

**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 1, 2011

*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 10:03 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,
Michael Hamaguchi, Air Quality Inspector.

Central Region (Fresno): Patrick Houlihan, Senior Air Quality Specialist, Ryan
Hayashi, Supervising Air Quality Specialist, Catherine Redmond, Legal Counsel,
Vicki Christie, Acting as Clerk to the Board.

3. APPROVE MINUTES OF March 2, 2011

The Chair asked if there were any comments regarding the Minutes for March 2,
2011. 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-11-04R	Regular	Pacific Ethanol Stockton, LLC 3028 Navy Drive Stockton, CA -5206

Petitioners: Kirk Lund; Chris Campbell, Attorney

Patrick Houlihan presented the Staff Report.

Pacific Ethanol Stockton (PES) has requested a regular variance from the requirement of District Rules 1081, 2010, 2201, 4305, 4306 and 4320 in addition to the applicable conditions of the Authorities to Construct (ATCs). The requested variance period would be from May 10, 2011 until July 1, 2011. If granted, the variance would allow boiler #2 to emit excess NOx emissions while it is being tuned after having the new control panel installed. In addition, the variance would allow for the postponement of the required compliance source test.

Mr. Lund clarified that although PES has requested five days, they expect to complete the work in one day. The extra days are to coordinate with contractors.

Mr. Gohring asked if Condition #6 was correct. Patrick confirmed that it is correct as written.

Mr. Schneider asked about granting retroactive approvals in the past. Ms. Redmond said that the District had discussed this in the past, and the policy that the District implemented is that as long as there are no excess emissions, and it's just to cover the period for a technical reason, which is the case here, the District is OK with retroactive approvals.

Mr. Campbell stated that by the time PES knew they would not be able to complete the project, it was too late to get on the docket for the May Hearing Board.

Public Comment: None

Having decided the petition has met the required findings, on motion of Mr. Schneider, seconded by Dr. Benak, unanimously passed, the petitioner was granted a short variance.

5. EMERGENCY VARIANCE

The Northern Region Hearing Board had not heard nor approved any emergency variance since the March 2, 2011 Hearing.

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 July 6, 2011. 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 10:14 a.m.