

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

ACTION SUMMARY MINUTES

Wednesday, February 15, 2023

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	Absent
Daniel Hartwig – Chair	Present
Lorraine Goodwin – Vice Chair / Medical*	Present
Andrew Robertson – Engineer	Present

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 December 21, 2022

10. Emergency Variance Report

11. Next Scheduled Meeting

The next scheduled meeting is on March 15, 2023.

Public Comments: None

Moved: Robertson

Seconded: Goodwin

Ayes: Mulligan, Goodwin, Robertson, Hartwig

Nays: None

Motion unanimously carried to approve Consent Calendar Items 9-11

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-23-05S	Short	Ardagh Glass Inc. 24441 Avenue 12 Madera, CA 93637
B.	C-23-06S	Short	AERA Energy, LLC 29010 Shell Road Coalinga, CA 93210
C.	C-23-07S	Short	CertainTeed, LLC 17775 Avenue 23½ Chowchilla, CA 93610

C-23-05S

Petitioners: Manuel Salinas and Jennifer Corpuz

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) § 41701 in addition to the applicable conditions of the subject permits. The requested short variance would be for a consecutive 16 hour period to occur sometime between February 15, 2023, and March 15, 2023, 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 the required maintenance.

Mr. Mulligan asked if the petitioners are comfortable with the recommendations set forth in the variance agreement and the petitioners responded affirmatively.

Mr. Robertson asked if these new electrical problems were discovered during the last variance period, which was approved by the District in December for annual maintenance. The petitioners responded affirmatively and explained that the repairs are required for safety reasons. Mr. Robertson asked if there would be enough variance hours leftover for ARDAGH to complete the needed maintenance in addition to their regularly scheduled annual maintenance. Petitioners agreed to address both maintenance needs during the allotted 16-hour variance period.

Public Comment: None

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

Motion unanimously carried to approve Docket No. C-23-05S

C-23-06S

Petitioners: Aaron Albracht and Justin Ramsey

Shannon Moore presented the Staff Report.

AERA has requested a short variance from the applicable requirements of District Rules 2070, 2080, 2201, 2520, 4401, and 4623, in addition to applicable conditions of the subject permits. The requested short variance would be for a consecutive 48-hour period to occur sometime between February 20, 2023 and April 20, 2023, inclusive. If granted, the variance would allow AERA to continue to store VOC containing liquids at the Section 32 Dehydration Facility without a functional or operating VRS while they repair valves on the 8" main gas pipeline. In addition, it will allow wells with closed casing gas vents to produce into tanks that do not have a functional or operating VRS.

Mr. Robertson asked the petitioners what happened to the valves and they explained that the maintenance vales are not holding and need to be replaced entirely. Mr. Robertson also asked if this issue has happened before and the petitioners clarified that any shutdown of this line is extremely rare.

Mr. Mulligan asked how many wells are feeding into AERA and the petitioners shared that there are approximately 700-730 active wells but there are 980 wells in total.

Ms. Goodwin asked what revenue loss is expected by the shutdown and Shannon Moore clarified that AERA will not need to drain the tanks for this variance but the cost is approximately \$10,000-\$15,000 per tank.

Public Comment: None

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

Motion unanimously carried to approve Docket No. C-23-06S

C-23-07S

Petitioners: Ben Cuthbertson

Esthela Soto presented the Staff Report.

CERTAINTEED has requested a short variance from the applicable requirements of District Rules 1080, 2010, 2070, 2201, 2520, 4101, 4354, and CH&SC § 41701, in addition to conditions of the subject permits. The requested short variance would be for a consecutive 72 hour period to occur sometime between March 6, 2023, and March 15, 2023, inclusive. If granted, the variance would allow the exhaust stream

from the glass melting furnace to bypass the pre-conditioning chamber, caustic soda injection, EP, and CEMS while the repairs and maintenance is conducted. In addition, the variance would allow visible emissions as high as 95% opacity.

Ben Cuthbertson clarified that CERTAINTEED asked the District for a variance of 72 hours but was recently told by the facility engineers that the maintenance will likely take less than 72 hours.

Mr. Robertson asked when the last annual maintenance was completed and the petitioner confirmed it was in September of 2022. Mr. Robertson asked if this variance would cover CERTAINTEED's annual maintenance for 2023 and the petitioner responded affirmatively, stating that maintenance will not need to occur again until 2024. Mr. Robertson then asked which part of the maintenance would take longer, the electrical repair or the cleaning of the EP, and the petitioner shared that the electrical repair will take the most time since it impacts 50% of the plant.

The Chair asked how the EP has been working since it replaced in 2022 and the petitioner shared that it has been working extremely efficiently now.

Public Comment: None

Moved: Mulligan

Seconded: Robertson

Ayes: Goodwin, Mulligan, Robertson, Hartwig

Nays: None

Motion unanimously carried to approve Docket No. C-23-07S

5. Public Comments: None

6. Hearing Board Comments: None

7. New Business: None

8. Adjourn

The Chair adjourned the meeting at 10:29 a.m.