

**Action Summary Minutes for the
Central Region Hearing Board Meeting
San Joaquin Valley Unified
Air Pollution Control District
Wednesday, January 19, 2000 at 10:00 a.m.
Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA.**

Meeting held via Video Teleconferencing (VTC) in the Central Region Office (Fresno) with the Northern Region Office (Modesto) included via VTC. The Northern Region Office is located at 4230 Kiernan Avenue, Suite 130, VTC Room, Modesto.

1. **Call Meeting to Order** – The Vice Chair, Jerry K. Boren chaired the meeting. The Chair called the meeting to order at 10:00 a.m.

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

R. Stan Azevedo	Public
James B. Waterman (absent) (alternate)	Attorney
Jerry Mulligan (alternate)	Public
Jerry K. Boren, Vice Chair	Engineer
James V. Glaser, MD, Chair (absent)	Medical

Also present in the Central Region Office (Fresno) – Philip M. Jay, District Counsel, Robert J. Kard, Director of Compliance, Wayne Clarke, Air Quality Compliance Manager, Michael Carrera, Senior Air Quality Inspector, Sharon Wedro, Air Quality Inspector I and Sissy Smith, Clerk to the Boards.

Also present in the Northern Region Office (Modesto)
Roland Brooks, Air Quality Compliance Manager and Michael Escotto, Supervising Air Quality Inspector.

3. **Approve Minutes of December 15, 1999** – The Minutes of December 15, 1999 were approved as submitted.

4. **Public Hearings:**

All persons testifying were sworn in by the Chair.

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

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

The Chair requested that the Petitioners put their names on the Sign In Sheet.

Michael Carrera presented the Staff Report

Withdrawn

A.)

Docket No. C-00-01i, Interim Variance, Creations Manufacturing, Inc., 5843 E. Brown, Fresno, CA. 93727

Continued from December 15, 1999

B.)

Docket No. C-98-28PDX, Product Extension, Wilsonart International, 2400 Wilson Place, Temple, Texas 76504. Type of Business: Contact Adhesive Category (General Use)

Petitioner – Jim Wilson and Bob Maindelle represented Wilsonart International.

Wilsonart International provided the Board and staff with an Information Packet for Wilsonart Variance Extension Hearing C-98-28-PDX and Wilsonart Variance Hearing C-99-09P, January 19, 2000.

Correspondence: January 17, 2000, to: Chairman Glaser and Members of the Hearing Board, from: Wilsonart International, Re: Amendments to Variance Extension Application (C-98-28PDX)

Public Comments In Favor of the Board Granting the Extension (Central Region Office, Fresno) - Richard Regalado, Western Building Materials, Rocky Pisor, SolMark, Alan Spano, California Countertops, Dave Renner, Laminate Manufacturing.

Public Comments Opposed to the Board Granting the Extension (Central Region Office, Fresno) No Public Comments.

The Chair sworn in Daniel Brown and James Munoz in the Northern Region Office (Modesto)

Public Comments in Favor of the Board Granting the Extension (Northern Region Office, Modesto) – Daniel Brown, cabinet shop owner, Dewey Verhage, Western Building Materials, James Munoz, Counter Tops Plus

Public Comments Opposed to the Board Granting the Extension (Northern Region Office, Modesto) – No Public Comments.

Correspondence for the record:

January 14, 2000 from: SolMark, to: San Joaquin Valley Unified Air Pollution Control District, supporting the Variance request.

Decision moved down on the Agenda.

Wayne Clarke presented the Staff Report

Continued from Wednesday, December 15, 1999

C.)

Docket No. C-99-09PD, Product Variance, Wilsonart International, 2400 Wilson Place, Temple, Texas 76504. Type of Business: Contact Adhesive-Specialty Category.

Petitioner - Jim Wilson and Bob Maindelle represented Wilsonart International.

Wilsonart International provided the Board and staff with an Information Packet for Wilsonart Variance Extension Hearing C-98-28-PDX and Wilsonart Variance Hearing C-99-09P, January 19, 2000.

Public Comments – No Public Comments.

Decision – A motion was made by Mr. Azevedo to grant the product variance and the required five findings set forth on pages 3 and 4 of the Staff Report be adopted by this Board by reference. The motion was seconded by Mr. Mulligan and carried unanimously with the following **Roll Call Vote:**

Ayes: Azevedo, Mulligan and Boren.

Noes: None.

Abstain: None.

Absent: Waterman and Glaser.

Therefore, the Board took the following action: granted a Product Variance to Docket No. C-99-09PD, Wilsonart International. The variance shall occur between January 1, 2000 and July 1, 2000. The variance is subject to five conditions (condition 4.C was deleted during the hearing) set forth on pages 4 and 5 of the Staff Report which will be set forth in the Order.

The Board continued with the remainder of the Agenda.

5. **Public Comments** – Debby Brown, Keyston Brothers, raised an issue regarding companies in the Fresno area using non-compliant adhesives. Ms. Brown asked if the District was going to enforce this rule to make it a fair playing field for the rest of the companies that are trying to comply with District rules.

The Chair suggested Ms. Brown talk to staff after the meeting.

Mark Robinson, Western Building Materials, stated that his concern is with the diligence and hard work that Wilsonart has put forward over the last two years with the hearing board meetings. Mr. Robinson asked if other companies would be able to sell their products without going through the same process as Wilsonart.

The Chair stated that if other companies wanted to sell their non-compliant product they also would have to come before the hearing board for a variance.

6. **New Business** – No New Business.
7. **Next Scheduled Meeting** – Wednesday, February 16, 2000 at 10:00 a.m., Central Region Office Building, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, CA.

Decision for
B.)

Docket No. C-98-28PDX, Wilsonart International, 2400 Wilson Place, Temple, Texas 76504.

Decision – A motion was made by Mr. Mulligan to approve the Product Variance. The Board discussed the five required findings set forth on pages 3, 4, and 5 and concurred the findings could be made. The motion was seconded by Mr. Azevedo and carried unanimously with the following **Roll Call Vote:**

Ayes: ***Azevedo, Mulligan and Boren.***
Noes: ***None.***
Abstain: ***None.***
Absent: ***Waterman and Glaser.***

Therefore, the Board took the following action: approved the Product Variance Extension for Docket No. C-98-28PDX, Wilsonart International. The variance shall occur between January 1, 2000 and December 31, 2000. The variance is subject to eight conditions which shall be set forth in the Order.

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8. **Adjournment** – The Chair adjourned the meeting at 12:11 p.m.

Sissy Smith, Clerk to the Boards
Central Region Hearing Board
San Joaquin Valley Unified APCD