

Action Summary Minutes

CENTRAL REGION HEARING BOARD MEETING

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

Wednesday, September 19, 2012, 10:00 a.m.

MINUTES

1. **CALL MEETING TO ORDER:**

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

2. **ROLL CALL:**

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

Staff present –Ryan Hayashi, Supervising Air Quality Specialist; Patrick Houlihan, Senior Air Quality Specialist; Annette Williamson, Assistant Legal Counsel; Michelle Franco, Deputy Clerk of the Boards; Carol Flores, Operations and Program Support Supervisor

3. **APPROVE MINUTES OF JULY 18, 2012:**

The Chair asked there were any comments regarding the Minutes of July 18, 2012. Hearing no comments, the Chair declared the minutes approved as submitted.

4. **PUBLIC HEARING:**

Mr. Boren 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.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
A. C-12-09S	Short	Saint Gobain Containers, Inc. 24441 Avenue 12 Madera, CA 93637

Petitioner: Sangeetha Arunagiri

Mr. Houlihan presented the staff report.

SGCI has requested a short variance from the requirements of District Rules 2070.7.0, 2201, 2520, and 4354 in addition to the applicable conditions of the PTO's. The requested short variance would be for a consecutive 5-day period to occur from September 24, 2012, to September 28, 2012. If granted, the variance would allow the continued operation of the regenerative glass melting furnace and glass manufacturing with excess NOx emissions while the furnace flues are cleaned.

Ms. Jonasson asked for clarification regarding the offset of excess emissions. Mr. Houlihan explained the excess emissions are mitigated through the payment of the excess emission fee.

Mr. Waterman asked if the manufacturer was going to reduce production. Mr. Houlihan explained SCGI was not.

Ms. Jonasson requested information regarding miscellaneous incentive grant. Mr. Houlihan explained the miscellaneous incentive grant is the name of the account for the monies that are obtained from the variance program. He added the monies are transferred to the emission reduction program to offset emissions. He gave the examples of purchasing natural gas running busses for municipalities or electric engines for farmers. Ms. Jonasson asked if the Hearing Board has discretion over the monies. Mr. Hayashi responded no, explaining all of the monies go towards projects themselves and not towards administrative costs.

Public Comment: No public comment.

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

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. C-11-05X	Extension	Avenal State Prison #1 Kings Way Avenal, CA 93204

Petitioner: Mark Shandor, James Hartley, Jeff Stanley, Deric Johnson, Brent Dobson, Dean McHaffry and Rob Schmitz

Mr. Houlihan presented the staff report.

ASP has requested an extension of the previously granted regular variance to provide protection from the requirements of District Rules 2070.37.0, 2520, and 4703 in addition to the conditions of the applicable PTOs. The requested extension period would be from September 30, 2012, until December 31, 2012. If

granted, the variance would allow ASP to continue to operate the two turbines after the compliance deadline of October 1, 2011, with NOx emissions higher than those which are allowed in Rule 4703 until the SCR can be installed and a compliance source test conducted.

Ms. Jonasson asked if other prisons in the area have similar issues. Mr. Shandor explained there are no other institutions in the state that operate the turbines like Avenal.

Mr. Stanley explained ASP appeared in front of the Board a year ago but due to complications with SCR installation need an extension on the variance. He added due to safety and environmental concerns the system has been modified from injecting ammonia to injecting urea and this is adding additional time to the project.

Mr. Mulligan asked for clarification on space for the equipment. Mr. Shandor explained the equipment needed to be placed in an area that is already full of equipment but there is a strategy to place everything in the area.

Dr. Goodwin asked why there were so many representatives present. Petitioners agreed and voiced that the project was important.

Public Comment: No public comment.

Having decided the petition has met the required findings, on motion of Mr. Waterman, seconded by Ms. Goodwin, unanimously passed, the petitioner was granted an extension variance.

5. **EMERGENCY VARIANCE:**

The Central Region Hearing granted one emergency variance since the July 18, 2012, hearing.

6. **PUBLIC COMMENTS:** No public comments.

7. **HEARING BOARD COMMENTS:** None.

8. **NEW BUSINESS:** Michelle Franco, Deputy Clerk of the Boards, announced Robert Schumacher, Public Primary member has resigned his position and the application period for the new Public Primary will open soon.

9. **NEXT SCHEDULED MEETING:** October 17, 2012 at the Central Region Office in Fresno.

10. **ADJOURNMENT:**

The Chair, Mr. Boren, adjourned the meeting at 11:00 a.m.