



# San Joaquin Valley Air Pollution Control District

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David L. Crow  
Executive Director/  
Air Pollution Control Officer

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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, July 16, 2003  
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.**

Robert Schumacher ( <b>Alternate</b> )	Public
Gerry Mulligan	Public
James B. Waterman ( <b>Alternate</b> )	Attorney
Jerry K. Boren, <b>Vice Chair</b>	Engineer
James V. Glaser, MD, <b>Chair</b>	Medical

**Also present** – Meggin Boranian, Assistant District Counsel, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of February 19, 2003** – The Chair asked if there were any corrections to the Minutes. The Chair hearing no comments declared the Minutes of February 19, 2003 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. Ms. Smith responded affirmative.

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

The Chair requested the petitioners sign the Sign In Sheet.

Michael Carrera presented the Staff Reports.

A.)  
Docket C-03-05S, Short Variance, SK Foods Inc., 1175 19<sup>th</sup> Street, Lemoore, CA. 93245-0160. Type of Business: Tomato Processing Facility.

**Petitioners** – Mike MacDonald and Norm Brais, represented SK Foods Inc.

The petitioners provided the Board with a 4 page handout pertaining to their variance request.

**Public Comment** – No Public Comment.

**Decision** – The Board discussed the required six findings set forth on pages 3 and 4 of the Staff Report and determined the findings could be made. Board Member Boren made the motion to grant the variance subject to thirteen conditions (with revisions to #4 and #5). Seconded by Board Member Waterman and carried unanimously.

*The Board granted a Short Variance to Docket C-03-05S, SK Foods, Inc. The variance shall be effective for the 90-day period between July 10, 2003 and October 7, 2003, or until compliance is achieved, whichever occurs first. The thirteen conditions with revisions to #4 and #5 will be set forth in the Order.*

B .)  
Docket C-03-07i, Interim Variance, NEO California Power LLC, 16457 Avenue 24 ½, Chowchilla, CA. 93610. Type of Business: Electric Power Generating Facility.

**Petitioners** – Tim Heming and Greg Hughes represented NEO California Power LLC.

**Public Comment** – No Public Comment.

**Decision** – The Board determined the variance be granted for good cause in respect to the required findings. Board Member Waterman made the motion to grant the variance subject to twelve conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Boren and carried unanimously.

*The Board granted an Interim Variance to Docket C-03-07i, NEO California Power LLC. The variance shall be effective from noon on July 16, 2003 to noon on August 20, 2003, or until compliance is achieved, whichever occurs first. The twelve conditions shall be set forth in the Order.*

5. **Administrative Agenda – Receive and File** – The Central Region Hearing Board received and filed the following emergency variance petitions:
  - A.) Docket C-03-03E                      Sanger Power LLC  
1125 Muscat Avenue, Sanger, CA. 93657
  - B.) Docket C-03-04E                      CertainTeed Corporation  
17775 Avenue 23 ½ , Chowchilla, CA. 93610
  - C.) Docket C-03-06E                      Coalinga Cogeneration Company  
32812 Gale Avenue, Coalinga, CA.
  - D.) Docket C-03-07E                      NEO California Power LLC  
16457 Avenue 24 ½, Chowchilla, 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, August 20, 2003, 10:00 a.m., Central Region Office, 1990 E. Gettysburg Avenue, Governing Board Room, Fresno, CA.
10. **Adjournment** – The Chair adjourned the meeting at 11:19 a.m.

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