.com> wrote:

Power Run Oil would like to notify you that they will be shipping oil on Monday 1/17 and Tuesday 1/18/11.

Thank you

Daniel Reyes

Petroleum 360, Inc.

2525 Cerritos Ave, Signal Hill, CA 90755

petroleum360@live.com

(562) 572-8426 Fax (562) 433-6252

8:45 pm 4/24/10 Pump Running

...

Hanif Haji <hanifhaji2002@yahoo.com>

From: ...

[View Contact](#)

To: "Jones, Sharron" <SJones@TorranceCA.gov>

Cc: Linda Cessna <lcessna@TorranceCa.gov>; Brian Dalziel <briandalziel@earthlink.net>;
Petroleum 360 <petroleum360@live.com>

Hi Sharon,

Hope you are having a nice quiet evening. The oil pump in the WHS parking lot is running right now. Early indications are it is going to another sleepless night for me & my wife.

Power Run Oil is being notified via this email & I am going to call Daniel Reyes right now.

Please read the email threads that shows Power Run Oil's deceptive practices.

***Thank you
Hanif Haji***

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]

Sent: Tuesday, April 06, 2010 8:54 PM

To: Jones, Sharron

Cc: Brian Dalziel

Subject: 8:45 pm 4/6/10 Pump Running

Hi Sharron,

It is 8:45 pm on Tuesday April 6, 2010, the oil pump in the WHS parking lot is running beyond it's operating hours of 8:00 am to 5:00pm.

It is quite apparent that the operator of Power Run Oil does not respect the immediate neighbors, the conditions or the laws and the body (City Of Torrance) that governs the operating conditions for this site.

***Thank you
Hanif Haji***

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: Sharron Jones <SJones@TorranceCA.gov>
Cc: Linda Cessna <lcessna@TorranceCa.gov>; JGibson@TorranceCA.gov; Brian Dalziel <briandalziel@earthlink.net >
Sent: Sat, March 27, 2010 9:58:18 PM
Subject: 9:40 pm 3/27/10 Pump Running

Sharron,
Hope you had a good week-end.

Contrary to your email below the pump in WHS parking lot was running last night Friday 3/26 and it is running right now Saturday 3/27 at 9:40 pm. At this point I am not going to call Power Run Oil to complain since they have lied and refuse to respond to the neighbors concerns of non-conformance and continue to make the immediate neighbors lives miserable. I hold the City of Torrance responsible for resolving this ASAP.

The noise that is emitted by the by the pump is disrupting my & my wife's sleep, which in turn is having an impact on our physical well being. I am sure you and your superiors will be able to hold Power Run Oil responsible for it's non-compliance and resolve this issue ASAP whereby the the law abiding citizens of Torrance are treated in a fair and respectable manner.

Thank you
Hanif Haji

----- Forwarded Message -----

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: " Jones, Sharron " <SJones@TorranceCA.gov>; " briandalziel@earthlink.net " <briandalziel@earthlink.net >
Cc: " Cessna, Linda " <LCESSNA@TorranceCA.gov>; "Gibson, Jeff" <JGIBSON@TorranceCA.gov>
Sent: Tue, March 23, 2010 4:27:09 PM
Subject: Re: UPDATE 4:00 am Pump Running

Sharron,

Thanks for the update. It is very obvious that Power Run Oil has again violated the terms of the conditional use permit, while making the the immediate residents lives miserable without any consequence's for their actions. We the neighbors would like to be notified as soon as possible of the possible hearing date so that we can properly prepare and present the facts and time lines as why this would be a bad decision for the immediate residents and how this would further adversely impact the neighborhood.

It appears that the "un-permitted" structure issue was not addressed with Power Run Oil and still remains to addressed.

Regarding the the tampering at the site all I can say is that there is whole lot of people working at the sight and a young gentleman who drives a gray VW bug comes and goes at various hours. Last Monday he was there at 7:30 or 8:00 pm. Power Run Oil may want to look internally.

Thank you
Hanif Haji

From: " Jones, Sharron " <SJones@TorranceCA.gov>
To: " briandalziel@earthlink.net " < briandalziel@earthlink.net >; Hanif Haji <hanifhaji2002@yahoo.com>
Cc: " Cessna, Linda " <LCESSNA@TorranceCA.gov>; "Gibson, Jeff" <JGIBSON@TorranceCA.gov>
Sent: Tue, March 23, 2010 1:12:52 PM
Subject: RE: UPDATE 4:00 am Pump Running

I met with Mr. Hunt and Daniel at the site. Daniel will verify that the timer is set for the well to operate between the hours of 8 a.m. and 5 p.m. Mr. Hunt inquired about going before the Commission to request a change in the well pumping hours. The neighbors will be informed, once a date for the Commission review has been confirmed.

Upon arriving at the site I was informed that the chain had been cut and the lock removed. The sound proofing material around the well had been opened and it appeared to Daniel than someone had tried to tamper with the pumping unit. Torrance Police were called and an incident report was filed.

Sharron

From: briandalziel@earthlink.net [mailto: briandalziel@earthlink.net]
Sent: Tuesday, March 23, 2010 12:02 PM
To: Hanif Haji ; Jones, Sharron
Cc: Cessna, Linda ; Gibson, Jeff
Subject: Re: UPDATE 4:00 am Pump Running

There is no excuse for this running into the night. Rules are rules and put in place to be followed. This is a prime example of how Power Run Oil continues to abuse these regulations. Don't we teach our children to always obey rules? Obviously PRO doesn't get it.

Brian Dalziel
20333 Donora Ave

Sent from my Verizon Wireless BlackBerry

From: Hanif Haji <hanifhaji2002@yahoo.com>

Date: Tue, 23 Mar 2010 04:14:37 -0700 (PDT)

To: Sharron Jones<SJones@TorranceCA.gov>

Cc: Linda Cessna<lcessna@TorranceCa.gov>; <JGibson@TorranceCA.gov>; Brian Dalziel <briandalziel@earthlink.net >

Subject: UPDATE 4:00 am Pump Running

Sharron,

It is 4:00 am the pump has kept me up most of the night. As a reminder the pump had to be shut of last Monday night because it was noisy, at that time you said it was not supposed to be running. In mid Feb I had brought it your attention asking if Mr. Hunt had been authorized to run 24/7. Your answer to me was NO. Please read below since that contradicts what you have stated to the neighbors.

EMAIL SENT 3/22 at 10:06 pm

Hi Sharron,

I hope your evening is more peaceful than mine has been. The pump in the WHS parking lot is running and it is 9:37 pm and it is very disturbing. As you are aware the commission in Sept. of 2009 granted a 3 year conditional use permit with strict operating hours of 8:00 am to 5:00 pm.

Dan at Power Run Oil did confirm that the pump was running and that you are aware of the matter. Further more Mr. Hunt has notified you that he is going run the pump at night. This completely contradicts with our conversation of last Tuesday where you clearly mentioned that there were no back door deals made with Power Run Oil. If that is the case why can't you enforce what the commission set out as part of the conditional use permit, i.e. the pump runs from 8:00 am to 5:00 pm.

You also mentioned, now that Mr. Hunt has covered the pump you have no of knowing that the pumping is running outside the prescribed operating hours. The answer to that is very simple have Power Run Oil supply electricity bills for that and compare them for year over year usage and also compare the number of oil barrels pumped.

In closing I ask what is it going to take the the City staff to enforce the conditional use permit. Since September of 2009, it appears that Power Run Oil keeps violating the terms of the permit and staff looks the other way while the immediate neighbors pay the price in deteriorated quality of life. I would also reiterate that in 30 years that I have lived hear the pump has NEVER been permitted to 24/7. I can be reached at (310) 721-1358.

Thank you
Hanif Haji

Thank you
Hanif Haji

PLEASE READ BELOW THANKS

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: Sharron Jones <SJones@TorranceCA.gov>
Cc: Linda Cessna <lcessna@TorranceCa.gov>; JGibson@TorranceCA.gov; Brian Dalziel <briandalziel@earthlink.net >
Sent: Mon, March 22, 2010 10:06:32 PM
Subject: 9:30 pm Pump Running

Hi Sharron,

I hope your evening is more peaceful than mine has been. The pump in the WHS parking lot is running and it is 9:37 pm and it is very disturbing. As you are aware the commission in Sept. of 2009 granted a 3 year conditional use permit with strict operating hours of 8:00 am to 5:00 pm.

Dan at Power Run Oil did confirm that the pump was running and that you are aware of the matter. Further more Mr. Hunt has notified you that he is going run the pump at night. This completely contradicts with our conversation of last Tuesday where you clearly mentioned that there were no back door deals made with Power Run Oil. If that is the case why can't you enforce what the commission set out as part of the conditional use permit, i.e. the pump runs from 8:00 am to 5:00 pm.

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In closing I ask what is it going to take the the City staff to enforce the conditional use permit. Since September of 2009, it appears that Power Run Oil keeps violating the terms of the permit and staff looks the other way while the immediate neighbors pay the price in deteriorated quality of life. I would also reiterate that in 30 years that I have lived hear the pump has NEVER been permitted to 24/7. I can be reached at (310) 721-1358.

Thank you
Hanif Haji

Ltr+Petition

From: Hanif Haji <hanifhaji2002@yahoo.com>
 ... Mon, August 10, 2009 9:42:27 PM

To: JGibson@TorranceCA.gov
 Cc: Sharron Jones <SJones@TorranceCA.gov>; GLodan@TorranceCA.gov
 2 Files Download All
 City Of Torrance 2.doc (812KB); Haji Family.doc (31KB)

Mr. Gibson,

Attached is a copy of the petition that was signed by 25 neighbors regarding the oil site in the WHS parking lot for your review.

In the 29 years that I have lived at 20323 Donora Ave, this site has never been permitted to operate 24/7. As matter of fact at the last commission hearing for this site in November of 2008, when the operator asked that the hours of operation be extended the commissioners eloquently stated that the noise from the operation was bad enough as for the neighbors to have to deal with 7 days a week Monday through Friday 8:00 am to 5:00 pm and hours of operations will remain unchanged.

As you are aware the oil pump is running 24/7 effective today for a period of seven days. Now that the traffic has died down the motor noise can be heard in my bedroom, with all the doors and windows closed. You have to understand that is a constant low level humming noise along with up and down cranking of oil rig. This noise is enough to disrupt sleep patterns and am concerned that this could impact my and my wife's health. I strongly suggest that the you ask your staff reconsider this decision. As I strongly believe, by granting permission to run this facility 24/7 is misuse of authority.

Sincerely,
Hanif Haji

...

From Brian Dalziel <briandalziel@earthlink.net>

...

Mon, August 10, 2009 8:30:10 PM

To: Hanif Haji <hanifhaji2002@yahoo.com>
 Cc: JGibson@TorranceCA.gov; Sharron Jones <SJones@TORRNET.COM>; Beth Decatrel <bdecatrel@socal.rr.com>; GLodan@TorranceCA.gov

Hello,

My name is Brian Dalziel and I live at 20333 Donora Ave. in Torrance. I agree with Mr. Haji on this matter and am strongly angry at how this is being handled.

I was never officially notified of this via email, mail or was given a telephone call letting me know of this. I had to hear this news from Mr. Haji and immediately placed a voicemail to Sharon Jones letting her know that I was opposed to this test.

In front of the commission, I believe Power Run Oil was given permission last October to run a "test" for one week within a 60 day window. Apparently this test was not performed, so why is it being performed now, long after the 60 day window?

Also in that meeting last Fall and I was under the impression that our concerns about Power Run Oil were handled in this meeting and that we were moving in a positive direction. Now, this current decision by City officials was made without any consideration to the neighbors that this impacts. City officials handled this very poorly and I demand an explanation as to why this "test" was granted.

Thanks.
 Brian Dalziel
 310-793-0856

From Hanif Haji <hanifhaji2002@yahoo.com> ..
 On Aug 10, 2009, at 6:52 PM, Hanif Haji wrote:

To: JGibson@TorranceCA.gov
 Cc: Sharron Jones <SJones@TORRNET.COM>; Brian Dalziel <briandalziel@earthlink.net>;
 Beth Decatrel <bdecatrel@socal.rr.com>; GLodan@TorranceCA.gov

Mr. Gibson,

I received a call from Mr. Greg Lodan at about 5:40 pm today to notify me that Power Run Oil will be running the well in the West High School parking lot for the coming week 24/7 effective today. In our brief conversation on Friday August 7, 2009 I told you why I was opposed to this test process. I am very concerned & disturbed as to how and why this decision has been made & permission granted, given the resident complaints, maintenance history and the record of the operator for this particular site. It should be noted that the operator has not complied with all the terms of the conditional use requirements put upon this site by the City Of Torrance in November of 2008. The complaints and lack of maintenance issues are not new, the city has the records and petitions signed by the neighbors dating back at least 12 years.

The neighbors that are most impacted by this , Ms. K. Yamada, Mr & Mrs. Dalziel and I who are impacted by this site have strongly opposed this test have notified Ms. Jones of that last Friday.

I do not believe that all the elements that impact the quality of lives of the immediate residents have been fully understood and taken into consideration through the decision making process. I strongly urge you & your staff to rescind this decision. I can be reached at (310) 721-1358.

Thank you
Hanif Haji
(310) 721-1358

WHS OIL WELL TEST

...
From: Hanif Haji <hanifhaji2002@yahoo.com>
... Fri, August 7, 2009 11:10:56 AM

WHS OIL WELL TEST

To: Sharron Jones <SJones@TorranceCA.gov>
Cc: Brian Dalziel <briandalziel@earthlink.net>; Beth Decatrel <bdecatrel@socal.rr.com>

Sharron,

This email is to reiterate that I am strongly opposed for the oil well at 4700 Del Amo Blvd. to run for 24 hours a day for a period 7 days beginning Monday August 19, 2009. The reasons for my opposition are well known to you and other members of staff and commission. If anybody needs to follow up or needs further clarification to my opposition I can be reached at (310) 721-1358.

Thank you
Hanif Haji

Oil Well Appeal Mtg. Follow Up

Hanif Haji <hanifhaji2002@yahoo.com>

From: Wed, December 8, 2010 11:18:53 AM

To: Sharron Jones <SJones@TorranceCA.gov>

Cc: Brian Dalziel <dalziel11@verizon.net>

Ext Ltr 2.pdf (1769KB)

Hi Sharron,

Per our meeting of yesterday, attached is part of the document (in PDF format) submitted at the May 6, 2010 meeting. The PDF does not include the following which will have to be inserted:

1. Haji Family letter dated 9/2/2008
2. Mrs. Yamada's letter dated 9/4/2008
3. Dalziel Family Letter dated 9/3/2008
4. 2 pages of signatures of resident petition dated 9/2/2008
5. Low level noise study

We also agreed that along with the above the Mayor & The City Council will also be provided with:

1. Letter from the residents dated 8/31/2010
2. All documents and photographs presented (in a binder) to the commission by the residents at September 4, 2008 hearing. This also includes a petition a petition dated February 21, 1999.
3. All documents and photographs presented (in a binder) to the commission by the Haji Family.
4. All email correspondence regarding smell, noise & non-compliance.
5. All correspondence regarding the fence issue.

If there are any questions please feel free to give me a call.

Best Regards
Hanif Haji

Re: Oil pump noise

Hanif Haji hanifhaji2002@yahoo.com Fri, January 14, 2011 7:46:33 AM

From:

To: "petroleum360@live.com" <petroleum360@live.com>; Sharron Jones City Of Torrance <SJones@TorranceCA.gov>; Dalyziel Brain <dalziel11@verizon.net>

Dan

I am surprised you did not hear it. It was annoying enough to wake me.

With Best Regards Hanif Haji

On Jan 14, 2011, at 12:27 AM, petroleum360@live.com wrote:

> I'm here now, I don't here any noise, I will turn the unit off until morning, thank you and good night.

> Sent from my Verizon Wireless BlackBerry

>

> -----Original Message-----

> From: petroleum360@live.com

> Date: Fri, 14 Jan 2011 07:57:40

> To: Hanif Haji<hanifhaji2002@yahoo.com>

> Reply-To: petroleum360@live.com

> Subject: Re: Oil pump noise

>

> I'm on my way now to check it out, I will be there in 15 min. Thank you.

> -----Original Message-----

> From: Hanif Haji

> To: Dan Reyes Oil Pump

> To: Rogers email

> To: Sharron Jones

> To: Dalyziel Brain

> Subject: Oil pump noise

> Sent: Jan 13, 2011 11:41 PM

>

> Dan

> The oil pump in the WHS parking lot is noisier than usual and been that way sporadically for the last few days. Can you please resolve this ASAP. This is impacting my wife's and my sleep pattern

>

> With Best Regards Hanif Haji

>

> Sent from my Verizon Wireless BlackBerry

OIL PUMP NOISE PRO 4700 Del Amo

From:

Hanif Haji hanifhaji2002@yahoo.com Sat, November 13, 2010 6:29:04 AM

To: Sharron Jones <SJones@TorranceCA.gov>; Petroleum 360 <petroleum360@live.com>

Cc: Brian Dalziel <dalziel11@verizon.net>

Dan,

The oil pump in the WHS parking lot is noisier than usual and has disturbed sleep patterns for both my wife & I through the night. Please remedy the issue.

Thank you
Hanif Haji

Re: Oil smell Sun, January 23, 2011 5:42:53 PM

From: Hanif Haji <hanifhaji2002@yahoo.com>
Date: Sun, 23 Jan 2011 17:18:28 -0800
To: Hanif Haji<hanifhaji2002@yahoo.com>
Cc: Dalyziel Brain<dalziel11@verizon.net>; Dan Reyes Oil Pump<rshdmh@aol.com>; Dan Reyes Oil Pump<petroleum360@live.com>; Sharron Jones City Of Torrance<SJones@TorranceCA.gov>
Subject: Re: Oil smell 1/24/11 5:15 pm

Sorry header should read 1/23/11 i guess. Oil smell can impact your senses

With Best Regards Hanif Haji
 On Jan 23, 2011, at 5:15 PM, Hanif Haji <hanifhaji2002@yahoo.com> wrote:

Dan
 There is VERY strong oil odor that can be smelt on east side of the oil tank farm located in the WHS parking lot.

With Best Regards Hanif Haji

Begin forwarded message:

From: Hanif Haji <hanifhaji2002@yahoo.com>
Date: January 15, 2011 12:35:09 PM PST
To: Brian Dalziel <dalziel11@verizon.net>
Cc: Petroleum 360 <petroleum360@live.com>, "<sjones@torrnet.com>" <sjones@torrnet.com>, "<bdecatrel@socal.rr.com>" <bdecatrel@socal.rr.com>, Dan Reyes Oil Pump <rshdmh@aol.com>
Subject: Re: Oil Smell 1/15/11

I just verified the smell as well while I was watering my plants as I typing this I can smell oil in my family room.

With Best Regards Hanif Haji

On Jan 15, 2011, at 11:25 AM, Brian Dalziel <dalziel11@verizon.net> wrote:

Hi Daniel,
 I left you a voicemail, but am following up with an email.
 I'm in the backyard right now and the oil smell is pretty potent.

Thank you,
 Brian Dalziel
 310-408-2587
 Oil odor

Hanif Haji <hanifhaji2002@yahoo.com> Wed, December 15, 2010 6:32:23 PM
 From:

To: Petroleum 360 <petroleum360@live.com>
 Cc: "<sjones@torrnet.com>" <sjones@torrnet.com>; "<bdecatrel@socal.rr.com>" <bdecatrel@socal.rr.com>; "<dalziel11@verizon.net>" <dalziel11@verizon.net>

Dan
 This a follow up to my and Brian's call regarding a very strong oil odor emitting form the tank farm in the Whs parking lot.
 Sent from my iPhone

Oil Odor Follow Up
 From:

Hanif Haji <hanifhaji2002@yahoo.com>

Thu, December 16, 2010 10:30:49 AM
 Oil Odor Follow Up
 To: Sharron Jones <SJones@TorranceCA.gov>
 Cc: Brian Dalziel <dalziel11@verizon.net>

Hi Sharron,

A quick follow up on the oil odor issue see email of 12/15/10 sent at 6:30 pm. Dan stopped by and verified that there was an oil odor emitting from the site and he presumed that is because they are heating the oil 24/7.

Secondly the crew doing work at the site were there this morning at about 7:15 am, which is violation of Power Run Oil's operating condition which states no work before 8:00 am. In addition if see the last few emails from Power Run Oil regarding oil shipments or maintenance they are not abiding by the 72 hour notice.

In other words all conditions imposed as operating conditions are slipping.

Best Regards

Hanif Haji

----- Forwarded Message -----

From: Petroleum 360 <petroleum360@live.com>
To: dalziel11@verizon.net; sjones@torrnet.com; hanifhaji2002@yahoo.com; bdecatrel@socal.rr.com
Sent: Thu, November 18, 2010 7:25:47 PM
Subject: FW: Power Run Oil

I received your email on my Blackberry right when I was leaving the tank farm. I was working this evening on top of the tanks and I had the tank hatch open for about 15 minutes. I apologize about the smell. The hatch is now closed and there shouldn't be any more odor.

In response to the last time you inquired about odor I was at the tank farm within 30 minutes but didn't find any issue.

Daniel Reyes
 Petroleum 360, Inc.
 2525 Cerritos Ave, Signal Hill, CA 90755
petroleum360@live.com
 (562) 572-8426 Fax (562) 433-6252

CC: dalziel11@verizon.net; sjones@torrnet.com; hanifhaji2002@yahoo.com; bdecatrel@socal.rr.com
 From: dalziel11@earthlink.net
 Subject: Re: Power Run Oil
 Date: Thu, 18 Nov 2010 18:28:30 -0800
 To: petroleum360@live.com

Daniel,

There is a pretty powerful smell of oil wafting in my backyard...not sure if the truck is picking up oil at 6:30 p.m. or what, but it's bad.

Please get back to us with an answer of what is going on....thanks.

BTW, never heard back from previous emails regarding the smell.

Brian Dalziel

Pending Landscape 4900 Del Amo- Power Run Oil Thu, July 16, 2009 9:26:40 AM

From: Hanif Haji <hanifhaji2002@yahoo.com>

To: Sharron Jones <SJones@TORRNET.COM>

Sharron,

Hope all is well with you. As you aware that Power Run Oil has not met it's obligation of installing proper landscape as part of it's operating extension granted on November 6th 2008. This again raise concerns of the operators intention of being a good neighbor and meeting their commitments and obligations. This has been an ongoing concern of the neighbors as to the operators ability to safely and consistently mange the site.

Following is a time line of events:

9/04/08 1st commission hearing

The operator was asked by the commission to meet with the neighbors to resolve the noise & landscape issue. He was given 60 days to resolve the issue.

9/11/08

Meeting at the tank farm with City representative, the arbitrator, Power run oil's representatives and the neighbors. Power Run oil's representatives committed to the neighbors that all their concerns would be resolved prior to going back to the commission on 11/06/08.

9/11/08

Follow up meeting between Sharron Jones, Katherine Yamada & Hanif Haji to agree on landscaping.

10/3/08

Mr. Hunt of Power Run Oil committed to the landscaping plan and asked to wait until the follow up hearing on 11/6/08 to complete the installation. The neighbors (naively) agreed.

11/6/08 2nd commission hearing

The operator was granted a conditional extension with time lines. The land scape was to be completed by 5/6/09.

7/16/09

NO PROGRESS.

Given the operators history of stalling both the City of Torrance and the neighbors and living by the rules and commitments, we believe there are enough grounds for the City to terminate Power Runs operating permit.

**Thank you
Hanif Haji**

Re: Power Run Fence Extension
Wed, March 19, 2008 10:20:47 AM

Re: Power Run Fence Extension
From: Hanif Haji <hanifhaji2002@yahoo.com>

To: "Jones, Sharron" <SJones@TORRNET.COM>

Hi Sharron,
I talked to Mrs. Yamada last night and she is agreement as well.

**Thank you & Best Regards
Hanif Haji**

----- Original Message -----

From: "Jones, Sharron" <SJones@TORRNET.COM>
 To: Hanif Haji <hanifhaji2002@yahoo.com>
 Sent: Tuesday, March 18, 2008 4:04:15 PM
 Subject: RE: Power Run Fence Extension

Thank you Mr. Haji, I'll notify Mr. Hunt and get dates for the work on the fence and installing the blanket. We'll tackle the landscape after the fence extension is complete.

Sharron Jones

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Tuesday, March 18, 2008 3:26 PM
To: Jones, Sharron
Subject: Power Run Fence Extension

Sharron,

Hope all is well with you. Thanks for dropping of the drawings for the fence extension. I am in agreement as long as the work is done as prescribed on the drawings. Please let me know when Mr. Hunt plans to commence and complete the work.

I would like to know where Mr. Hunt is on replacing the landscaping. In addition the oil pump has been noisier than normal, when is Mr. Hunt planning on replacing the temporary acoustical blanket. Thanks for all your help.

Thank you & Best Regards
Hanif Haji

Re: Follow Up - 4900 Del Amo fence height Mon, February 25, 2008 2:25:31 PM

From: Hanif Haji <hanifhaji2002@yahoo.com>

To: "Jones, Sharron" <SJones@TORRNET.COM>

Sharron,

I hope you are feeling better. Thanks for your prompt response. Please keep me posted both on the fence and landscaping issue. Thanks

Thank you & Best Regards
Hanif Haji

----- Original Message -----

From: "Jones, Sharron" <SJones@TORRNET.COM>
 To: Hanif Haji <hanifhaji2002@yahoo.com>
 Sent: Monday, February 25, 2008 1:58:10 PM
 Subject: RE: Follow Up - 4900 Del Amo fence height

Hello Mr. Haji,

I have been out of office for the last week and a half due to health issues. While I was away Mr. Hunt phoned stating he was ready to proceed with the extension. I had my co-worker, Mr. Hill contact him and have him provide a drawing of the attachment to Lance. I haven't heard anything else but I'll contact Lance by tomorrow.

Sharron

From: Hanif Haji [mailto:hanifhaji2002@yahoo.com]
Sent: Thursday, February 21, 2008 10:52 AM
To: Jones, Sharron
Subject: Follow Up - 4900 Del Amo fence height

Hi Sharron,
Good Morning. Do you have any updates? Please advise.

Thank you & Best Regards
Hanif Haji

----- Forwarded Message -----
From: Hanif Haji <hanifhaji2002@yahoo.com>
To: sharronjones@torrnet.com
Sent: Thursday, February 14, 2008 3:27:32 PM
Subject: Re: 4900 Del Amo fence height

Hi Sharron,
Hope all is well with you. Are there any updates on fence & the landscaping issues? Please advise.

Thank you & Best Regards
Hanif Haji

----- Original Message -----
From: Hanif Haji <hanifhaji2002@yahoo.com>
To: " Jones, Sharron " <SJones@torrnet.com>; "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>
Cc: "Widman, Lance" <lwidman@elcamino.edu>
Sent: Tuesday, January 29, 2008 8:48:53 AM
Subject: Re: 4900 Del Amo fence height

Sharron,

I did get a chance to talk with Mrs. Yamada over the week end. She agrees that the fence does need to be extended. However we would like to see a rendering of what Mr. Hunt intends to do and fully understand how it will look esthetically. As home owners this is our primary concern. I would also like to clarify that extending the fence is not in lieu of replacing the landscaping that camouflaged the oil pump from various different angles.

This whole fence issue has raised a number of concerns for me:

Mr. Hunt agreed to a plan. I am presuming he contracted and paid for according to the plan. If that is the case how would he or his maintenance person not know what they got as the end result. Given the lack of attention to maintenance detail, and the proximity of the oil tanks to the residences, how may other details are ignored or not understood by the the operators that puts us the residents in harms way.

Also the oil pump motor has got progressively noisier over the past months and the issue has been ignored by the operator after repeated complaints.

If there are any questions I can be reached at (310) 721-1358.

Thank you & Best Regards
Hanif Haji

----- Original Message -----
From: " Jones, Sharron " <SJones@torrnet.com>
To: "Hanifhaji2002@yahoo.com" <Hanifhaji2002@yahoo.com>
Cc: "Widman, Lance" <lwidman@elcamino.edu>
Sent: Wednesday, January 9, 2008 3:22:06 PM
Subject: 4900 Del Amo fence height

Hello,

Spoke with Mr. Hunt this morning, he apologizes for the outcome. He is willing to extend the height by attaching more material, same type and color. Can go an additional 12" or 15" in height depending on what Mr. Haji and Mrs. Yamada prefer.

He explained the attachment method and stated it would be attractive...but I suggest we at least a simple drawing. He would use the same contractor.

Please let me know your thoughts.

Sharron Jones

Katherine Yamada
20329 Donora Ave
Torrance, Ca 90503
(310) 371-2262

City Of Torrance
Attn: Sharron Jones
Sr. Environmental Quality Officer
3031 Torrance Blvd.
Torrance, CA 90503

Dear Ms. Jones,

I am in receipt of an "Indemnity Agreement" from Power Run Oil in regards to installing a new fence adjoining my property. I have concerns regarding this agreement and need clarification as follows:

1. No specific start and completion dates specified
2. The agreement does not specify contractors to be used on the project and their contractor's license numbers.
3. The agreement does not specify that the property and grounds will be left in the same condition as at commencement of work.
4. The agreement does not clarify that Power Run Oil will be responsible for any damage done to the property, grounds or any structures during the course of this work.
5. To accesses the above mentioned property, for any future maintenance to the fence. Power Run Oil will be required to ask for permission from the property owner on as needed basis.
6. Release and waiver claims paragraph is too broad for the scope of work.
7. Trimming of trees and shrubs. Power Run Oil has removed the shrubs adjoining my property. These were put in as part of an operating condition. I expect environmentally friendly shrubs to be replanted and maintained aesthetically as part of this project.

I thank you in advance for your utmost attention to this matter. If there are any questions I can be reached at (310) 371-2262

Sincerely,

Katherine Yamada

Katherine Yamada

Hanif & Zohra Haji
20323 Donora Ave
Torrance, Ca 90503

City Of Torrance
Attn: Sharron Jones
Sr. Environmental Quality Officer
3031 Torrance Blvd.
Torrance, CA 90503
October 26, 2007
Dear Ms. Jones,

I am in receipt of Mr. Hunt's response to my concerns addressed in my letter of September 20, 2007 in regards to the "Indemnity Agreement" from Power Run Oil in regards to installing a new fence adjoining my property. I am not interested in getting into a "he said she said" match with Mr. Hunt, in regards to the fence issue. However it is important that the facts remain what they are, and we do not loose sight of the time line of events:

1. The fence in question is not being replaced at my request. This fence has always been maintained by the oil operator as part of their operating permit.
2. Portion of the fence was blown and broken during a storm in February of 2007.
3. The oil operators met with the residents in mid April 2007, to discuss replacement options.
4. First proposal of the fence design was submitted to the home owners in mid July of 2007. This proposal was not accepted the homeowners.
5. A revised proposal was submitted in early August and accepted by the homeowners.
6. I inquired regarding the status of when the fence would be replaced, end of August.
7. On September 10th I received the "Indemnity agreement and responded with my concerns by the 20th of September.

It should be noted that the broken fence has been leaning against the trees in my backyard since February of 2007 and has effectively rendered by backyard unusable.

My concerns regarding the "indemnity agreement" remain as follows:

8. The agreement does not specify time duration that the contractors will need access to my property.
9. The agreement does not specify that the property and grounds will be left in the same condition as at commencement of work.
10. The agreement does not clarify that Power Run Oil will be responsible for any damage done to the property, grounds or any structures during the course of this work. Power Run Oil is contracting for the work and no the homeowner. Thus any claims made will have to be by power Run Oil.
11. To accesses the above mentioned property, for any future maintenance to the fence. Power Run Oil will be required to ask for permission from the property owner on as needed basis. Mr. Hunt claims the delays are caused by non action of the homeowners. On the contrary the delays and stone walling have been on part of Power Run Oil and this can be documented by my contacts with the city regarding this fence. I will reiterate In the 27 years that I have resided at this address not once has Power Run Oil had the need to come on to my property to conduct any sort of maintenance
12. Release and waiver claims paragraph is overarching and too broad for the scope of work.
13. Trimming of trees and shrubs. I agree with Mr. Hunt that he can trim the trees that hang over the property line. However common sense dictates that the fence contractors may need to trim the

trees on my side of the property. To trim the trees on my side of the property they will have to use a licensed arborist.

I thank you advance for your utmost attention to this matter and it may be in the best interest of all to have a short meeting to iron out some of the details.

Sincerely,

Hanif Haji

Hanif Haji

PLANTS Indemnity Agreement, Power Run Oil

Hanif Haji <hanifhaji2002@yahoo.com> Fri, September 28, 2007 8:52:36 AM
From:

To: sharronjones@torrnet.com

Sharron,
Just a FYI. The well area looks very bare without any of the plants & pots. In addition now you can see more of the "mess" in the area. I believe without those plants and pots the noise level from the pump will be higher and also the odor.

Thank you & Best Regards
Hanif Haji

----- Forwarded Message -----

From: Hanif Haji <hanifhaji2002@yahoo.com>
To: "Jones, Sharron" <SJones@TORRNET.COM>
Sent: Thursday, September 27, 2007 11:44:17 AM
Subject: Re: Indemnity Agreement, Power Run Oil

Sharron,
Thanks for the update. I believe the plants were required as part of an operating extension. Can you please double check?

Thank you & Best Regards
Hanif Haji

----- Original Message -----

From: "Jones, Sharron" <SJones@TORRNET.COM>
To: hanifhaji2002@yahoo.com
Sent: Thursday, September 27, 2007 11:29:12 AM
Subject: Indemnity Agreement, Power Run Oil

Mr. Haji,

I just phoned Mr. Hunt to check the status re your list of concerns. Hunt stated that his attorney is reviewing the document and working on a response. I will check back with him by Wednesday, October 3, 2007. Mr. Hunt also stated that they will begin removing the potted plants (on his side by the well head) in preparation to begin the work.

Sharron Jones
City of Torrance

----- Original Message -----

From: "Jones, Sharron" SJones@TORRNET.COM Thu, August 30, 2007 10:08:20 AM

To: hanifhaji2002@yahoo.com

Sent: Thursday, August 30, 2007 10:04:44 AM

Subject: Bid for fencing

Mr. Haji,

Mr. Hunt left a message on my voicemail on 8/28/07 that he is in the process of obtaining a bid from a contractor with the proper license and insurance requirements.

I just phoned Mr. Hunt to follow-up but he was not in. I will check back with him on Tuesday 9/4/07, the City will be closed this Friday and Monday.

Have a happy holiday.
Sharron Jones
City of Torrance
(310) 618-5924

Power Run Tank Farm West High Sch.

Hanif Haji <hanifhaji2002@yahoo.com> Tue, August 28, 2007 2:36:31 PM
From:

To: sharronjones@torrnet.com

Sharron,

Thank you for taking the time to talk to me earlier today. I would like to reiterate my concerns regarding the maintenance and the up keep of this facility in a residential neighborhood. The issue of the excessive motor noise, oil odor and general up keep continue to be systemically ignored or stone walled by the operators.

The current issue at hand is the dividing fence that was blown down during a storm in February of 07. The operators met with the neighbors impacted in April of 07 to discuss repair and replacement. At that meeting in April the operators agreed to have an engineered and a designed concept to camouflage the tank farm from the neighbors. It was also agreed at that meeting that it would be a solid material that would be architecturally acceptable. It was also agreed that netting material would not be acceptable. In mid July the operators proposed a very basic design that include lattice fencing and the netting material. This was rejected by the neighbors. The operator agreed to look for some solid material. I took the time to research some solid vinyl fencing and provided the sources to the city.

The operators at a later time (in early August) proposed a 4 feet high painted wooden fencing. That was acceptable to the neighbors. As of today the operators have not made a concerted effort to replace the dividing fence. Portion of the fence is now leaning against mature trees in my backyard, which are prone to permanent damage from the weight of the fence.

The operators for years have stone walled and systematically ignored their responsibility and obligation to the City Of Torrance and the neighbors impacted by this tank farm. This brings me back to point of the past few years that this tank farm is not maintained to a standard given it is in middle of a residential neighborhood. In addition it is a public nuisance and a drain on the resources of City Of Torrance.

If there are any questions I can be reached at (310) 721-1358.

Thank you & Best Regards
Hanif Haji

February 22, 2011

Power Run Oil, LLC
P.O. Box 3087
Redondo Beach, CA 90277

Frank Scotto, Mayor
Gene Barnett, Council Member
Tom Brewer, Council Member
Pat Furey, Council Member
Cliff Numark, Council Member
Bill Sutherland, Council Member
Susan M. Rhilinger, Council Member
City of Torrance
3031 Torrance Blvd.
Torrance, CA 90503

Re: Appeal 2010-07 of September 2, 2010 decision of Environmental Quality and Energy Conservation Commission to Grant Application of Power Run Oil, LLC (Case No. OIL10-00004)

Honorable Council Members:

I am writing on behalf of Power Run Oil, LLC to respond to the appeal by Hanif Haji of the September 2, 2010 decision of the Torrance Environmental Quality and Energy Conservation Commission to grant Power Run's application to modify Condition No. 10 of the Resolution No. 08-110 of our permit (Case No. OIL10-00004). That condition limited Power Run's operation of its St. Francis No. 2 Well, located at 4900 Del Amo Boulevard in Torrance. The Commission's September 2 decision approved the daily 24 hour operation of the well for one year.

As we understand, Mr. Haji has appealed the Commission's decision on two grounds: (1) Power Run has allegedly erected an "unpermitted structure that is not compliant with part of the neighborhood"; and (2) Staff allegedly did not provide adequate notice of subsequent continued hearing." Neither of these assertions are true and, more importantly, Mr. Hajii does not assert in his appeal that the Commission's decision was not supported by the evidence before it or that it violated any law. Since there is no legal or factual basis whatsoever for the appeal, Mr. Haji's appeal should be denied.

As the minutes of the September 2, 2010 hearing reflect, the Commission's decision was made after it heard expert testimony and received an uncontested report from an independent consultant which confirmed that any noise or vibration from the full time operation of Power Run's well was the same or below background levels for the neighborhood. The Commission made its decision after *two* hearings. The first was

conducted on May 6, 2010, and the second continued hearing was held on September 2, 2010. The testimony at the hearings also confirmed the restriction on operations was having a negative impact on the well and causing unnecessary well maintenance problems and was resulting in lost revenues for the numerous royalty owners who derive an income from the community lease and the St. Francis No. 2 Well.

As to Mr. Haji's appeal on the grounds of "inadequate notice", Mr. Haji fails to identify any provision of the Torrance Municipal Code or any other law that would indicate that Staff did not give proper legal notice of the *continued* hearing. To our knowledge, Staff properly posted the agenda of the Commission which clearly agendized the Power Run application.

Mr. Haji had every opportunity to appear and to argue against Power Run's application. He appeared at the initial hearing in May 2010 on the application and submitted extensive documentation at that hearing which was carefully considered by the Commission.

Mr. Hajii also sent a letter dated August 31, 2010 to the Commission members which confirmed that he was aware of the September 2 hearing. Notably, he made no objection to the September 2 hearing date nor did he complain in his letter of inadequate notice. The fact that Mr. Haji voluntarily chose not to appear at the September 2 hearing does not mean that Staff's notice of the hearing was inadequate in any respect.

The other point raised by Mr. Haji's appeal is simply not relevant. The *only* question before the Commission was whether or not to allow the 24 hour a day operation of Power Run's St. Francis No. 2 Well for a one year test period and then *only* factual issue was whether that operation cause an increase in the noise level of the neighborhood or cause vibrations. The Commission reached the only possible conclusion it could on the basis of the undisputed evidence before it. Whether or not Power Run erected an "unpermitted structure that is not compliant with part of the neighborhood", as Mr. Haji asserts has nothing to do with noise or vibration from the St. Francis Well.

Later this year, Power Run's operation will be reviewed for a general operation extension as required every three years by the Municipal Code. At that time, the Commission will make a further determination regarding the 24 hour operation status

Essentially, Mr. Haji's appeal is simply the latest chapter in the ongoing effort from a few neighbors, primarily from Mr. Hanif Haji, to interfere with Power Run Oil's operations at its "St. Francis Lease" in Torrance. With respect to Mr. Haji's allegation regarding an unspecified "unpermitted structure", that structure is actually the sound proofing material that Power Run voluntarily installed to address any noise concerns of the neighbors. Power Run Oil enclosed our well even though the noise level from that well was never over the sound decimal level permitted by the Municipal Code. The enclosure, which was approved by City of Torrance, is a fireproof and soundproof removable insulation; the complete structure is portable, and is *not* required to have a permit.

The Commission's grant of Power Run's application is fully supported by the facts. As set forth in the many declarations and expert testimony considered by the Commission members, our well is built to run 24 hours a day. Although we did try running 10 hours a day, the operational restriction proved to be detrimental to our production and, more importantly, to the safe operation of the well. Wells are designed to run 24/7 and the 10 hour run times caused extreme wear and tear on the equipment and additional start up noise, as witnessed by City Environmental Division staff, Mr. Hill, and Ms. Jones. Other wells in the City of Torrance operate 24/7 and in residential areas without restrictions. Several of these other wells have motors considerably larger than ours.

Given the long history and many commission meetings with Mr. Haji, other unsubstantiated complaints will be brought up if allowed.

Power Run has been operating the St. Francis and other Torrance leases for approximately 10 years now. However, wells have operated at this location since the 1930's, long before the neighboring houses were built. Power Run has all the necessary permits from the City of Torrance and state regulatory agencies to conduct our oil production operations. Those agencies regularly inspect our leases and we carefully comply with all of their requirements.

Despite our efforts, Mr. Haji and a couple of other neighbors have made numerous complaints to the City of Torrance and to residents in the area about our operations. These complaints range from noise, vibration, smell, aesthetics, etc.

As a local company, we do our best to be a good neighbor to the homeowners and businesses adjoining our properties and with the City of Torrance to try to accommodate all of their legitimate concerns. We do not question anyone's right to bring genuine problems to our attention and to the appropriate governmental agencies when they are actually based on facts. However, responding to the constant unsubstantiated complaints is very expensive, and time consuming to both Power Run Oil, and the City of Torrance.

On December 7th 2010, the annual site inspection of our St. Francis #2 Torrance oil site was inspected and was found to be in compliance with the required Torrance Municipal Code.

Please know that all legitimate complaints are addressed. We do our best to address all issues in a timely manner, all always at our expense. Below I have listed a few key points and issues from past complaints which we have satisfactorily resolved with the City and our neighbors:

- Landscaping
- Screening materials
- fencing
- Live plants
- Artificial plants
- Platforms

- Acoustical and vibration analysis performed on two different occasions with independent consultants approved by the Torrance Environmental Department. Our costs have been at \$4,000. Results found all to be below City sound and vibration limits. Based on these findings, staff recommended and the Commission approved allowing our well to operate 24 hours.
- As a courtesy we notify neighbors in advance before trucks come, we are **not** required to do this and it is **not** a condition for our operation in the City of Torrance.
- Our pumper, Daniel Reyes, investigates and responds to every complaint; he calls out a third party environmental company to investigate. We are within regulation and in compliance with the California Division of Oil, Gas and Geothermal Resources, Torrance Fire Department, and all other governmental agencies.
- We are working with neighbor, Mrs. Yamada, and Sharron Jones, Senior Environmental Officer to come to a solution to her landscaping requests. The City is currently waiting for a recommendation from the streetscape department to recommend plants, and to provide pictures of the recommended plants.
- We have covered all costs to work on neighbors requests.
- Other wells in the City of Torrance operate 24/7 in residential areas without restrictions.
- We try to not schedule shipments on weekends if possible.
- Only quarterly inspections are required by regulatory agencies, but we have a leak, noise, and odor detection and repair company come weekly to keep our operation in compliance at all times and as a record for unsubstantiated complaints. This company is a third party SCAQMD recommended company.
- Weekly gardening/trash service

Please do not hesitate to request additional information that may help in your decision.

Sincerely,

Rodger S. Hunt

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6
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 8 **IN THE MATTER OF THE APPEAL TO THE CITY COUNCIL**
 9 **OF THE APPLICATION OF POWER RUN OIL, LLC TO THE**
 10 **TORRANCE ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION**
 11 **COMMISSION**

12 **In the Matter of the Appeal of**
 13 **HANIF HAJI**

CASE NO. OIL10-00004

RESPONSE AND OPPOSITION OF
APPLICANT, POWER RUN OIL, LLC TO
THE APPEAL OF HANIF HAJI

Hearing Date: March 8, 2011

17 Applicant, Power Run Oil, LLC (“Power Run”), submits the following memorandum in
 18 response and in opposition to the appeal filed by Hanif Haji to the grant on September 2, 2010 by
 19 the Torrance Environmental Quality and Energy Conservation Commission (“Commission”) of
 20 Power Run’s application to modify Condition No. 10 of the Commission’s Resolution No. 08-110,
 21 which limited the hours of Power Run’s St. Francis No. 2 Well.

22 Mr. Haji’s appeal makes no argument that the Commission’s grant of the modification was
 23 not supported by the facts nor by the law or that the Commission acted in excess of its jurisdiction.
 24 Instead, Mr. Haji raises only two points.

25 First, he contends, without citation to any provision of the Torrance Municipal Code or any
 26 other law, that he was not given proper notice of a *continued* hearing, even though he appeared
 27 and argued against the Power Run’s application at the initial hearing and submitted numerous
 28 documents all of which were carefully considered by the Commission. As discussed below, the

1 Commission's hearing was conducted in accordance with the Municipal Code and Mr. Haji was
2 given proper notice of both the original hearing and the continued hearing.

3 The second point of Mr. Haji's appeal, that the St. Francis No. 2 Well site allegedly has an
4 "unpermitted structure that is not compliant with rest of the neighborhood" is completely
5 irrelevant to the issues raised by Power Run's application. As discussed below, the *only* issue
6 before the Commission, and now before the City Council on appeal, was whether the modification
7 of Power Run's operating hours for its St. Francis No. 2 Well was properly granted. The status of
8 any alleged structures was not before the Commission and such a determination would be outside
9 the scope of its jurisdiction.

10 For these reasons, Mr. Haji's appeal should be denied.

11
12 **I. FACTUAL BACKGROUND**

13 This appeal concerns the September 2, 2010 modification by the Commission of a
14 condition in Power Run's permit to operate its St. Francis No. 2 Well. The following summary,
15 derived from the administrative record, including the declarations of Rodger Hunt, Daniel Reyes,
16 Charles Champion and Justin Cook, which were filed with the Commission in support of Power
17 Run's application, is intended to provide some factual context for the issues raised on this appeal.

18 Power Run operates an oil well, commonly referred to as the St. Francis No. 2 Well,
19 which, along with its related production facilities, is located at 4900 Del Amo Boulevard in
20 Torrance next to the far eastern edge of the parking lot of West High School. *Statement of Rodger*
21 *Hunt*, ¶ 3. The St. Francis No. 2 well was drilled in the early 1950s, and has operated
22 continuously since then. *Statement of Daniel Reyes*, ¶ 5. Power Run operates the St. Francis
23 No. 2 Well as the successor sublessee under a "Community Oil and Gas Lease", which covers the
24 mineral rights over many properties in the area of the well. *Statement of Rodger Hunt*, ¶ 4. Power
25 Run pays royalties based on a share of the oil produced and sold from the St. Francis No. 2 Well
26 to property owners who own the mineral rights in properties adjoining the well. *Id.*

27 In November 1999, Power Run acquired the Community Lease and the St. Francis Nos. 1,
28 2, 3 and 4 Wells. *Statement of Rodger Hunt*, ¶ 7. Since acquiring the wells, Power Run has

1 obtained successive three year permits from the City of Torrance ("City"), pursuant to Section
2 97.14.5(b) of the Torrance Municipal Code to operate the St. Francis No. 1, St. Francis No. 2, St.
3 Francis No. 3, St. Francis No. 4, Dominguez No. 1 and Dominguez No. 2 wells. *Statement of*
4 *Rodger Hunt*, ¶ 8.

5 Power Run's current permit for the St. Francis No. 2 Well was issued on November 6,
6 2008 by the Commission's Resolution No. 08-110. *Id.* That resolution, which approved an
7 exception from Section 94.14.1 of the Torrance Municipal Code for the well, contains 10
8 conditions, including Condition No. 10, which states that "[h]ours of operation shall be limited to
9 no more than 8:00 a.m. to 5:00 p.m." *Id.* That condition was never included in any of Power
10 Run's prior permits. *Id.*

11 Power Run also obtained permits pursuant to Resolution Nos. 08-106, 08-107, 08-108 and
12 08-109 on November 6, 2008 to operate its St. Francis No. 1, St. Francis No. 3, St. Francis No. 4,
13 Dominguez No. 1 and Dominguez No. 2 wells. *Statement of Rodger Hunt*, ¶ 9. None of those
14 permits contain the same operating hour restriction as set forth in Condition No. 10 of Resolution
15 No. 08-110. *Id.*

16 While Section 46.3.2 and Section 97.8.7 of the Torrance Municipal Code may restrict
17 repair, maintenance, drilling and redrilling operations after 5:00 p.m., neither Section 46.3.2,
18 Section 97.8.7, nor any other provision of the Municipal Code, contain any restrictions on the
19 operation of electric motors and the pumping units on wells. *Statement of Rodger Hunt*, ¶ 18.

20 Since 1999, Power Run encountered constant and very expensive equipment problems on
21 its St. Francis No. 2 well because of the wear and tear being placed on the pumping unit as a result
22 of shutting it off daily. *Statement of Rodger Hunt*, ¶ 16. Ordinarily, Power Run's pumping units
23 run continuously, and so they are not designed to be turned on and off daily. *Id.* By having to
24 shut off the well from 5:00 p.m. until 8:00 a.m., Power Run was losing thousands of dollars a
25 month, both in increased maintenance costs for the repairs of the pumping unit and in lost
26 production in the St. Francis No. 2 Well. *Statement of Rodger Hunt*, ¶ 21. This also resulted in
27 lost revenues for the numerous royalty owners who derive an income from the community lease
28 and the St. Francis No. 2 Well. *Id.* The restriction produces no benefit for the City or its

1 residents, and, in fact, causes the City to lose tax revenue due to Power Run's loss of production.

2 *Id.*

3 As a result of the operating problems caused by Condition No. 10, Power Run asked the
4 Commission to modify the condition to allow it to operate on a twenty-four hour basis for a test
5 period to demonstrate that operation would not increase ambient noise or vibration levels. *May 6,*
6 *2010 Agenda, § 7.*

7 On May 6, 2010, the Commission held a public hearing regarding Power Run's application
8 to modify Condition No. 10 of Resolution No. 08-110 of Power Run's permit. *May 6, 2010*
9 *Minutes, § 7A.* After receiving testimony and written evidence, including extensive testimony
10 from Mr. Haji, the hearing was adjourned to a later date so that the City could have a noise and
11 vibration test conducted at Power Run's expense. *Id.*

12 The test was subsequently conducted by BridgeNet International, an independent
13 contractor chosen by the City and not by Power Run. *Statement of Justin Cook, ¶ 3.* At the
14 direction of City Staff, noise measurements were made at three residences in Torrance on Donora
15 Avenue: Mr. and Mrs. Haji at 20323 Donora Avenue, Ms. Yamada at 20329 Donora Avenue and
16 Mr. and Mrs. Dalziel at 20333 Donora Avenue. *Statement of Justin Cook, ¶ 7.* The measurement
17 locations were determined by *City Staff*, not by Power Run. *Id.* As Justin Cook, the Director of
18 Engineering for BridgeNet International, stated in his expert report, based on the acoustic tests, the
19 noise measurement results show that Power Run's St. Francis No. 2 Well complied with the City
20 of Torrance's night (10 p.m. to 7 a.m.) noise level standard of 50 dBA as set forth in Sections
21 46.2.7 and 46.7.2 of the Torrance Municipal Code. *Statement of Justin Cook, ¶ 16.* The average
22 noise levels with the well operating did not exceed the ambient average noise levels (without the
23 oil well operating) by more than 5 dBA. *Id.* Based on the vibration tests, the average vibration
24 level was well below an average residential vibration level and the average vibration level
25 remained the same whether the oil well was operating or not. *Statement of Justin Cook, ¶ 18.*

26 On September 2, 2010, the Commission held the continued hearing to decide Power Run's
27 application. *September 2, 2010 Agenda, § 7.* After reviewing the expert testimony given at the
28 May 6th hearing and the uncontested report from an independent noise and vibration consultant

1 conducted by Mr. Cook of BridgeNet International, which confirmed that any noise or vibration
 2 from the full time operation of Power Run's well was the same or below background levels for the
 3 neighborhood, the Commission decided to modify Condition No. 10 to allow the daily twenty-four
 4 hour operation of the well for a one year test period. *September 2, 2010 Minutes, § 7A.*

5 In response to the Commission's grant of Power Run's request, Mr. Haji filed an appeal
 6 with the City pursuant to Section 11.5.1 of the Torrance Municipal Code, contesting the
 7 Commission's decision on two grounds:

- 8 1. The enclosure camouflaging the St. Francis No. 2 Well is allegedly an
 9 "unpermitted structure that is not compliant with rest of the neighborhood";
 10 and
- 11 2. The Commission staff allegedly did not provide Mr. Haji with the requisite
 12 legal notice of the subsequent continued hearing. *Appeal 2010-07.*

13 As discussed below, neither of these claims is substantiated by evidence or law.
 14

15 **II. DISCUSSION**

16 **A. The Appeal's First Claim Is Irrelevant**

17 In his appeal, Mr. Haji claimed that the Commission's decision was in error because the
 18 soundproofing enclosure surrounding the St. Francis No. 2 Well was an "unpermitted structure
 19 that is not compliant with rest of the neighborhood." *Appeal 2010-07.* This claim has two
 20 implications. First, that the Commission has the jurisdiction to decide whether or not the
 21 enclosure is a permitted structure. Second, that if the structure is found to be an unpermitted
 22 structure, then this result would be grounds to reverse the Commission's grant of Power Run's
 23 application. Both these contentions are erroneous, and therefore, the appeal's first claim should be
 24 dismissed.

25 **1. Building Permits Are Not a Question for the Commission.**

26 The Commission's powers and duties are defined by Section 13.16.7 of the Torrance
 27 Municipal Code, which states the Commission may only do the following:

- 28 (a) The Commission shall perform any duties assigned to it by other

1 provisions of this Code;

2 (b) The Commission may make recommendations to the City Council
3 on any matters concerning environmental quality, including but not
4 limited to the quality of the environment, land use beautification, oil
5 production and energy conservation;

6 (c) The Commission shall advise the City Council and any appointed
7 Board or Commission on any matters concerning environmental
8 matters in the City, including but not limited to preservation of the
9 quality of the environment, land use beautification, oil production
10 and energy conservation when so requested by the Council or any
11 such appointed Board or Commission; and

12 (d) The Commission shall make an annual report to the City Council of
13 its activities for the previous year and shall make such other reports
14 as it shall deem necessary and proper.

15 Nowhere in the Torrance Municipal Code is the Commission granted the power to decide
16 whether a structure is properly permitted. Instead, the Commission is limited to making
17 recommendations and advising the City on matters concerning environment quality, land use
18 beautification, oil production and energy conservation. *Id.*

19 The appeal's first claim is directed to an issue that cannot be decided by the Commission.
20 As a result, it is outside the Commission's jurisdiction and cannot be a basis to overrule the
21 Commission's decision. Consequently, the appeal's first claim should be dismissed.

22 **2. Well Camouflaging Is Not Relevant to the Commission's Decision.**

23 Although an appeal's standard of review is not listed in the Torrance Municipal Code,
24 courts have applied the substantial evidence test when appealing an agency determination. "The
25 substantial evidence test requires the court to begin with the presumption that the record contains
26 evidence to sustain the board's findings of fact [Citations]... The burden is on the appellant to
27 prove the board's decision is neither reasonable nor lawful [Citations]." *Carson Harbor Village,*
28 *Ltd. v. City of Carson Mobilehome Park Rental Review Board* (1998) 70 Cal.App.4th 281, 287.

1 Furthermore, the burden is on the appellant to show that there is no substantial evidence
2 whatsoever to support the findings of the agency. *Bhatt v. Department of Health Services* (2005)
3 133 Cal.App.4th 923, 928.

4 Courts have stated that “it is for the agency to weigh the preponderance of conflicting
5 evidence. Courts may reverse an agency’s decision only if, based on the evidence before the
6 agency, a reasonable person could not reach the conclusion reached by the agency.” *Eden*
7 *Hospital District v. Belshe* (1998) 65 Cal.App.4th 918, 915-916. The Council presumably will
8 apply this standard in its review of the Commission’s decision.

9 In its application, Power Run requested the Commission allow the St. Francis No. 2 Well
10 to operate continuously instead of limiting the operations from 8:00 a.m. to 5:00 p.m. *May 6,*
11 *2010 Agenda, § 7*. In determining whether to grant the application, the Commission addressed the
12 question of whether the St. Francis No. 2 Well could be operated for twenty-four hours per day
13 without causing an increase in the background noise or vibration levels. *May 6, 2010 Minutes,*
14 *§ 7A*.

15 Through two fact-finding hearings, the Commission developed a record consisting of
16 expert opinions, independent reports and public testimony. The record includes the following:

- 17 (a) the expert testimony of Roger Hunt, President of Power Run;
- 18 (b) the expert testimony of Daniel Reyes, Contract Operator of Power
19 Run;
- 20 (c) the expert testimony of Charles Champion, a registered petroleum
21 engineer;
- 22 (d) the expert testimony of Justin Cook, Director of Engineering for
23 BridgeNet International;
- 24 (e) the results of the noise and vibration test conducted by BridgeNet
25 International; and
- 26 (f) the public testimony of Mr. Haji, Brian Dalziel and Katherine
27 Yamada.

1 Upon reviewing this information, the Commission decided to grant Power Run's
2 application. *September 2, 2010 Minutes, § 7A*. Mr. Haji has never contested the testimony or the
3 findings made by the Commission. *Appeal 2010-07*. Nevertheless, Mr. Haji now submits an
4 appeal unrelated to any of the factual findings made by the Commission. *Id.*

5 When no challenge to factual findings is made on appeal, the only determination is
6 whether the agency's ruling was so arbitrary and capricious to amount to an abuse of discretion.
7 *Intercommunity Medical Center v. Belshe* (1995) 32 Cal.App.4th 1708, 1711.

8 Mr. Haji's appeal should be limited to the factual considerations reviewed by the
9 Commission. However, Mr. Haji does not appeal the Commission's decision on those grounds.
10 *Appeal 2010-07*. Rather, Mr. Haji states that Power Run erected an "unpermitted structure that is
11 not compliant with rest of the neighborhood." *Id.* This assertion has nothing to do with the
12 factual record.

13 The Commission based its decision on undisputed evidence. *September 2, 2010 Minutes,*
14 *§ 7A*. The report and testimony proved that the St. Francis No. 2 Well's noise and vibration levels
15 does not add to the neighborhood's existing noise and vibration levels, and also exhibited Power
16 Run's maintenance issues when the well is only operated for ten hours per day. *Statement of*
17 *Justin Cook, ¶¶ 16, 17, and 18; Statement of Daniel Reyes, ¶¶ 6 and 7*. When weighing these
18 uncontested facts, the Commission decided that the burden placed on Power Run by the operating
19 restriction outweighed the benefits conferred upon the neighborhood. *September 2, 2010 Minutes,*
20 *§ 7A*. As a result of these findings, the Commission granted Power Run's application. *Id.*

21 Mr. Haji's appeal does challenge the factual findings of the Commission. *Appeal 2010-07*.
22 The appeal also does not state that the Commission's decision was so arbitrary and capricious to
23 amount to an abuse of discretion. *Id.* As Mr. Haji has not raised any issues relating to the basis of
24 the Commission's decision, his appeal should be dismissed.

25 **B. The Appeal's Second Claim Is Erroneous**

26 The appeal's second claim is that Mr. Haji did not receive the proper notice of the
27 *continued hearing, not* the original hearing on the application, and therefore the Commission's
28 decision should be reversed. *Appeal 2010-07*. However, not only did Mr. Haji receive the notice

1 required by law, but the notice he received exceeded the legal requirements. *Torrance Municipal*
 2 *Code, § 97.11.4 (b)*. Furthermore, even if notice was improper, Mr. Haji cannot show any
 3 prejudice.

4 **1. Mr. Haji Had Adequate Notice of the Continued Hearing.**

5 Mr. Haji believes that the Commission staff did not provide him with the required legal
 6 notice of the subsequent continued hearing. *Appeal 2010-07*. Again, Mr. Haji fails to provide any
 7 evidence or law to substantiate this claim.

8 The Torrance Municipal Code describes the application hearing as well as the notice
 9 required for a continued hearing by the Commission. Section 97.11.4 (a) states “the [Torrance
 10 Environmental Quality and Energy Conservation Commission] shall conduct a hearing before
 11 granting a drilling permit.” Section 97.11.4 (b) of this section then states:

12 The [Torrance Environmental Quality and Energy Conservation Commission] may
 13 conduct the hearing in an informal manner. The rules of evidence shall not apply.
 14 **The hearing may be adjourned to a future time at the discretion of the**
 15 **[Torrance Environmental Quality and Energy Conservation Commission]**
 16 **without the giving of further notice**, other than an announcement by the
 17 [Commission] of the date, time and place of such adjourned meeting. (emphasis
 18 added).

19 On May 6, 2010, the Commission held its first hearing regarding Power Run’s application
 20 to operate its St. Francis No. 2 Well for a twenty-four hour period. *May 6, 2010 Agenda, § 7*. Mr.
 21 Haji does not contest the notice given to him for this hearing. *Appeal 2010-07*.

22 During the May 6th hearing, Mr. Haji gave a presentation detailing his and his neighbors
 23 concerns with the St. Francis No. 2 Well. *May 6, 2010 Minutes, § 7A*. To address these concerns
 24 and gather more facts, the Commission requested a noise and vibration test be conducted on the
 25 St. Francis No. 2 Well operations by an independent party. *Id.* The Commission believed that this
 26 test, along with the expert testimony provided at the May 6th hearing, would aid it in reaching an
 27 informed decision on Power Run’s application. *Id.* In order to facilitate the test, the Commission
 28 had to adjourn the public hearing until a later date when the test report would be completed. *Id.*
 Once the report was complete, the Commission would hold the continued hearing to review the
 test results. *Id.*

///

1 It is this continued hearing that Mr. Haji claims he did not receive the required legal notice.
2 *Appeal 2010-07.*

3 Once the noise and vibration test was complete, the Commission held the continued
4 hearing on September 2, 2010. *September 2, 2010 Agenda, § 7.* Pursuant to Section 97.11.4(b) of
5 the Torrance Municipal Code, the Commission was only required to announce the date, time and
6 place of the hearing, which it did by posting the Hearing Agenda on the City of Torrance website.
7 *Id.* Additionally, as the Commission knew of Mr. Haji's personal involvement in the matter, the
8 Commission also personally notified Mr. Haji of the continued hearing. *Letter to Commission*
9 *from Mr. Haji, August 31, 2010.* As a result, not only did the Commission provide the requisite
10 legal notice, it went above and beyond this requirement. *Torrance Municipal Code, § 97.11.4 (b).*

11 Furthermore, Mr. Haji confirmed his notice of the hearing in his letter to the Commission
12 dated August 31, 2010. The letter states:

13 This morning we were notified that a recommendation is being made to the
14 Torrance Environmental Quality and Energy Conservation Commission (the
15 "Commission") that the oil well located at 4900 Del Amo Blvd, Torrance, Ca
16 90503 (the "Well") be allowed to operate 24 per day seven days per week.

16 In this letter, Mr. Haji failed to object to the hearing date or complain of inadequate notice.
17 *Id.* However, Mr. Haji did reiterate his argument against Power Run's application and urged the
18 Commission to take his stance into account when deciding whether to grant the application. *Id.*

19 Although it is true that Mr. Haji did not appear at the hearing conducted on September 2,
20 2010, this does not give him grounds for an appeal. Mr. Haji had every opportunity to appear and
21 to argue against Power Run's application. Mr. Haji was informed of both hearings: the original
22 hearing and the continued hearing. Mr. Haji presented evidence at both hearings, through his
23 presentation at the May 6th hearing, and through his letter submitted for the September 2nd hearing.

24 There is no factual or legal basis for any challenge to the notice which the Commission
25 gave of its hearings on Power Run's application.

26 **2. Mr. Haji Cannot Show Any Prejudice.**

27 Mr. Haji cannot demonstrate any prejudice as a result of his choice not to attend the
28 continued hearing on September 2, 2010. Mr. Haji presented evidence at both hearings. At the

1 May 6th hearing, Mr. Haji presented a power point presentation, detailing his argument against
2 granting Power Run's application. Prior to the September 2nd hearing, Mr. Haji sent a letter
3 addressed to the Commission, again detailing his argument against granting Power Run's
4 application. *Letter to Commission from Mr. Haji, August 31, 2010*. As a result, Mr. Haji has
5 received his hearing and cannot be considered to be prejudiced.

6 The Supreme Court has held in *Saleeby v. State Bar* (1985) 39 Cal.3d 547, 565:

7 The opportunity to be heard is 'a fundamental requirement of due process.'
8 [Citations]. However, there is no precise manner of hearing which must be
9 afforded; rather the particular interests at issue must be considered in determining
10 what kind of hearing is appropriate. A formal hearing, with full rights of
confrontation and cross-examination is not necessarily required. What must be
afforded is a 'reasonable' opportunity to be heard.

11 As Mr. Haji presented evidence at both hearings, he cannot state that he was unfairly
12 prejudiced by the lack of notice and did not receive his due process.

13 Furthermore, the September 2nd hearing was only a *continued* hearing. After listening to
14 Mr. Haji's argument at the May 6th hearing, the Commission decided to adjourn the meeting so as
15 to gather more information. *May 6, 2010 Minutes, § 7A*. It did this through requesting the noise
16 and vibration report. *Id.* As a result, Mr. Haji had already had his day in court when the
17 September 2nd hearing occurred. In fact, the only purpose of the September 2nd hearing was for
18 the Commission to review the report and makes its decision. No further testimony was required.

19 Consequently, the appeal's second claim should be dismissed.

21 **III. CONCLUSION**

22 Mr. Haji's appeal is completely unsubstantiated. He provides no evidence in relation to his
23 claims. Rather, his appeal seems only to place an additional hurdle for Power Run to clear in
24 order operate the St. Francis No. 2 Well. Although Power Run has attempted to provide solutions
25 to each of Mr. Haji's prior complaints, Mr. Haji continues to search for more unsubstantiated
26 objections. This appeal is his latest.

27 The Commission granted Power Run's application to continuously operate the St. Francis
28 No. 2 Well for a one year test period. Its decision was based on sound factual evidence, which

1 showed the burden placed on Power Run substantially outweighed the benefit conferred on the
2 neighborhood. Furthermore, the Commission's application grant only provides for a test period.
3 If the Commission later decides that continuous operations of the St. Francis No. 2 Well harm the
4 neighborhood, the Commission may impose the earlier restriction.

5 For these reasons, Power Run respectfully requests the City deny Mr. Haji's appeal and
6 allow Power run to continuously operate the St. Francis No. 2 Well for a one year test period.

7

8 DATED: March 3, 2011

MEYERS, NAVE, RIBACK, SILVER & WILSON

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By: 
John J. Harris
Attorneys for Power Run Oil, LLC

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Daily Breeze

21250 HAWTHORNE BLVE, STE 170 * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

PROOF OF PUBLICATION (201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published

in the City of Torrance*
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number SWC7146
that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

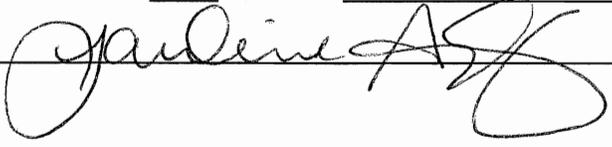
February 25,

all in the year 2011

the foregoing is true and correct.

Dated at Torrance

California, this 25 February 2011



*The Daily Breeze circulation includes the following cities:
Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

This space is for the County Clerk's Filing Stamp

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2011 FEB 28 AM 11:00

CITY CLERK'S OFFICE
3031 TORRANCE BOULEVARD
TORRANCE, CA 90503

Proof of Publication of

DB

DB 2-95
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., March 8, 2011 in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

City Council consideration of an appeal of Environmental Quality and Energy Conservation Commission approval to allow 24 hour operation of oil well located at 4900 Del Amo Boulevard.

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, Ca 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

For further information, contact the **ENVIRONMENTAL DIVISION** of the Community Development Department at (310) 618-5929.

SUE HERBERS
CITY CLERK

Pub: February 25, 2011

PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On **February 24, 2011**, I caused to be mailed **155** copies of the within notification for **City Council consideration of an appeal of Environmental Quality and Energy Conservation Commission approval to allow 24 hour operation of oil well located at 4900 Del Amo Boulevard** to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed **February 24, 2011** at Torrance, California.

A handwritten signature in black ink, appearing to read "Anthony Russell", written over a horizontal line.

(signature)

CITY OF TORRANCE
Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503

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Publish: February 25, 2011

SUE HERBERS
CITY CLERK