

**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, February 5, 2014

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

1. Call Meeting to Order
The Chair, Mark Kanai, called the meeting to order at 9:58 a.m.

2. Roll Call

Roger Gohring - Public	Present
Gerald Schneider - Public	Present
Mark 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; Clay Bishop, Supervising Air Quality Inspector; Senior Annette Williamson, Legal Counsel; Carol Flores, Operations and Program Support Supervisor

3. Approve Minutes of December 4, 2013
The Chair asked if there were comments regarding the Minutes for December 4, 2013. 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.

A.	N-12-07X	Extension	Fiscalini Farms & Fiscalini Dairy 7130 Kiernan Avenue Modesto, CA 95358	<i>continued</i>
----	----------	-----------	---	------------------

B.	N-13-13R	Regular	DTE Stockton LLC 2526 West Washington Street Stockton, CA 95203
----	----------	---------	---

Petitioners: Michael Blakey

Patrick Houlihan presented the Staff Report.

DTE has requested a regular variance from the applicable requirements of District Rules 1081, 2010, and 2201, in addition to the applicable conditions of the subject

ATC. The requested variance period would be from February 19, 2014, until April 19, 2014. If granted, the variance would allow for the postponement of the compliance start-up test until DTE commissions the plant.

Mr. Blakey commented there were startup challenges but there is progress.

Mr. Kanai expressed concern regarding the length of the variance due to having to return in a short period of time should the facility need an extension of the variance. Mr. Blakey agreed noting it would be in the interest of DTE to complete the project as soon as possible. Mr. Houlihan explained the modifications to the following conditions:

1. The variance shall be effective from February 19, 2014, until June 4, 2014, or until the compliance source test has been initiated, whichever occurs first.
8. Should variance protection be necessary beyond the end of this variance, DTE shall file a petition for an extension variance no later than April 25, 2014.
11. By June 19, 2014, or no later than 15 calendar days after initiating the compliance source test, DTE shall submit a written report to the District.

Mr. Houlihan noted ARB requests variances to be as short as possible. He explained the reason for the early deadline of requesting the extension is a newspaper notice must be published thirty days in advance.

Public Comments: None

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

C. N-14-02S	Short	DTE Stockton LLC 2526 West Washington Street Stockton, CA 95203
-------------	-------	---

Petitioners: Michael Blakey

Patrick Houlihan presented the Staff Report.

DTE has requested a short variance from the applicable requirements of District Rules 2010 and 2201, in addition to the applicable conditions of the subject ATC. The requested variance period would be from February 5, 2014, until March 31, 2014. If granted, the variance would allow the biomass combustor to exceed the first quarter total NO_x limit so that commissioning can continue.

Mr. Blakey explained DTE does not want to exceed the emissions limit but they will be slightly over and appreciate the Hearing Board considering the variance so as to not receive a violation.

Public Comments: None

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

5. Emergency Variance

The Northern Region Hearing Board heard and granted one emergency variance since the December 4, 2013, Hearing.

6. Public Comments

No public comment.

7. Hearing Board Member Comments

None.

8. New Business

Mr. Kanai requested nominations for the positions of Chair and Vice Chair. On motion of Mr. Schneider and seconded by Mr. Gohring, unanimously passed, Mr. Kanai was elected Chair and Mr. Schneider was elected Vice Chair.

9. Next Scheduled Meeting

The next scheduled meeting is March 5, 2014. 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 10:16 a.m.