

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

ACTION SUMMARY MINUTES

Wednesday, December 21, 2022

1. Call Meeting to Order

The Chair, Daniel Hartwig, called the meeting to order at 10:00 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 joined at 10:06 a.m.*

3. Approval of Consent Items (9-11)

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, 2022

10. Emergency Variance Report

None

11. Next Scheduled Meeting

The next scheduled meeting is on January 18, 2023.

Public Comments: None

Moved: Soldani

Seconded: Robertson

Ayes: Mulligan, Robertson, Hartwig, Soldani

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-22-13S	Short	Vitro Flat Glass, LLC 3333 S. Peach Ave Fresno, CA 93725
B.	C-22-16S	Short	Ardagh Glass Inc. 24441 Avenue 12 Madera, CA 93637
C	C-22-17S	Short	Guardian Industries, LLC 11535 E. Mountain View Ave. Kingsburg, CA 93631

C-22-13S

Petitioners: Eric Squire

Esthela Soto presented the Staff Report.

VITRO has requested a short variance from the applicable requirements of District Rules 1080, 2070, 2201, 2520, 4101, 4354, and California Health and Safety Code (CH&SC) section 41701, in addition to the applicable conditions of the subject permits. The requested short variance will be from January 22, 2023, to January 27, 2023. If granted, the variance would allow the continued operation of the glass melting furnace and continued glass production while bypassing the emission control and monitoring systems so VITRO can perform maintenance on the EP and ancillary equipment. In addition the variance will allow excess visible emissions during the bypass. Mr. Cuthbertson clarified that they do not expect to find any additional issues during the cleaning process because the furnace and EP were recently rebuilt.

Mr. Mulligan asked if the 144 hours will reset in January and Ms. Soto confirmed. Mr. Squire clarified that this is standard annual maintenance that usually takes place in January and it is not expected to happen again until 2024.

Mr. Robertson asked if all 144 hours are expected to be used. Mr. Squire explained that the maintenance should take approximately 120 hours.

Mr. Robertson asked for clarification if the variance is for excess visible emissions as well as bypassing of the emissions monitoring system and Ms. Soto confirmed.

Public Comment: None

Moved: Soldani

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

Motion unanimously carried to approve Docket No. C-22-13S

C-22-16S

Petitioners: Manuel Salinas

Esthela Soto presented the Staff Report.

ARDAGH has requested a short variance from the applicable requirements of District Rules 2070, 2201, 2520, 4101, 4354, and California Health and Safety Code (CH&SC) section 41701 in addition to the applicable conditions of the subject permits. The requested short variance would be for a consecutive 144 hour period to occur sometime between December 24, 2022, and December 30, 2022, inclusive. If granted, the variance would allow the continued operation of Furnace #2 and continued glass production in idle mode, with excess visible emissions while ARDAGH shuts down the scrubber and EP to perform required maintenance on said emissions control equipment.

Mr. Hartwig asked for correction on page 5 of the report that was dated January 2022 and needed to be changed to 2023.

Mr. Salinas expressed that it is standard maintenance. Mr. Robertson asked if this is the first maintenance for 2022 and Mr. Salinas confirmed. Mr. Robertson asked if there would be any problems foreseen that would make them unable to complete within the 144 hours. Mr. Salinas expressed that the maintenance usually takes five days to complete and the variance request is for six days.

Public Comment: None

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

Motion unanimously carried to approve Docket No. C-22-16S

C-22-17S

Petitioners: John Roach

Esthela Soto presented the Staff Report.

ARDAGH has requested a short variance from the applicable requirements of District Rules 2070, 2201, 2520, 4101, 4354, and California Health and Safety Code (CH&SC) section 41701 in addition to the applicable conditions of the subject permits. The requested short variance would be for a consecutive 144 hour period to occur sometime between December 24, 2021, and December 30, 2021, inclusive. If granted, the variance would allow the continued operation of Furnace #2 and continued glass production in idle mode, with excess visible emissions while ARDAGH shuts down the scrubber and EP to perform required maintenance on said emissions control equipment.

Mr. Robertson asked how many times this was done in 2022, Mr. Roach did not know the exact number but did say there have been five or six emergency variances this year.

Mr. Robertson raised the question if they are expecting to request more hours in 2023. Mr. Roach clarified that this is in preparation for the big maintenance in Spring 2023.

Mr. Mulligan asked if there would be a new campaign in Spring of 2023, and Mr. Roach explained they anticipate 2026 would be the next campaign.

Public Comment: None

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

Motion unanimously carried to approve Docket No. C-22-17S

5. Public Comments: None
6. Hearing Board Comments: Board expressed thanks to the staff and were glad to see people in person.
7. New Business: Nominations and electing Chair and Vice Chair. Mr. Hartwig expressed his interest in continuing as Chair, unless anyone else would like to. Dr. Goodwin stated she would also like to continue as Vice Chair.

Mr. Mulligan moved to nominate Mr. Hartwig as Chair and Dr. Goodwin as Vice Chair.

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

Motion unanimously carried to appoint Mr. Hartwig as Chair and Dr. Goodwin as Vice Chair.

8. Adjourn
The Chair adjourned the meeting at 10:25 a.m.