

**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, June 2, 2010

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

MINUTES

1. CALL MEETING TO ORDER

The Chair, Mark Kanai, called the meeting to order at 10:00 a.m.

2. ROLL CALL

Roger Gohring - Public	Present
Gerald Schneider - Public	Present
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, John Cadrett, Compliance Manager, Scott Van Dyken, Air Quality Inspector

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

3. APPROVE MINUTES OF November 4, 2009

The Chair asked if there were any comments regarding the Minutes for November 4, 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-10-03S	Short	Pilkington North America 500 E Louise Avenue Lathrop, CA 95330

Petitioner: Xiaosong Wang, Environmental Manager

Patrick Houlihan presented the Staff Report with one correction.

On page two of the Staff Report, strike the last sentence and replace with *“There is not expected to be any visible emissions outside of the buildings. The buildings will contain all the particulate matter. The District does not expect any visible emissions to exit the buildings.”*

The District believes that the required findings can be made and recommends that Pilkington North America be granted a short variance with the conditions as stated on pages four, five and six of the report with further changes to Conditions #4 and #7.

Strike Condition #4 and replace with *“No visible emissions shall emanate from the subject buildings.”*

Strike the first sentence in Condition #7 and replace with *“PNA shall monitor visible emissions during the variance period from building exits or any other openings that could allow visible emissions to escape.”* The rest of that paragraph is to remain intact.

Mr. Kanai asked why District permits do not provide for any routine or preventative maintenance periods. He asked if it could be considered in order to save both the facilities and the District money.

Mr. Houlihan explained that the District is starting to include that in some of the rules. They will allow a source to add maintenance periods to their permits if they apply for a new permit. However, that might require the source to surrender some of its Emission Reduction Credits to allow for the excess pollution. The District is considering more provisions for this.

Mr. Wang commented that Mr. Kanai’s suggestion is excellent and he would like to see this proposal considered by the District.

Public Comment:

None

Motion: Schneider
Second: Benak

Ayes: Benak, Kanai, Gohring, Schneider, Scheflo
Nays: None

The Hearing Board voted 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 since the November 4, 2009 Hearing.

- A. Docket N-10-01E- Thermal Energy Development Partnership, LP
- B. Docket N-10-02E- Thermal Energy Development Partnership, LP

5. PUBLIC COMMENTS

No public comment.

6. HEARING BOARD MEMBER COMMENTS

No comment.

7. NEW BUSINESS

Election of Hearing Board Chair and Vice Chair for 2010.

A motion was made to maintain the current slate of officers.

Motion: Benak
Second: Scheflo

Ayes: Benak, Kanai, Gohring, Schneider, Scheflo
Nays: None

The Hearing Board voted to pass the Motion to keep Mr. Kanai as Chair and Mr. Schneider as Vice Chair for 2010.

8. NEXT SCHEDULED MEETING

The next scheduled meeting is July 7, 2010. The meeting will be held via teleconferencing in the Northern Region Office (Modesto) with the Central Region Office (Fresno) participating via teleconferencing.

9. ADJOURN

The Chair adjourned the meeting at 10:13 a.m.