

San Joaquin Valley Air Pollution Control District

Central REGION HEARING BOARD MEETING

Central Region Office Governing Board Room
1990 E. Gettysburg Ave., Fresno, CA 93726

ACTION SUMMARY MINUTES

Wednesday, November 21, 2012

*Meeting held via teleconferencing with the
Central Region Office (Fresno)*

1. CALL MEETING TO ORDER

The Chair, Jerry Boren, called the meeting to order at 10:04 a.m.

2. ROLL CALL

Jerry Boren (Chair) - Engineer	Present
Elizabeth Jonasson - Public	Present
Jim Waterman - Attorney	Present
Gerry Mulligan - Public	Present
Dr. Lorraine Goodwin, M.D. – Medical	Present

Staff Present:

Central Region (Fresno): Patrick Houlihan, Senior Air Quality Specialist; Ryan Hayashi, Supervising Air Quality Specialist; Annette Ballatore-Williamson, Legal Counsel; Carol Flores, Operations and Program Support Supervisor

3. APPROVE MINUTES OF October 17, 2012

The Chair asked if there were any comments regarding the Minutes for October 17, 2012. Hearing no comments, the Chair declared the minutes were approved as submitted.

4. PUBLIC HEARING

The Chair swore in all those present to testify for all matters.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
A. C-12-11R	Regular	Naval Air Station Lemoore 700 Avenger Avenue Lemoore, CA 93246

Petitioners: Scott Tarbox and Joshua MacMurdo

Patrick Houlihan presented the Staff Report.

NASL has requested a regular variance from the requirements of District Rules 2070.7.0, 2201, and 2520 in addition to conditions of the subject Permits to Operate (PTOs). The requested variance period would be from November 21, 2012, until October 19, 2013. If granted, the variance would allow the two subject test cells to exceed their daily fuel usage limit until the permits can be modified to increase the daily fuel usage.

Mr. Houlihan reviewed the amended items. NASL has requested to modify the permit to include the test pad in the overall total fuel usage and emission limits. He added the Recommendations need to be corrected as follows:

1. The variance shall be effective from November 21, 2012, until October 19, 2013, or until the permits can be modified, whichever occurs first.
3. The variance shall allow NASL to exceed the daily fuel usage at test cells #3 and #4 until the permits can be modified.

Mr. Boren asked if the petitioner must pay mitigation fees on each of the separate types of emissions. Mr. Houlihan explained the District will collect mitigation fees on the types of emissions for which the District is not in attainment.

Mr. Mulligan requested clarification between the difference in Finding #3 and Condition #10 regarding the payment of mitigation. Mr. Houlihan explained the District gives the option to the petitioner to pay or submit emission credits.

Ms. Jonasson requested clarification on the fuel usage at the test cells and test pad. Mr. Houlihan explained NASL has separate permits for its two test cells and one test pad. He added the two test cells have combined fuel usage limits and the test pad has its own fuel usage limit. Mr. Houlihan noted there will be a Specific Limiting Conditions (SLC) which specifies the three entities will combine their fuel usage limits. He explained this will allow flexibility for NASL to reduce fuel usage for one entity and increase fuel usage for another where the overall fuel usage for the entire facility will not increase.

Mr. Tarbox explained in detail the purpose for NASL. He provided a Power Point Presentation and Arial photos to illustrate the location of the test cells and test pad in relation to residences.

Dr. Goodwin expressed a concern with the air the employees breathe while working on the engines. Mr. MacMurdo explained the air is ambient and the work locations of the employees are safe. Dr. Goodwin encouraged a testing of the air to ensure it is not toxic.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Waterman and seconded by Dr. Goodwin, unanimously passed, the petitioner was granted a regular variance.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. C-12-15S	Short	PPG Industries, Inc. Fresno Works #15 3333 S. Peach Avenue Fresno, CA 93725

Petitioners: Jim Parsons and Greg Riolo

Patrick Houlihan presented the Staff Report.

PPG is requesting a short variance from the requirements District Rules 2070.7.0, 2201, 2520, 4101, 4201, and 4354 in addition to conditions of the subject PTOs. The requested short variance period would be for a non-consecutive nine-day period to occur sometime between November 21, 2012, and December 31, 2012, inclusive. If granted, the variance would allow the continued operation of the glass melting furnace and the manufacture of glass with excess visible emissions and without the use of the CEMS and COMS to monitor and record emission levels while the exhaust stream bypasses the EP and wet scrubber.

Ms. Jonasson asked if there were any complaints submitted to the District regarding this facility. Mr. Houlihan responded he would research and forward the information. Ms. Jonasson asked if a condition could be added to the variance to require the petitioner to perform maintenance during the

day or on a curtailment day. Mr. Houlihan explained this would not be possible due the scheduling of the maintenance crew.

Mr. Riolo thanked Mr. Houlihan for the presentation.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Mulligan and seconded by Dr. Goodwin, unanimously passed, the petitioner was granted a short variance.

5. EMERGENCY VARIANCE

The Central Region Hearing Board did not grant any emergency variances since the October 17, 2012, Hearing.

6. PUBLIC COMMENTS

No public comment.

7. HEARING BOARD MEMBER COMMENTS

Mr. Waterman complimented staff on their efforts.

Dr. Goodwin requested clarification on why the EPA may not recognize the variance and continue to fine petitioners. Mr. Houlihan explained EPA does not recognize the variances the District grants to petitioners. Dr. Goodwin requested an update on the Cap and Trade regulations that would pertain to the members. Mr. Hayashi explained the District is not currently involved in the Cap and Trade regulations.

8. NEW BUSINESS

None.

9. NEXT SCHEDULED MEETING

The next scheduled meeting is December 19, 2012. The meeting will be held in the Central Region Office (Fresno) in the Governing Board room.

10. ADJOURN

The Chair adjourned the meeting at 11:06 a.m.