

Action Summary Minutes

CENTRAL REGION HEARING BOARD MEETING

Central Region Office Governing Board Room

1990 E. Gettysburg Ave., Fresno, CA 93726

Wednesday, January 21, 2009, 10:00 a.m.

MINUTES

1. CALL MEETING TO ORDER:

The Vice-Chair, Robert Schumacher, called the meeting to order at 10:09 a.m.

2. ROLL CALL:

Gerry Mulligan – public	Present
Robert Schumacher – public	Present
Jim Waterman – attorney	Present
Jerry Boren – engineer	Arrived at 10:21 am
Dr. Lorraine Goodwin, M.D. – medical	Present

Staff present – Central Region (Fresno): Catherine Redmond, Assistant District Counsel; Patrick Houlihan, Senior Air Quality Specialist; Michael Carrera, Supervising Air Quality Inspector; Lynn Sargenti, Senior Office Assistant.

3. Approval of Minutes from December 17, 2008

4. PUBLIC HEARING:

The Chair asked the Clerk to verify that all items had been properly noticed. The Clerk responded that they had. All those present to testify were sworn in by the Chair. The Chair asked that the agenda packet and any addenda brought forth to be entered into the official record.

A. C-08-22R Hilarides Dairy
 24163 Road 88
 Lindsay, CA 93247

Petitioners: Rob Hilarides

Patrick Houlihan presented the District report.

Mr. Hilarides explained to the Hearing Board members that he had received the catalytic converters for the test engines, but were

manufactured with errors in the flange length and returned to be corrected. He pointed out that this is typical of problems that can occur with the start up of something that has not been previously done. He stated his concerns with problems such as this and others that could occur which could delay the project. He asked the Board if it was possible to give him 9 months on the variance to allow for problems rather than the 6 months the District had proposed. Patrick Houlihan stated that the District felt it should be kept at 6 months due to the tremendous amount of NO_x from the other engines. But should problems arise that will take this past the 6 month variance period, the petitioner can request the District for additional time.

Patrick stated that he needed to make a change to Condition #12. January 15, 2010 should be replaced with July 15, 2009.

Jerry Mulligan asked if the petitioner needed to come back to extend the variance. The question was put to Catherine Redmond, Legal Counsel. She informed the Board that for public noticing purposes, Mr. Hilarides would need to return and request the additional time if needed.

Patrick informed the Board that the reason the variance was reduced to six months was due to the District's concern with the amount of NO_x that would come from the other engines. Patrick felt it would be better to limit the variance to six months and not require the petitioner to shut down the other four engines.

Discussion continued between the Board members, Mr. Hilarides, and Patrick Houlihan regarding the operation of his dairy, the engines, getting them on line with the new equipment if the tests on the other two are successful, time lines, equipment suppliers, and other dairy digester equipment.

Catherine Redmond, Legal Counsel, informed the Board that typically a regular variance can go up to a year and that the Board can extend the variance beyond the six months currently proposed should the need arise.

Public Comment: No public comments.

Motion: Mulligan
Seconded: Waterman

Ayes: Mulligan, Schumacher, Waterman, Goodwin, Boren
Nos: None
Abstain: None

The Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions as amended.

5. The Central Region Hearing Board had not heard or approved an emergency variance order since the November 19, 2008 Hearing Board meeting.
6. **PUBLIC COMMENTS**: No public comments.
7. **HEARING BOARD COMMENTS**: None.
8. **NEW BUSINESS**: No new business.
9. **NEXT SCHEDULED MEETING**: February 18, 2009. This meeting will be held in the Central Region Office (Fresno) in the Governing Board room.
10. **ADJOURNMENT**: The Chair adjourned the meeting at 10:39 a.m.