

**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, December 19, 2018

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

1. Call Meeting to Order

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

2. Roll Call

Lorraine Goodwin – Medical	Present
Gerry Mulligan – Public	Present
Daniel Hartwig – Vice Chair	Present
David Soldani – Attorney	Present
Jerry Boren – Chair	Present

Staff Present:

Central Region (Fresno) Annette Ballatore-Williamson, District Counsel; Patrick Houlihan, Senior Air Quality Specialist; Crystal Bussard, Air Quality Specialist II; Chris Kalashian, Air Quality Specialist II; Clay Bishop, Supervising Air Quality Specialist; Misa Velasco, 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 November 21, 2018

10. Stipulated Order of Abatement report

11. Emergency Variance

12. Next Scheduled Meeting

The next scheduled meeting is on January 16, 2019. The meeting will be held in the Central Region Office (Fresno) in the Governing Board Room.

Public Comments: None

Moved: Hartwig
Seconded: Goodwin
Ayes: Hartwig, Goodwin, Mulligan, Soldani, Boren
Nays: None

Motion unanimously carried to approve Consent Calendar Items 9-12

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-18-17S	Short	Ardagh Glass Inc. 24441 Avenue 12 Madera, CA 93637

Petitioners: Sangeetha Arunagiri

Ms. Bussard presented the Staff Report

ARDAGH has requested a short variance from the applicable requirements of District Rules 2070, 2201, 2520, 4101, and 4354 in addition to the applicable conditions of the subject permits. The requested short variance would be for a consecutive 91 hour period to occur sometime between December 24, 2018, and January 2, 2019, inclusive. If granted, the variance would allow the continued operation of the glass melting furnaces, and continued glass production in the idle mode, with excess visible emissions and excess SOx while ARDAGH shuts down the scrubber and EP to perform required maintenance on said emissions control equipment and conducts the repair of the gear switch/transformer.

Ms. Bussard referred to page two of the Staff Report under "Petitioner's Request" and stated that the requested short variance would be for a non-consecutive 150 hour period versus a consecutive 91 hour period as stated on the report. It also applies to page five, condition one. Condition 6 should state the following: ARDAGH shall operate both furnaces in idle mode during the periods of the maintenance at any time the EP is not operational. She also clarified that ARDAGH anticipates approximately 1700 pounds of excess SOx versus 795 as originally stated on page 2, second paragraph.

Petitioner Comments:

Hearing Board Comments:

Moved: Mulligan
Seconded: Goodwin
Ayes: Mulligan, Hartwig, Goodwin, Soldani, Boren
Nays: None

Motion unanimously carried to approve Docket No. C-18-17S

5. 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-18-18S	Short	Vitro Flat Glass Inc. 3333 South Peach Ave Fresno, CA 93725

Petitioners: Wendy Garcia

Mr. Kalashian presented the Staff Report

VITRO has requested a short variance from the applicable requirements of District Rules 1080, 2070, 2201, 2520, 4101, and 4354 in addition to the applicable conditions of the subject permits. The requested short variance would be for 5 consecutive days to occur sometime between January 1, 2019, and February 28, 2019, inclusive. If granted, the variance would allow the continued operation of the glass-melting furnace and continued glass production without the use of the CEMS/COMS and with visible emissions while VITRO shuts down the scrubber and EP to conduct a clean out of the EP and maintenance of the ID fan blades.

Mr. Kalashian referred to page 2 of the Staff Report under "Petitioner's Request" and stated that the requested short variance would be between January 1, 2019 and March 5, 2019. It also applies to condition one found on page 4. He also made reference to the change on page 5 condition 9 which should read that VITRO has until March 20th, 2019 versus March 15th as originally stated, to submit to the District a summary report.

Mr. Houlihan clarified and explained that VITRO gets 144 hours, not all that pollution is counted and if they go over, it is considered excess emissions and a penalty would then be applied.

Petitioner Comments: Ms. Garcia described the process in detail.

Hearing Board Comments:

Moved: Goodwin
Seconded: Mulligan
Ayes: Mulligan, Hartwig, Goodwin, Soldani, Boren
Nays: None

Motion unanimously carried to approve Docket No. C-18-18S

5. Public Comments: Mr. Mukasa Kezala thanked the District for interpreting his comments exactly the way he intended during the February 2018 Central Region Hearing Board. He said the District posts the bare minimum required by law on the and nothing more. *Referring to the District website & lack of variance information provided on the meeting agenda.* He added that other Districts provide the petition and the staff report allowing someone to prepare and determine whether to attend the hearing or not. He added that the District could do better by providing additional information online. He was contacted by District Staff via email immediately after the February CRHB and said he was provided with the same information he already knows, go to the website and find the noticing. He said that in order to get the public involved additional information should be provided about each petition. Mr. Kezala referred to the agenda and suggested that the petition information can be added soon after the company information is listed for example; a quick narrative should be provided stating what would happen should the petition be granted. Mr. Houlihan responded that the Brown Act requires the District to publically notice. These notices are posted outside of our office and on the District Website and it provides a synopsis of what is going on and then a week before the meeting the agenda is posted. Mr. Houlihan said to Mr. Kezala that he does not have to go through the public records requests process but can call the phone number listed on the bottom of the agenda for the information needed. Ms. Ballatore asked if the staff report is posted on the website. Mr. Houlihan responded that it is not posted, only the agenda and the notice but that there is a phone number listed for each of the regional offices where such information can be requested. Ms. Ballatore said to Mr. Kezala that he could have that information immediately available to him the day of or a day or two before the meeting. Mr. Kezala repeated his suggestion to add additional information directly on the agenda. The Chair suggested to Mr. Kezala that he get together with staff and express his concerns to see if it can be addressed and also to obtain the documents he needs before a hearing.
6. Hearing Board Comments
7. New Business
None
8. Adjourn
The Chair adjourned the meeting at 10:42 a.m.