

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, July 17, 2013

*Meeting held via teleconferencing with the
Central Region Office (Fresno) and the
Northern Region Office (Modesto) participating via teleconferencing*

1. CALL MEETING TO ORDER

The Chair, Jerry Boren, called the meeting to order at 9:58 a.m.

2. ROLL CALL

Jerry Boren (Chair) - Engineer	Present
Gerry Mulligan - Public	Present
Dr. Lorraine Goodwin, M.D. – Medical	Present
Daniel Hartwig – Public	Present

Staff Present:

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

3. APPROVE MINUTES OF June 19, 2013

The Chair asked if there were any comments regarding the Minutes for June 19, 2013. 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-13-08S	Short	The Wine Group LLC dba Franzia Sanger 2916 South Reed Ave Sanger, CA 93657

Petitioners: Paul Bement, John Stout and Carlos Garza

Ryan Hayashi presented the Staff Report.

TWG has requested a short variance from the applicable requirements of District Rules 2070.7.0, 2201, 2520, 4306, and 4320 in addition to the applicable conditions of the Permit to Operate (PTO). The requested variance period would be from September 16, 2013, until September 22, 2013. If granted, the variance would allow the boiler to emit excess NO_x emissions until it can be tuned into compliance.

Mr. Boren requested the explanation of a firing rate. Mr. Hayashi explained the firing rate is the percentage of fuel the boiler can accept.

Mr. Mulligan asked if the variance is for seven consecutive days. Mr. Hayashi explained the variance is for a continuous seven day period.

Dr. Goodwin asked what issues may arise. Mr. Stout explained the length of time to tune the boiler may be longer. Dr. Goodwin asked if the facility has worked at a higher firing rate. Mr. Garza explained the facility did run at a higher firing rate but to lower the NO_x emissions the firing rate was lowered. Mr. Hayashi noted the facility voluntarily elected to lower the firing rate and install flue gas recirculation.

Mr. Bement stated there was no presentation.

Mr. Mulligan asked what options are there if the NO_x emissions cannot be lowered. Mr. Bement explained the facility would run at a lower volume or a new boiler would have to be purchased and installed. Mr. Mulligan asked if a renewal of a permit was an option. Mr. Hayashi explained the facility must work within the conditions of the current permit. Mr. Bement added a scrubber could be purchased and installed but is very costly. Dr. Goodwin asked for the cost of the scrubber. Mr. Bement responded the preliminary estimate for a scrubber was \$300,000.

Mr. Boren asked if the variance period was the beginning of their production season. Mr. Stout explained the variance period is midway through the production season.

Public Comments: None

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

5. EMERGENCY VARIANCE

The Central Region Hearing Board has not heard nor granted any emergency variances since the June 19, 2013, Hearing.

6. PUBLIC COMMENTS

The following persons provided testimony during the public comments portion of the meeting:

- Veronica Garibay, Leadership Council for Justice and Accountability
- Bob Mitchell, Concerned Citizens of West Fresno
- Francisco Mendez, Resident of West Fresno
- Jaime San Andreas, Community for a New California
- Ceasar Campos, Central California Environmental Justice Network

Ms. Williamson explained the Central Region Hearing Board is authorized to hear petitions from applicants that have been denied a permit and wish to appeal the decision. She added the Hearing Board may hear petitions challenging the issuance of a permit. She noted there is not an independent authority by the Hearing Board in the absence of an issuance or denial of a permit to review a permit. Ms. Williamson

stated the request for a public hearing to contest the issuance of a permit must occur within 30 days of any decision or action pertaining to the issuance of a permit.

7. HEARING BOARD MEMBER COMMENTS

Dr. Goodwin expressed appreciation for the citizens' inclination to participate.

8. NEW BUSINESS

None.

9. NEXT SCHEDULED MEETING

The next scheduled meeting is August 21, 2013. The meeting will be held in the Central Region Office (Fresno) in the Governing Board room.

10. ADJOURN

The Chair adjourned the meeting at 10:45 a.m.