



San Joaquin Valley Air Pollution Control District

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

**Wednesday, June 21, 2006
10:00 a.m.**

**Meeting held in the Central Region Office (Fresno) with the
Northern Region Office (Modesto) participating via VTC.**

1. **Call Meeting to Order** – The Chair, James Glaser, MD,
called the meeting to order at 10:05 a.m.

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

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

Also present in the Central Region Office (Fresno)

Catherine Tognazzini, Assistant District Counsel, Michael Carrera and Morgan Lambert, Supervising Air Quality Inspectors, Brian Dodds, Senior Air Quality Inspector and Lynn Sargenti, Senior Office Assistant.

Also present in the Northern Region Office (Modesto)

Ronald Giannone, Supervising Air Quality Inspector

3. **Approve Minutes of May 17, 2006** – The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of May 17, 2006 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

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

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

Brian Dodds presented the Staff Reports.

A.)
Docket C-06-07R, Regular Variance:
County of Fresno, 1155 M St., Fresno, CA. 93721, and
County of San Joaquin, 121 S. San Joaquin St., Stockton, CA. 95202. Type of
Businesses: Gasoline Dispensing Facilities.

Mr. Dodds announced the following revision to Recommended Condition #1 set forth on page 3 in the Staff Report:

Recommended Condition # 1,

The variance shall be effective from June 21, 2006 to June 20, 2007, ~~or until a certified Phase 1 EVR system is installed~~ or until 90 days after CARB has approved a certified Phase 1 EVR system, whichever occurs first.

Petitioners – Larry Gaither represented County of Fresno, and Dan McCann represented County of San Joaquin.

Public Comment – No Public Comment.

Decision - Board Member Schumacher made the motion to grant the variance. The required six findings set forth on pages 2 and 3 in the Staff Report were adopted by reference. The variance shall be subject to eleven recommended conditions set forth on pages 3 and 4 in the Staff Report with a language change to Recommended Condition #1. Seconded by Board Member Waterman and unanimously carried with the following roll call vote:

Ayes: **Waterman, Mulligan, Schumacher, Boren and Glaser**

Absent: **None.**

The Central Region Hearing Board approved the Regular Variance for Docket C-06-07R, the County of Fresno and the County of San Joaquin. The variance shall be effective from June 21, 2006 to June 20, 2007, or until 90 days after CARB has approved a certified Phase 1 EVR, whichever occurs first. The eleven recommended conditions with language change to Recommended Condition #1 will be set forth in the Central Region Hearing Board Order.

B.)
Docket C-06-08i, Interim Variance, **Wellhead Power Panoche, LLC**, 43649
West Panoche Road, Firebaugh, CA. 93622. Type of Business: Production of
Electricity.

Petitioner – Paul Cummins represented Wellhead Power Panoche, LLC.

Public Comment – No Public Comment.

Decision – Board Member Boren made the motion to grant the variance. The variance shall be subject to ten recommended conditions provided to the Hearing Board. Seconded by Board Member Mulligan and unanimously carried with the following roll call vote:

Ayes: ***Waterman, Mulligan, Schumacher, Boren and Glaser.***

Absent: ***None.***

The Central Region Hearing Board granted an Interim Variance to Docket C-06-08i, Wellhead Power Panoche, LLC. The variance shall only be effective from July 7, 2006 to July 19, 2006, or until the next regularly scheduled Central Region Hearing Board Meeting, or until such time that the turbine achieves compliance, whichever occurs first. The ten recommended conditions will be set forth in the Central Region Hearing Board Order.

5. **Emergency Variance: The Central Region Hearing Board approved the following emergency variance order:**

A.) Docket C-06-08E Wellhead Power Panoche, LLC

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, July 19, 2006 at 10:00 a.m., Central Region Office, 1990 E. Gettysburg Avenue, Governing Board Room, Fresno, CA.

10. **Adjournment** – The Chair adjourned the meeting at 10:45 a.m.

Meeting Clerked by
Lynn Sargenti, Senior Office Assistant
Minutes prepared by
Sissy Smith, Clerk to the Board
Central Region Hearing Board
San Joaquin Valley Unified APCD