

**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, December 3, 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 10:0 a.m.

2. ROLL CALL

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

Staff present—Northern Region (Modesto): Ron Giannone, Supervising Air Quality Inspector.

Central Region (Fresno): Patrick Houlihan, Senior Air Quality Specialist, Ryan Hayashi, Supervising Air Quality Specialist, Vicki Christie, Senior Office Assistant.

Patrick Houlihan introduced Ryan Hayashi as the new supervisor for the Variance Program.

3. APPROVE MINUTES OF November 5, 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-08-13R	Regular	Equilon Enterprises LLC, dba Shell Oil Products US 3515 Navy Drive Stockton, CA 95203

Petitioners: Christine Davies

Patrick Houlihan presented the report. Equilon was granted an interim variance on November 5, 2008, allowing them to operate until today's hearing board. Equilon has requested a regular variance to be effective from December 3, 2008 to June 1, 2009 and if granted, would allow Equilon to continue storing VOC containing fluids in the subject tank that has gaps in excess of the limits established by Rule 4623 and the conditions on the PTO.

The District believes that the six findings can be made and recommends that Equilon Enterprises be granted the regular variance with the conditions on page three and four of the report with the following corrections.

Petitioner's Comments: When asked why variance was necessary for a six-month time period, Christine Davies stated that the part needed to make the repair was coming from an outside vendor and they were at the mercy of supply and demand. She did state that they were expecting repairs to be made in January and six months would not be necessary.

Public Comment: None

Motion: Scheflo Second: Benak

Ayes: Benak, Scheflo, Kanai

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— The Northern Region Hearing Board approved the following emergency variance orders: Docket No. N-08-15#, Gallo Glass Company; Docket No. N-08016E, Gallo Glass Company.
6. PUBLIC COMMENTS-- No public comment.
7. HEARING BOARD MEMBER COMMENTS—None.
8. NEW BUSINESS—Election of Hearing Board chair and vice chair for 2009.

Mark Kanai made the motion to continue with Mark Kanai as Chair and Gerald Schneider as Vice-Chair. Motion was seconded by Steve Benak.

The Hearing board voted unanimously to pass the Motion.

9. NEXT SCHEDULED MEETING--The next scheduled meeting is January 7, 2009. 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.