



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Northern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 4230 Kiernan Avenue, Suite 130 Modesto, CA. 95354

**Wednesday, January 5, 2005
10:00 a.m.**

Meeting held via video teleconference (VTC) with the Central Region Office (Fresno) participating via VTC.

1. **Call Meeting to Order** – The Chair, Mark A. Kanai, called the meeting to order at 9:58 a.m.

2. **Roll Call** was taken and a quorum was present.

Steve Benak, MD	Medical
Don Ohlinger	Engineer
Roger Gohring	Public
Gerald A. Schneider, Vice Chair	Public
Mark A. Kanai, Chair	Attorney

Also present in the Northern Region Office (Modesto) – Jami Aggers, Air Quality Compliance Manager, Ronald Giannone, Supervising Air Quality Inspector, Richard Wright and Karen de Groot, Air Quality Inspectors, and Kanan Singh, Student Assistant.

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant District Counsel, Michael Carrera, Supervising Air Quality Inspector, Morgan Lambert, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of September 1, 2004** – The Chair asked if there were any corrections to the Minutes. Hearing no comments the Chair declared the Minutes of September 1, 2004 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

The Petition was properly noticed and on file with the Clerk.

The Hearing Board Packet and any addenda brought forth in today's hearing will be entered into the Official Record.

The Petitioners signed the Sign In Sheet.

Michael Carrera introduced Morgan Lambert, Senior Air Quality Inspector, to the Board, and announced that Mr. Lambert will be handling Hearing Board issues from this point on.

A.)
Docket N-04-10S, Short Variance, Stockton Cogen Company, 1010 Zephyr St., Stockton, CA. 95206. Type of Business: Cogeneration Facility.

Petitioner – Glenn Sizemore represented Air Products.

Public Comment – No Public Comment.

Decision – Board Member Schneider made the motion to grant the variance request. The required six findings set forth on pages 2 and 3 of the Staff Report were adopted by reference. The variance shall be subject to the ten recommended conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Benak and carried unanimously with the following

Roll Call Vote:

Ayes: *Benak, Ohlinger, Gohring, Schneider and Kanai.*

Absent: *None.*

The Board granted a Short Variance to Docket N-04-10S, Stockton Cogen Company. The variance shall be effective for a consecutive 5-day period to occur between January 10, 2005 and January 14, 2005, or until the upgrades to the CEMS are completed, whichever occurs first. The variance is subject to ten conditions which will be set forth in the Hearing Board Order.

5. **Emergency Variance** – The Northern Region Hearing Board approved the following emergency variance orders:

A.) Docket N-04-08E G-3 Enterprises – Closure Division

B.) Docket N-04-09E Stockton Cogen Company

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – No Hearing Board Member Comments.

8. **New Business:** 2005 Chair and Vice Chair Election.

Board Member Benak nominated Mark Kanai as Chair. Seconded by Board Member Gohring. The motion was amended to include the nomination of Gerald Schneider as Vice Chair. The motion carried unanimously with the following **Roll Call Vote:**

Ayes: **Benak, Ohlinger, Gohring, Schneider and Kanai.**

Absent: **None.**

The Board took the following action elected:

Mark A. Kanai, Attorney Member, Chair 2005

Gerald A. Schneider, Public Member, Vice Chair 2005.

9. **Next Scheduled Meeting** – Wednesday, February 2, 2005 at 10:00 a.m. The meeting will be held via video teleconference (VTC) in the Northern Region Office, 4230 Kiernan Avenue, Suite 130, Modesto, CA., with the Central Region Office (Fresno) participating via VTC.
10. **Adjournment** – The Chair adjourned the meeting at 10:07 a.m.

Sissy Smith, Clerk to the Board
Northern Region Hearing Board
San Joaquin Valley Unified APCD