



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, September 17, 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.**

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

Also present: Philip M. Jay, District Counsel, Ted Strauss, Supervising Air Quality Inspector, Errol Villegas, Senior Air Quality Engineer and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of August 20, 2003** – The Chair asked if there were any corrections to the Minutes. The Chair hearing no comments declared the Minutes of August 20, 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.

Staff Report presented by Ted Strauss with additional testimony provided by Errol Villegas.

A.) Continued from August 20, 2003
Docket C-03-07R, Regular Variance, NEO California Power LLC, 16457 Avenue 4 ½ , Chowchilla, CA. 93610. Type of Business: Electric Power Generating Facility.

Petitioner – Tim Hemig and Greg Hughes represented NEO California Power LLC.

Public Comment – No Public Comment.

Decision – The Board discussed the required six findings set forth on 4 and 5 and concurred the findings could be made. Board Member Boren made the motion to grant the variance subject to sixteen conditions set forth in the Staff Report on pages 5, 6, and 7. Seconded by Board Member Schumacher and carried unanimously.

The Board granted a Regular Variance to Docket C-03-07R, NEO California Power LLC. The Regular Variance shall be effective from September 17, 2003, through the date Permit Services takes final action on the ATC applications under Project No. C103496, or February 27, 2004, whichever is sooner. The sixteen conditions will be set forth in the Order.

The Board requested staff to advise them of the outcome of the variance.

Michael Carrera presented the Staff Report

Mr. Carrera advised the Board the next hearing will be conducted via telephone conference

B.)
Docket C-03-09S, Short Variance, Western Co-Gen, LLC, 100 W. Alluvial Avenue, Clovis, CA. 93611. Type of Business: Electric Power and Steam Generation Facility.

Petitioner – Andrew McCracken and Jonathan Bruser represented Western Co-Gen, LLC.

The Chair swore in Mr. McCracken and Mr. Bruser.

Public Comment – No Public Comment.

Decision – The Board concurred the required six findings could be made. Board Member Schumacher made the motion to grant the variance subject to eight conditions set forth on page 4 of the Staff Report. Seconded by Board Member Waterman and carried unanimously.

The Board granted a Short Variance to Docket C-03-09S, Western Co-Gen, LLC. The variance shall be effective from September 2, 2003 to October 31, 2003, or until compliance testing has been conducted, whichever occurs first. The eight conditions will be set forth in the Order.

Docket C-03-11 moved up on the agenda

D.)
Docket C-03-11S, Short Variance, PPG Industries, 3333 S. Willow Avenue, Fresno, CA. 93725. Type of Business: Flat Glass Manufacturer.

Petitioner – Patricia O’Toole, Mary Bowen and James Parsons represented PPG Industries.

Public Comment – No Public Comment.

Decision – The Board concurred the required six findings could be made. Board Member Boren made the motion to grant the variance subject to nine conditions set forth in the Staff Report on pages 4 and 5. Seconded by Board Member Waterman and carried unanimously.

The Board granted a Short Variance to Docket C-03-11S, PPG Industries. The variance shall be effective from September 15, 2003 to November 13, 2003, or until compliance is achieved, whichever occurs first. The nine conditions will be set forth in the Order.

Break at 11:11 a.m.

Reconvened from Break at 11:18 a.m.

C.)
Docket C-03-10S, Short Variance, Rio Bravo Fresno, 3350 S. Willow Avenue, Fresno, CA. 93725. Type of Variance: Electric Power Generating Facility.

Petitioner – Dr. Ted Guth and Eric Bomgardner represented Rio Bravo Fresno.

Public Comment – No Public Comment.

