

# 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 6, 2012**

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

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
Mark A. Kanai (Chair) - Attorney	Present
Alexander Scheflo - Engineer	Absent

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; Annette Ballatore-Williamson, Legal Counsel; Ramon Norman, Air Quality Engineer, and Carol Flores, Acting as Deputy Clerk to the Board.

3. APPROVE MINUTES OF April 4, 2012

The Chair asked if there were any comments regarding the Minutes for April 4, 2012. 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-12-09S	Short	Pacific Ethanol Stockton, LLC 3028 Navy Drive Stockton, CA 95206

Petitioners: Cheryl Davis

Patrick Houlihan presented the Staff Report.

PES has requested a short variance from the requirements of District Rules 2070.7.0 and 2201 in addition to the applicable conditions of the PTOs. The requested short variance would be for a consecutive 48 hour period to occur sometime between June 6, 2012 and June 30, 2012, inclusive. If

granted the variance would allow for continued ethanol production while the RTO and scrubbers are shut down for preventative maintenance.

Public Comments: None

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

B. N-12-07R Regular Fiscalini Farms & Fiscalini Dairy  
7130 Kiernan Avenue  
Modesto, CA 95358

Petitioners: John Fiscalini and Nettie Drake

Patrick Houlihan presented the Staff Report.

FISCALINI has requested a regular variance from District Rules 2010, 2201, and 4801 in addition to the applicable condition on the subject ATC. The requested regular variance period would be from June 6, 2012, until June 5, 2013. If granted, the variance would allow the H<sub>2</sub>S concentration of the biogas fuel to exceed 50 ppmv until FISCALINI's planned procedures reduce the concentration below 50 ppmv.

Ms. Drake modified the request to increase the time limit to December 31, 2012 to submit to the District a written plan that specifies how they will come into compliance with the H<sub>2</sub>S limit. She also requested the H<sub>2</sub>S limit be increased to 500 ppmv during the variance period.

Dr. Benak asked how many complaints the facility has received about H<sub>2</sub>S odor. Mr. Fiscalini responded that no complaints have been made.

Mr. Schneider asked for clarification of the District's recommendations regarding the ending of the variance. Mr. Hayashi explained the ending of the variance as listed in the recommendations were made without the knowledge of proposed experimental exemption and will be revised.

Mr. Schneider asked how a new system can have BACT and how the H<sub>2</sub>S concentrations are set at 50 ppmv when there's no other technology to illustrate BACT. Mr. Ramon explained BACT is required by District Rule 2201 and the 50 ppmv was based on what was achieved in practice by other digester type sources. He added that because of the uniqueness of the operation staff would consider increasing the limit to 85 ppmv. Mr. Ramon explained the BACT can never be above a rule limit so the operation will be reviewed as a unique category of source and review any documentation that would justify a higher limit.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Gohring and seconded by Dr. Benak, unanimously passed, the petitioner was granted a regular variance with the modifications requested.

5. EMERGENCY VARIANCE

The Northern Region Hearing Board granted one emergency variance since the April 4, 2012 Hearing.

6. PUBLIC COMMENTS

No public comment.

7. HEARING BOARD MEMBER COMMENTS

None

8. NEW BUSINESS

9. NEXT SCHEDULED MEETING

The next scheduled meeting is July 5, 2012. 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 11:06 a.m.