



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes for the Central Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District Governing Board Room 1990 E. Gettysburg Avenue, Fresno, CA.

**Wednesday, March 17, 2004
10:00 a.m.**

1. **Call Meeting to Order** – The Chair, James V. Glaser, MD, called the meeting to order at 10:02 a.m.

2. **Roll Call was taken and a quorum was present.**

Gerry Mulligan	Public
Robert Schumacher	Public
James B. Waterman	Attorney
Jerry K. Boren, Vice Chair	Engineer
James V. Glaser, MD, Chair	Medical

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant District Counsel, Ted Strauss and Michael Carrera, Supervising Air Quality Inspectors, Loraine Goodwin, MD, JD, Medical/Alternate Hearing Board Member and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of January 21, 2004** – The Chair asked if there were any corrections to the Minutes. The Chair, hearing no comments, declared the Minutes of January 21, 2004 approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

The Chair requested the Hearing Board Packet and any addenda brought forth in today's Hearing be entered into the Official Record.

The Chair asked if the Petitions were properly noticed and on file with the Clerk. Ms. Smith responded affirmative.

The Chair requested the petitioners sign the Sign In Sheet.

Michael Carrera presented the Staff Reports.

A.)
Docket C-03-18R, Regular Variance, Madera Power LLC, 11427 Firebaugh Road, Madera, CA. 93622. Type of Business: Electric Power Generating Facility.

Petitioners – Tim Miller, Mark de Castro and Bill Lax represented Madera Power LLC.

Mr. Miller requested that the testimony received from the January 21, 2004, Interim Variance hearing, be incorporated by reference.

Public Comments – No Public Comments.

Decision – Board Member Boren made the motion to grant the Regular Variance subject to eight conditions set forth on pages 4 and 5 of the Staff Report. Seconded by Board Member Mulligan and carried unanimously.

The Board granted a Regular Variance to Docket C-03-18R, Madera Power LLC. The required six findings set forth on pages 2 and 3 of the Staff Report were adopted by reference. The Regular Variance shall be subject to eight conditions, the eight conditions shall be set forth in the Hearing Board Order.

B.)
Docket C-04-01S, Short Variance, GWF Energy LLC, 10550 Idaho Avenue, Hanford, CA. 93230. Type of Business: Independent Electric Power Producer.

Petitioner – Mark Kehoe and Doug Wheeler represented GWF Power LLC.

The Petitioner requested Condition # 7 be revised to read: The Petitioner shall submit to the District a written report by ~~April 2, June 2, 2004~~ or no later than 15-days after the ~~installation~~ initial test date of the new SCR catalyst, whichever occurs first.

The Chair asked District staff if they had any objections to the Petitioner's stated revision to Condition # 7. District staff stated they had no objections to a revision of Condition # 7.

Public Comments – No Public Comments.

Decision – Board Member Waterman made the motion to grant the Short Variance subject to nine conditions set forth on pages 3 and 4 of the Staff Report with a revision to Condition # 7. Seconded by Board Member Mulligan and carried unanimously.

The Board granted a Short Variance to Docket C-04-01S, GWF Power LLC. The Short Variance shall be effective between March 20, 2004, and May 18, 2004, or until the replacement catalyst is installed and compliance is achieved, whichever occurs first. The required six findings set forth on pages 3 and 4 of the Staff Report were adopted by reference. The variance is subject to nine conditions with a revision to Condition # 7. The nine conditions shall be set forth in the Hearing Board Order.

5. **Emergency Variances:**

The following emergency variances orders were approved by the Central Region Hearing Board:

- | | | |
|-----|-----------------|---|
| A.) | Docket C-03-18E | The Madera Power LLC representative stated that Madera Power did not apply for an emergency variance on February 19, 2004. A correction was made to the agenda as follows:
Madera Power LLC
11427 Firebaugh Road, Fresno, Ca.
<u>GWF Energy LLC</u>
<u>10550 Idaho Ave., Hanford, CA. 93230</u> |
| B.) | Docket C-04-02E | Pacific Gas & Electric Company
67250 Helms Circle, Shaver Lake, CA. |
| C.) | Docket C-04-03E | Algonquin Power Sanger LLC
1125 Muscat Avenue, Sanger, CA. |

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – No Hearing Board Member Comments.

8. **New Business** – No New Business.

9. **Next Scheduled Meeting** – Wednesday, April 21, 2004, 10:00 a.m., Central Region Office, 1990 E. Gettysburg Avenue, Governing Board Room, Fresno, CA.

10. **Adjournment** – The Chair adjourned the meeting at 11:55 a.m.