

## Action Summary Minutes

### CENTRAL REGION HEARING BOARD MEETING

Central Region Office Governing Board Room

1990 E. Gettysburg Ave., Fresno, CA 93726

**Wednesday, March 18, 2009, 10:00 a.m.**

### MINUTES

1. **CALL MEETING TO ORDER:**

The Chair, Jerry Boren, called the meeting to order at 10:02 a.m.

2. **ROLL CALL:**

|                                      |                           |
|--------------------------------------|---------------------------|
| Gerry Mulligan – public              | Present                   |
| Robert Schumacher – public           | Present                   |
| Jim Waterman – attorney              | Present                   |
| Jerry Boren – engineer               | Present                   |
| Dr. Lorraine Goodwin, M.D. – medical | Present (Arrived @ 10:03) |

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

3. Approval of Minutes from February 18, 2009

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-09-03R                      Guardian Industries Corp  
   11535 East Mountain View  
   Kingsburg, CA 93631

Petitioners: Phil Newell, Michael Cheng

Patrick Houlihan presented the District report. Patrick and petitioners answered questions from the Hearing Board members. Mr. Boren asked about the purchase of Emission Reduction Credits which have been asked of other facilities under similar circumstances. Patrick explained that the District only requests excess emission fees for excess emissions of NO<sub>x</sub>,

VOC or SO<sub>x</sub> and the excess emissions for this variance request comprised of ammonia only.

However, Mr. Newell then requested to modify condition 6 to allow a 2 week time frame to allow for maintenance on the SCR. Because of this request, substantial NO<sub>x</sub> emissions would occur. The District Staff and petitioner were unable to determine the amount of excess NO<sub>x</sub> after a series of calculations, so a brief adjournment was called for and granted.

There was a brief adjournment while numbers were recalculated regarding the amount of NO<sub>x</sub> emissions that could possibly be emitted during the time they bypass the SCR. Ultimately, a reasonable estimate of excess NO<sub>x</sub> could not be derived.

It was decided to vote for a continuance until the April 15, 2009 hearing so that a proper determination of excess emissions could be made.

Public Comment: No public comments.

Moved: Waterman  
Seconded: Mulligan

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

*The Hearing Board voted unanimously to continue this variance request until further information could be obtained in order to calculate the amount of emissions that would be released.*

B. C-08-21A Moonlight Dairy & Ag Power Partners  
5061 Avenue 280  
Visalia, CA 93277

The District and the petitioner requested that the variance request be granted a continuance at this time as they were not prepared to go before the Hearing Board.

Moved: Goodwin  
Seconded: Schumacher

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

Abstain: None

*The Hearing Board voted unanimously to continue this variance request until the April 15, 2009 Hearing.*

5. The Central Region Hearing Board had not heard or approved an emergency variance order since the February 18, 2009 Hearing Board Meeting.
7. **PUBLIC COMMENTS**: No public comments.
8. **HEARING BOARD COMMENTS**: None.
9. **NEW BUSINESS**: Hearing Board members were reminded that their request for a stipend increase needed to be submitted the Governing Board along with justifications from each member.
10. **NEXT SCHEDULED MEETING**: April 15, 2009. This meeting will be held in the Central Region Office (Fresno) in the Governing Board room.
11. **ADJOURNMENT**: The Chair adjourned the meeting at 11:32 a.m.