

**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, October 19, 2016**

*Meeting held in the  
Central Region Office (Fresno)*

1. Call Meeting to Order

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

2. Roll Call

Jerry Boren (Chair) – Engineer	Present
Loraine Goodwin – Medical	Present
Gerry Mulligan – Public	Present
Daniel Hartwig – Public	Present

Staff Present:

Central Region (Fresno): Jessi Fierro, Assistant District Counsel; Michael Carrera, Air Quality Compliance Manager; Clay Bishop, Supervising Air Quality Specialist; Patrick Houlihan, Senior Air Quality Specialist; Chris Kalashian, Air Quality Specialist; Shannon Moore, Air Quality Specialist; Crystal Bussard, Air Quality Specialist; Carol Flores, Operations and Program Support Supervisor

3. Approval of Consent Items 9-12

*These items are routine in nature and are usually approved by a single vote. Prior to action by the Hearing Board, the public will be given the opportunity to comment on any consent item.*

9. Approve Minutes of August 17, 2016

10. Stipulated Order of Abatement report

11. Emergency Variance

12. Next Schedule Meeting

The next scheduled meeting is on November 16, 2016. The meeting will be held in the Central Region Office (Fresno) in the Governing Board room.

Public Comments: None

The Chair asked if there were any comments regarding Consent Items 9-12. Hearing no comments, on motion of Mr. Hartwig and seconded by Mr. Mulligan, unanimously passed, the consent items 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-16-05S	Short	Algonquin Power Sanger LLC 1125 Muscat Avenue Sanger, CA 93657

Petitioners: Stephen Der Torosian

Mr. Moore presented the Staff Report.

Algonquin has requested a short variance from District Rules 1080, 2070, 2201, 2520, 4001, and 4703 in addition to conditions of the applicable permits. The requested short variance would be for 45 consecutive days to occur between October 19, 2016, through January 16, 2017. If granted, the variance would allow Algonquin to operate the subject facility without a certified CEMS while it is being replaced and recertified.

Mr. Boren asked if the facility will be open during the project. Mr. Moore responded affirmatively.

Mr. Mulligan asked if the facility is able to shut down during the project. Mr. Moore explained shutting down will be a breach of contract with PG&E and result in a loss of revenue.

Mr. Der Torosian commented the project should not last the entire variance period.

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.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. S-16-23S	Short	Malaga Power LLC 2611 East North Avenue Fresno, CA 93725

Petitioners: Matt Lydon and Brad Bergman

Mr. Kalashian presented the Staff Report

Malaga has requested a short variance from District Rules 1080, 2070, 2201, 2520, 4001, and 4703 in addition to conditions of the applicable permits. The requested short variance would allow Malaga to operate the subject facility without a certified CEMS while it is being replaced and recertified.

The petitioners had no further comments

Public Comments: None

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

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
C. S-16-24S	Short	Pacific Ethanol Madera, LLC 31470 Avenue 12 Madera, CA 93638

Petitioners: Polo Duarte

Mr. Kalashian presented the Staff Report

Pacific Ethanol Madera has requested a short variance from the applicable requirements of District Rules 2070, 2201, and 2520 in addition to the applicable conditions of the subject permits. The requested short variance would be for a consecutive 10 hour period to occur sometime between October 24, 2016, and December 21, 2016, inclusive. If granted, the variance would allow for continued ethanol fermentation while the CO<sub>2</sub> scrubber and RTP are shut down for preventative maintenance.

Mr. Boren asked how far away is the nearest development and what odors are associated with this project. Mr. Duarte explained there is a college approximately a mile away and the prevailing winds are not in their direction. He commented there is an odor if not accustomed and it is not very strong. Mr. Boren asked if the operation is continuous year round. Mr. Duarte responded affirmatively.

Mr. Mulligan asked if any nuisance complaints have been filed. Mr. Duarte responded there have not been any nuisance complaints.

Public Comments: None

Having decided the petition has met the required finding, 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>
D. S-16-25S	Short	Guardian Industries Inc. 11535 E Mountain View Avenue Kingsburg, CA 93631

Petitioners: Nate Rutterbush and Besrat Solomon

Mr. Moore presented the Staff Report

Guardian has requested a short variance from the applicable requirements of District Rules 2010, 2070, 2201, 2520, 4101, and 4354 in addition to the applicable conditions of the subject permits. The requested short variance will be for a consecutive 48 hour period to occur sometime starting October 20, 2016, through November 30, 2106. If granted, the variance will allow the continued operation of the glass melting furnace, and continued glass production, with excess emissions while Guardian shuts down the scrubber, EP, and SCR, in order to clean and inspect the EP.

Mr. Boren asked if the project will be completed within 48 hours. Mr. Rutterbush responded affirmatively, the project should take less than 24 hours.

Mr. Mulligan asked what currently happens to the dust. Mr. Rutterbush made a presentation on the project.

Mr. Mulligan asked why the dust is hazardous. Mr. Rutterbush explained there are metals in the dust that creates toxicity.

Mr. Boren asked why the dust is sent to Oregon. Mr. Rutterbush explained samples have been sent to different landfills and responded they are not able to accept the substance and Oregon can manage with the substance.

Mr. Hartwig asked what maintenance activities are planned for 2017. Mr. Rutterbush explained he anticipates reducing the number of variances but the equipment history is unfamiliar to current management.

Dr. Goodwin asked if the insulators are replaced all at once. Mr. Rutterbush responded affirmatively and will be on a two-year cycle. Dr. Goodwin asked how long employees are in the confined space area to replace the insulators. Mr. Rutterbush explained there is a 10-12 minute rotation. Dr. Goodwin asked if there are any health issues that have arisen from this process. Mr. Rutterbush presented a photo of staff with personal protective equipment (PPE) and commented the PPE is disposed of properly as hazardous waste. Dr. Goodwin asked if staff is provided with preventative testing. Mr. Rutterbush commented he was unaware of any testing.

Public Comments: None

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

5. Public Comments  
None.

6. Hearing Board Comments  
None

7. New Business  
None

8. Adjourn  
The Chair adjourned the meeting at 10:57 a.m.