

**San Joaquin Valley Air Pollution Control District
CENTRAL REGION HEARING BOARD MEETING**

ACTION SUMMARY MINUTES

Wednesday, March 16, 2022

Meeting held via Zoom webinar

1. Call Meeting to Order

The Chair, Daniel Hartwig, called the meeting to order at 10:02 a.m.

2. Roll Call

Gerry Mulligan – Public	Present
David Soldani – Attorney	Present
Daniel Hartwig – Chair	Present
Lorraine Goodwin – Vice Chair / Medical*	Present
Andrew Robertson – Engineer	Present

**Dr. Goodwin arrived at 10:09 a.m.*

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 February 15, 2021

10. Stipulated Order of Abatement Report

None

11. Emergency Variance Report

12. Next Scheduled Meeting

The next scheduled meeting is on April 20, 2022. The meeting will be held via Zoom webinar.

Public Comments: None

Moved: Soldani

Seconded: Robertson

Ayes: Mulligan, Soldani, Robertson, Hartwig

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-22-02S	Short	Panoche Energy Center, LLC 43883 West Panoche Road Firebaugh, CA 93622

Petitioners: Vicente Martinez and Kathy Hurst

Mr. Moore presented the Staff Report.

PEC 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 from May 9, 2022, through June 6, 2022. If granted, the variance would allow PEC to operate CT-1 without a certified CEMS while the sample probe is replaced and the CEMS is certified.

Mr. Robertson asked District staff, since a Part 75 plan allows for a probationary Calibration Error Test when you relocate the probe or put in a different probe, what was the justification for this variance. Ms. Hurst responded that Part 75 allows for the probationary Calibration Error Test, which will be done as soon as the unit is first started up. Theoretically, the plant would only have one or two hours of operational time where the data is considered invalid. She said, the variance would provide them with protection under Part 60 until they complete all of those other tests that are required to be conducted while the unit is operating.

Mr. Houlihan added, under finding six, staff discusses that after that preliminary calibration, the evidence will be credible once it is fully certified. Furthermore, most facility permits, with regards to CEMS, have a condition that states the CEMS shall be certified at all times, so this would give them protection from that condition on the permit as well.

Mr. Robertson clarified if we are looking at potentially a very limited number of hours where they would be considered invalid. He then then inquired about recertification tests including Calibration Error and Cycle Time test. Ms. Hurst confirmed that those tests would be conducted.

Mr. Robertson asked if there was improvement on CO2 as well. Ms. Hurst confirmed the improvement.

Public Comment: None

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

Motion unanimously carried to approve Docket No. C-22-02S

5. Public Comments: None
6. Hearing Board Comments: None
7. New Business: Mr. Hartwig asked when the Hearing Board would begin meeting in person again. Annette Ballatore, District Counsel, responded that the District's Governing Board considers that item monthly as part of the AB 361 process. She said staff would update members when there are any changes. Hearing Board members thanked Ms. Ballatore for all of the guidance and support that she provides to Hearing Board members and the District.
8. Adjourn
The Chair adjourned the meeting at 10:24 a.m.