

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, May 15, 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 10:03 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

Dr. Goodwin arrived at 10:05 a.m.

Staff Present:

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

Northern Region (Modesto): Ron Giannone, Supervising Air Quality Inspector

3. APPROVE MINUTES OF March 20, 2013

The Chair asked if there were any comments regarding the Minutes for March 20, 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-13-04S	Short	CertainTeed Corporation 17775 Avenue 23 1/2 Chowchilla, CA 93610

Petitioners: Jeff Curtin, Allan Bump, Gus Maya and David Kawano

Patrick Houlihan presented the Staff Report.

CertainTeed has requested a short variance from the applicable requirements of District Rules 1080, 2070.7.0, 2201, 2520, 4101, and 4354, in addition to conditions of the subject permits. The requested short variance period would be a consecutive 48-hour period to occur sometime between May 20, 2013, and June 5, 2013, inclusive. If granted, the variance would allow the exhaust stream from the glass melting furnace to bypass the pre-conditioning chamber and EP while the proposed maintenance is conducted.

Mr. Boren asked how opacity is measured. Mr. Houlihan explained opacity is measured visually. He added persons measuring opacity at facilities must attend a training every six months and be re-certified by ARB.

Mr. Hartwig asked for the purpose of a person visually inspecting opacity at a facility. Mr. Houlihan explained ARB requires quantification on every variance of emissions produced.

Mr. Mulligan expressed concern for the facility ceasing operations should there be a complaint be received by the District. Mr. Houlihan explained ceasing operations would be difficult. Mr. Boren added that historically the District receiving one complaint would not warrant action, but would lead to more observations and analysis by staff.

Mr. Curtin thanked Mr. Houlihan for an excellent presentation.

Public Comments: None

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

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. C-13-05S	Short	Pilkington North America, Inc. 500 East Louise Avenue Lathrop, CA 95330

Petitioners: Xiaosong Wang

Patrick Houlihan presented the Staff Report.

PNA is requesting a short variance from the requirements of District Rules 2070.7.0, 2201, 2520, 4101, and 4202 in addition to conditions of the subject PTOs. The requested short variance period would be for a non-consecutive 30-day period to occur sometime between May 15, 2013, and July 26, 2013, inclusive. If granted, the variance would allow for the subject baghouses to be shut down for the appropriate maintenance.

Mr. Mulligan requested confirmation that only one baghouse will be shut down at a time. Mr. Houlihan responded affirmatively. Mr. Mulligan asked if employees will be in harm's way due to dust, fines and visible emissions not being vacuumed into the baghouses. Mr. Houlihan stated staff has made the facility aware of the issue.

Mr. Boren asked if a penalty is applied to the excess emissions. Mr. Houlihan explained the District is in attainment for PM10 so there is no mitigation fees assessed.

Mr. Wong explained employees will not be near the baghouse points where the vacuum is not active. Mr. Mulligan asked if there will be visible warning signs to caution employees about the areas in question. Mr. Wong responded affirmatively.

Mr. Wong thanked Mr. Houlihan for the presentation.

Public Comments: None

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

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
C. C-13-06i	Interim	Starwood Power-Midway LLC. 43627 West Panoche Road Firebaugh, CA 93622

Petitioners: JJ Fair

Patrick Houlihan presented the Staff Report.

Starwood has requested in interim variance, to be followed by a short variance, from the applicable requirements of District Rules 2070.7.0, 2201, and 2520 in addition to the applicable conditions of the subject Permits to Operate (PTOs). The requested interim variance period would be from May 9, 2013, until July 3, 2013, inclusive, or until the Central Region Haring Board as heard the petition for the short variance, whichever occurs first. If granted, the variance would allow the operation of the subject turbines with excess NH₃ until a solution can be found to return NH₃ emissions to compliance.

Mr. Boren asked if the facility was currently operating. Mr. Fair said no, but explained the facility is available to operate. Mr. Boren asked if the facility has operated during the current year. Mr. Fair responded affirmatively.

Mr. Mulligan asked what the ramifications are if the facility does not operate when asked to. Mr. Fair explained the facility has a contract with Pacific Gas & Electric (PG&E) that will apply penalties for not operating. He added the facility must maintain certain availability and any percent dropped below the available there is a directly correlated penalty to the capacity payment.

Mr. Hartwig asked how many hours the facility expects to run during the interim variance. Mr. Fair explained the facility is expected to operate very few hours if at all.

Mr. Mulligan asked how much advanced notice does the facility obtain from PG&E. Mr. Fair responded the facility will be informed approximately ten minutes prior to the

facility needing to operate. He added the facility is dispatched by the California Independent System Operator (Cal-ISO) and the facility has a ten-minute start time. Mr. Mulligan asked if the facility is informed of the length of time the facility will need to operate when dispatched. Mr. Fair explained normally the facility is informed of the length of time the facility will operate, but it is not required.

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 an interim variance.

5. EMERGENCY VARIANCE

The Central Region Hearing Board granted one emergency variance since the March 20, 2013, Hearing.

6. PUBLIC COMMENTS

No public comment.

7. HEARING BOARD MEMBER COMMENTS

Dr. Goodwin expressed sympathy for the passing of Robert Schumacher, Former Primary Public member and James Waterman, Primary Attorney member.

8. NEW BUSINESS

Mr. Boren asked if the vacancies on the Hearing Board are being advertised. Ms. Flores explained vacancies for Hearing Boards have been announced at the CAC meeting.

9. NEXT SCHEDULED MEETING

The next scheduled meeting is June 19, 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 10:46 a.m.