

**San Joaquin Valley Air Pollution Control District
NORTHERN REGION HEARING BOARD MEETING**

Northern Region Office Magnolia Room
4800 Enterprise Way, Modesto, CA 95356

ACTION SUMMARY MINUTES

Wednesday, November 5, 2008

*Meeting held via teleconferencing with the
Central Region Office (Fresno) participating via teleconferencing.*

AGENDA

1. CALL MEETING TO ORDER The Chair, Mark Kanai, called the meeting to order at 10:02 a.m.

2. ROLL CALL

Roger Gohring—public	Present
Gerald Schneider—public	Present
Steve Benak, MD—medical	Present
Alexander Scheflo—engineer	Absent
Mark A. Kanai (Chair)—attorney	Absent

Staff present—Northern Region (Modesto): Ron Giannone, Supervising Air Quality Inspector, Yousif Zardo, Air Quality Inspector I, Michael Hamaguchi, Air Quality Inspector I.

Central Region (Fresno): Catherine Redmond, District Counsel; Patrick Houlihan, Senior Air Quality Specialist, Vicki Christie, Senior Office Assistant.

3. APPROVE MINUTES OF September 3, 2008-- The minutes were approved.

4. PUBLIC HEARING:
The Chair swore in all those present to testify for all matters.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
A. N-08-13i	Interim	Equilon Enterprises LLC, dba Shell Oil Products US 3515 Navy Drive Stockton, CA 95203

Petitioners: Christine Davies

Patrick Houlihan presented the report. Stockton CoGen Company has requested an interim variance, to be followed by a regular variance and is seeking partial retroactive relief as they submitted their petition October 2, 2008 and continue to be in violation on the date of this Hearing Board.

The District believes that good cause can be made and recommends that Equilon Enterprises be granted the interim variance with the conditions on page three and four of the report with the following corrections. #1 Variance shall be effective from October 2, 2008 to December 3, 2008. #5. Christine Davies states that due to the confined space in the subject tank, weekly monitoring with OVA is not possible. Equilon requests a change to an LEL meter.

Public Comment: None

Motion: Gohring Second: Benak

Ayes: Benak, Schneider, Gohring

Nays: None

The Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. N-08-14S	Short	Owens-Brockway Glass Container Inc 14700 W Schulte Road Tracy, CA 95377

Petitioners: Bob Neal

Patrick Houlihan presented the report. Owens has requested a short variance to replace the CEMS and COMS systems to ensure continuous future monitoring. The requested variance period would be a consecutive 10-day period to occur between November 10, 2008 and December 20, 2008. Bob Neal states that work is to begin on November 10, 2008.

The District believes that the required findings can be made and recommends that Owens-Brockway be granted the short variance with the conditions on page three and four of the report

Public Comment: None

Motion: Benak Second: Gohring

Ayes: Benak, Schneider, Gohring
Nays: None

The Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report.

5. EMERGENCY VARIANCE—None.
6. PUBLIC COMMENTS-- No public comment.
7. HEARING BOARD MEMBER COMMENTS—None.
8. NEW BUSINESS-- No new business.
9. NEXT SCHEDULED MEETING--The next scheduled meeting is December 3, 2008. The Meeting will be held via teleconferencing in the Northern Region Office (Modesto) with the Central Region Office (Fresno) participating via teleconferencing.
10. ADJOURN-- The Chair adjourned the meeting at 10:19 a.m.