

**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, September 2, 2009

*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 10:05 a.m.

2. ROLL CALL

| | |
|----------------------------------|---------|
| Roger Gohring - Public | Present |
| Gerald Schneider - Public | Absent |
| Steve Benak, MD - Medical | Present |
| Alexander Scheflo - Engineer | Absent |
| Mark A. Kanai (Chair) - Attorney | Present |

Staff present:

Northern Region (Modesto): John Cadrett, Compliance Manager, Ron Giannone, Supervising Air Quality Inspector, Craig Mitchell, Senior Air Quality Inspector, Richard Wright, Air Quality Inspector II.

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

3. APPROVE MINUTES OF July 1, 2009

The Chair asked if there were any comments regarding the Minutes for July 1, 2009. Hearing no comments the Chair declared the minutes were approved as submitted.

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-08-03R2 | Regular | Gallo Cattle Company 10561 W Hwy 140 Atwater, CA 95301 |

Petitioner: Carl Morris

Patrick Houlihan presented the report.

Patrick Houlihan made a correction to the petitioner's request. The word "extension" in the third sentence should say "variance".

Mr. Houlihan made another correction to condition 6A in the last sentence. It should have read "weekly testing" rather than "monthly testing"

Petitioner Carl Morris clarified that installation will be complete by the end of September. He stated that daily testing for conditions 6 E, 6F1 and 6F2 would take an excessive amount of time. Gallo does not have adequate staff to conduct daily testing and it would be a hardship. He asked of the possibility of changing testing to weekly for those conditions.

Patrick Houlihan stated that Permit Services needs to collect as much data as possible to set Best Available Control Technology (BACT). Ramifications of BACT could affect the dairy industry for the entire San Joaquin Valley.

Phillip Jay restated the District's reason for daily testing.

Mark Kanai suggested a compromise of Monday through Friday, rather than seven days per week would be sufficient information during the installation process. After installation daily testing will begin.

After discussion it was agreed that the mistype in 6A would be corrected to weekly testing. 6E would remain weekly and the requirement to test the gas moisture would also fall under this section. 6F1, prior to scrubber would be Monday, Wednesday and Friday weekly, and after the scrubber would be daily. 6F2 will be deleted as it now falls under 6E. These changes are for the entire period of September 2, 2009 through December 31, 2009.

The District believes that the six required findings can be made and recommends that the Gallo Cattle Company be granted the regular variance with the conditions as stated on pages four, five and six of the report.

Public Comment:

None

Motion: Benak
Second: Gohring

Ayes: Benak, Kanai, Gohring
Nays: None

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

| <u>Docket No.</u> | <u>Type</u> | <u>Company Name</u> |
|-------------------|-------------|--|
| B. N-09-06S | Short | Sumiden Wire Products Corp. 1412 El Pinal Drive Stockton, CA 95205 |

Petitioners: Bill Palmer, Plant Manager and Wayne Mannor, Consultant

Patrick Houlihan presented the report.

Petitioner, Wayne Mannor agrees to all the conditions with the exception of 9C. He explained that currently the boiler and two hot water heaters share the gas meter line and at this time it is not possible to separate them.

Mr. Mannor also stated that Sumiden's testing company, McNulty, is not CARB certified.

After discussion between District staff it was decided that condition 9C will be deleted. Fuel usage will not be required since there is a requirement to test the emissions of the boiler with a portable analyzer.

Mr. Houlihan advised that McNulty does not have to be CARB certified to test the boiler with a portable analyzer, but that a CARB certified contractor will be necessary to source test. CARB certified source testing companies are listed on the District's website and he could direct Mr. Mannor to that site in order to select a certified company.

Hearing Board Comments:
None.

The District believes that the six required findings can be made and recommends that the Sumiden Wire Products be granted the short variance with the conditions as stated on pages three and four of the report.

Public Comment:
None

Motion: Gohring
Second: Benak

Ayes: Benak, Kanai, Gohring
Nays: None

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

5. EMERGENCY VARIANCE

The Northern Region Hearing Board heard and approved the following emergency variance orders since the July 1, 2009 Hearing.

- A. Docket N-09-05E – Stockton CoGen Company
- B. Docket N-09-06E – Sumiden Wire Products Corporation

6. PUBLIC COMMENTS

No public comment.

7. HEARING BOARD MEMBER COMMENTS

No comment.

8. NEW BUSINESS

None.

9. NEXT SCHEDULED MEETING

The next scheduled meeting is October 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 11:03 a.m.