



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes for the Southern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 2700 M Street, Suite 275 Video Teleconferencing (VTC) Room Bakersfield, CA.

Wednesday, September 11, 2002 10:00 a.m.

Meeting held via video teleconferencing (VTC) with the Central Region Office (Fresno) included via VTC.

1. **Call Meeting to Order** – The Chair, Hollis B. Carlile, called the meeting to order at 10:00 a.m.
2. **Roll Call was taken and a quorum was present.**

Kimm Wolber	Medical
Andrew C. Thomson	Attorney
Marvin Dean (*)	Public
William L. Bland, Jr., Vice Chair	Public
Hollis B. Carlile, Chair	Engineer

(*) Arrived during Item A.)

Also present in the Southern Region Office (Bakersfield)

Creighton Smith, Supervising Air Quality Inspector, Patrick Houlihan, Air Quality Inspector and Allan Phillips, Supervising Air Quality Engineer.

Also present in the Central Region Office (Fresno) – Philip M. Jay, District Counsel, Robert J. Kard, Director of Compliance, Ted Strauss, Supervising Air Quality Inspector, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

The Chair requested that the Petitioners sign the Sign in Sheet.

The Chair asked if the Petitions had been properly noticed and on file with the Clerk to the Board. Ms. Smith responded affirmative.

Note: The Board approval of Item # 3, Approve Minutes of August 14, 2002 was omitted, clerk error. This statement was added on October 11, 2002.

The Chair requested that the Hearing Board Packet and any additional materials provided during the hearing be entered into the Official Record.

All persons testifying were sworn in by the Chair.

4. **Public Hearing:**

Michael Carrera presented the Staff Reports.

A.)
Docket S-02-31i, Interim Variance, Shell Pipeline Company, L. P., (Carneras Pump Station), SW34, T27E, R20E, Lost Hills, CA. Type of Business: Petroleum Pipeline Pump Station.

Petitioners – Mike Bringham and Noel Kurai represented Shell Pipeline Company L.P.

Public Comments – No Public Comments.

Decision – Board Member Thomson made the motion to continue the hearing for two months to allow both Shell and the District to make a determination as to whether the particular unit was and is in compliance. Seconded by Board Member Wolber and carried with the following **Roll Call Vote:**

Ayes: ***Wolber, Thomson, Bland and Carlile.***

Abstain: ***Dean.***

The Board continued Docket S-02-31i, Interim Variance, Shell Pipeline Company L. P. hearing for two months.

B.)
Docket S-02-21R, Regular Variance, Cheese & Protein Inter., Inc., 800 E. Page Avenue, Tulare, CA. 93274. Type of Business: Milk Processing Facility

Robert J. Kard, Director of Compliance and Creighton Smith, Supervising Air Quality Inspector provided additional comments.

Petitioners – Jeff Davis, John Gravito, Denise Emler and Chris Scheidt represented Cheese & Protein Inter., Inc.

Public Comments – No Public Comments.

Decision – Board Member Bland made the motion that the variance be granted subject to revised eleven conditions handed out during the meeting. The conditions were *(revised to ten conditions, Item #5 was deleted and amendments were made to Item # 4 and Item # 7:*

Item # 4 During the variance period the CO emissions shall not exceed 750 pounds per day and/or whatever permit limit is applied for by the Petitioner.

Item # 5 Delete

Item # 7 When the subject dryer is in operation, the Petitioner shall conduct and record emissions monitoring once every four hours or once per run, using a properly calibrated emissions analyzer.

Board Member Bland requested that the required six findings set forth on pages 2 and 3 of the Staff Report be incorporated in the motion by reference.

Seconded by Board Member Wolber and carried unanimously with the following

Roll Call Vote:

Ayes: *Wolber, Thomson, Dean, Bland and Carlile.*

Absent: *None.*

The Board granted a Regular Variance to Docket S-02-21R, Cheese & Protein Inter., Inc. The variance shall allow continued operation of the subject dryer unit with excess CO emissions from September 12, 2002, until a supportable compliance option can be chosen and implemented, but this source shall be in full compliance by no later than April 6, 2003. The ten conditions shall be set forth in the Order.

Break at 11:02 a.m.
Reconvened from Break at 11:07 a.m.

C.)
Docket S-02-30S, Short Variance, Aera Energy LLC, 59231 Main Camp Road, McKittrick, CA. 93251. Type of Business: Crude Oil & Natural Gas Production Facility

Petitioners – John Haley and C. P. Tufts represented Aera Energy LLC.

Public Comments – No Public Comments.

Decision – Board Member Dean made the motion to grant the variance subject to thirteen conditions set forth on pages 3, 4, and 5 of the Staff Report. Board

Member Dean requested that the required six findings set forth on pages 2 and 3 of the Staff Report be incorporated in the motion by reference. Seconded by Board Member Bland and carried unanimously with the following **Roll Call Vote:**

Ayes: **Wolber, Thomson, Dean, Bland and Carlile.**

Absent: **None.**

The Board granted a Short Variance to Docket S-02-30S, Aera Energy LLC. The variance period shall be effective between September 11, 2002 and December 9, 2002, or until compliance is achieved, whichever occurs first. The thirteen conditions shall be set forth in the Order.

The Chair, Hollis B. Carlile, indicated a conflict of interest in respect to D.) Docket S-02-32S, Chevron USA, Inc. and E.) Docket S-02-33S, Chevron USA, Inc. Therefore, Mr. Carlile left the dais for this portion of the hearing.

Vice Chair, William L. Bland, Jr., chaired this portion of the hearing.

The Vice Chair requested that the following items be heard at the same time. Staff indicated that the two items are separate facilities and would prefer they be heard separately.

D.)
Docket S-02-32S, Short Variance, Chevron USA, Inc., Section NE05, T29S, R28E, Bakersfield, CA. Type of Business: Steam Enhanced Crude Oil Production Facility.

Petitioners – Gene Blanton, Gary Smith, Betty Coppersmith and Dave Bone represented Chevron USA, Inc.

Public Comments – No Public Comments.

Decision – Board Member Dean made the motion to grant the variance subject to nine conditions set forth on pages 3 and 4 of the Staff Report. Board Member Dean requested that the required six findings set forth on pages 2 and 3 of the Staff Report be incorporated in the motion by reference. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

Ayes: **Wolber, Thomson, Dean and Bland.**

Excused: **Carlile.**

The Board granted a Short Variance to Docket S-02-32S, Chevron USA, Inc. The period of the variance shall be from September 16, 2002 to September 30, 2002, or until compliance is achieved, whichever occurs first. The nine conditions shall be set forth in the Order.

E.)

Docket S-02-33S, Chevron USA, Inc., Section 03, T29S, R28E, Bakersfield, CA.
Steam Enhanced Crude Oil Production Facility

Petitioners - Gene Blanton, Gary Smith, Betty Coppersmith and Dave Bone represented Chevron USA, Inc.

Public Comments – No Public Comments.

Decision – Board Member Dean made the motion to grant the variance subject to ten conditions set forth on pages 3 and 4 of the Staff Report. Board Member Dean requested that the required six findings set forth on 2 and 3 of the Staff Report be incorporated in the motion by reference.

(Staff requested the following language change to: Condition # 4, The variance shall allow the production well system to be ~~disconnected~~ isolated from the casing vapor collection system during the repair of the heat exchanger).

Board Member Dean **amended** his motion to include staff's requested language change. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

Ayes: *Wolber, Thomson, Dean and Bland.*

Excused: *Carlile.*

The Board granted a Short Variance to Docket S-02-33S, Chevron USA, Inc. The period of variance shall be from September 12, 2002 to September 22, 2002, or until compliance is achieved, whichever occurs first. The ten conditions shall be set forth in the Order.

The Vice Chair, William L. Bland, Jr., relinquished the chairmanship back to the Chair, Hollis B. Carlile. Mr. Carlile chaired the remainder of the hearing.

F.)

Docket S-02-28S, Short Variance, Energy Transfer – Hanover Ventures, LP, Section 09, T31S, R22E, Fellows, CA. Type of Business: Electrical Power Generating Facility.

Petitioners – Mary Jane Wilson provided the Board with correspondence from Energy Transfer – Hanover Ventures, LP certifying Ms. Wilson to act as agent for Hanover Ventures, dated: September 6, 2002.

Public Comments – No Public Comments.

Decision – Board Member Bland made the motion to grant the variance subject to eight conditions set forth on pages 3 and 4 of the Staff Report with the following language added to

Condition # 4. The Petitioner shall continue operating the SCR and ammonia injection system, whenever possible, Furthermore, NOx emissions shall not exceed an upper limit of 10 ppm, as recorded by the CEM NOx analyzer, except during testing when uncontrolled NOx emissions are not to exceed 24.4 lbs./day.

Board Member Bland requested that the required six findings set forth on pages 2 and 3 of the Staff Report be incorporated in the motion by reference.

Seconded by Board Member Wolber, the motion carried with the following **Roll Call Vote:**

Ayes: *Wolber, Thomson, Bland and Carlile.*
Noes: *Dean.*
Absent: *None.*

The Board granted a Short Variance to Docket S-02-28S, Energy Transfer – Hanover Ventures, LP. The variance period shall be effective from August 28, 2002 to November 20, 2002, or until compliance is achieved, whichever occurs first. The eight conditions shall be set forth in the Order.

5. **Administrative Agenda – Receive and File** - The Southern Region Hearing Board has not approved an emergency variance order since August 14, 2002.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments**

Note: During the July 10, 2002 Southern Region Hearing Board Meeting Mr. Dean stated that he had questions pertaining to Emergency Variances. The Board discussed the issue and the Chair noted that Mr. Dean would be putting his questions together in a written format for discussion during the August 14, 2002 Southern Region Hearing Board Meeting

Note: During the August 14, 2002 Southern Region Hearing Board Meeting Board Member Dean apologized for not having his questions together in a written format pertaining to Emergency Variances. Board Member Dean noted that he would prepare his questions in a written format for the September 11, 2002 Southern Region Hearing Board Meeting.

Note: During the September 11, 2002 Southern Region Hearing Board Meeting Board Member Dean apologized for not having his questions together for today's meeting. Board Member Dean stated that his questions were currently in draft form but he wanted to discuss them with the Chair after today's meeting before

releasing them. Board Member Dean stated that his questions would be ready for the October 9, 2002 Southern Region Hearing Board Meeting.

8. **New Business** – No New Business.
9. **Next Scheduled Meeting** – Wednesday, October 9, 2002 at 10:00 a.m. The meeting will be held via video teleconferencing (VTC) in the Southern Region Office, 2700 M Street, Suite 275, VTC Room, Bakersfield with the Central Region Office (Fresno) participating via VTC.
10. **Adjournment** – The Chair adjourned the meeting at 12:06 p.m.

Sissy Smith, Clerk to the Board
Southern Region Hearing Board
San Joaquin Valley Unified
Air Pollution Control District