# San Joaquin Valley Air Pollution Control District NORTHERN REGION HEARING BOARD MEETING

Northern Region Office VTC Room 4800 Enterprise Way, Modesto, CA 95356

### **ACTION SUMMARY MINUTES**

Wednesday, May 6, 2015

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

## 1. <u>Call Meeting to Order</u>

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

#### 2. Roll Call

Mark Kanai – (Chair) Attorney Present Roger Gohring – Public Present Gerald Schneider (Vice Chair) – Engineer Present Rob Hofmann – Public Present

#### Staff Present:

Northern Region (Modesto): John Cadrett, Air Quality Compliance Manager

Central Region (Fresno): Clay Bishop, Supervising Air Quality Inspector; Jessi Fierro, Assistant District Counsel; Patrick Houlihan, Senior Air Quality Specialist; Chris Kalashian, Air Quality Specialist; Crystal Bussard, Air Quality Specialist; Shannon Moore, Air Quality Specialist; Carol Flores, Operations and Program Support Supervisor

## 3. Approve Minutes of February 4, 2015 and February 26, 2015

The Chair asked if there were comments regarding the Minutes for February 4, 2015 and February 26, 2015. Hearing no comments, the Chair declared the minutes were approved as submitted.

#### 4. Public Hearing

Ms. Fierro welcomed Bette Best Easton, Alternate Public Member and explained Ms. Easton will not be voting because the Primary Public Member is present.

The Chair swore in all those present to testify for all matters.

A. N-15-02S Short Pacific Ethanol Stockton, LLC

3028 Navy Drive Stockton, CA 95206

Petitioners: Carol Romero

Chris Kalashian presented the Staff Report.

SJVUAPCD Northern Region Hearing Board Action Summary Minutes May 6, 2015

PES has requested a short variance from the applicable requirements of District Rule 2070, 2201, 2520, and 4623 in addition to the applicable conditions of the subject permits. The requested short variance would be from May 12, 2015, until August 9, 2015. If granted, the variance would allow for continued ethanol fermentation while the RTO and scrubbers are shut down to conduct preventative maintenance.

The petitioner had no further comment

**Public Comment:** 

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

B. N-15-03S Short Vernon Gogna Farms
13959 East Fanning Road
Stockton, CA 95215

Petitioners: Dennis Gogna

Crystal Bussard presented the Staff Report.

VGF has requested a short variance from the applicable requirements of District Rule 4103. The requested short variance period would occur sometime between May 7, 2015, and August 4, 2015, inclusive. If granted, the variance would allow the burning of 120 acres of olive orchard removal material.

The petitioners had no further comment.

Public Comment:

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

C. N-15-04S Short Triangle Rock Products, Inc. 221001 Sunset Avenue Los Banos, CA 93635

Petitioners: Tom Ferrell

Shannon Moore presented the Staff Report.

Triangle is requesting a short variance from applicable requirements of District Rules 1081, 2010, 2201, and 4309, in addition to applicable conditions of the subject permit. The requested variance period would be from May 4, 2015, through August 2, 2015. If granted the variance would allow Triangle to postpone the compliance source test until a sufficient quantity of asphalt is produced in order to perform the source test.

SJVUAPCD Northern Region Hearing Board Action Summary Minutes May 6, 2015

Mr. Kanai asked if there was an order for asphalt anticipated before May 15, 2015. Mr. Ferrell responded affirmatively and added if there is no order the facility will be placed into idle on the permit or will perform a source test and accept the loss.

Mr. Kanai asked if variance period was as long as it could be. Mr. Moore responded affirmatively. Mr. Kanai asked how the petitioners could get a longer variance period. Mr. Moore explained the petitioners may apply for a regular variance which would increase the variance period. Mr. Kanai asked if the petitioner can apply for the regular variance after the current short variance. Mr. Moore responded affirmatively. Mr. Ferrell appreciated the information regarding options.

#### **Public Comment:**

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

D. N-15-05S Short Owens-Brockway Glass Containers, Inc.

14700 West Schulte Road

Tracy, CA 95377

Petitioners: Mark Claire

Patrick Houlihan presented the Staff Report.

Owens has requested a short variance from the applicable requirements of District Rules 1080, 2070, 52201, 2520, 4101, and 4354, in addition to the applicable conditions of the subject permits. The requested variance period would be for a consecutive 12-hour period to occur sometime between May 1, 2015, and July 29, 2015, inclusive. If granted, the variance would allow the continued operation of the glass melting furnace and the manufacture of glass until the induced draft fan on furnace 22A is repaired or replaced.

Mr. Houlihan reported the following modifications to Recommendations:

- 1. The variance shall be effective for a consecutive 12-hour period to occur sometime between May 6, 2015, and August 4, 2015, or until the induced draft fan on furnace 22A is repaired or replaced, whichever occurs first.
- 8. By August 19, 2015, or no later than 15 calendar days after the induced draft fan is repaired or replaced, Owens shall submit a written report to the District.

The petitioner had no further comment.

#### **Public Comment:**

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 short variance.

#### 5. Emergency Variance

The Northern Region Hearing Board had not heard nor granted any emergency variances since the February 26, 2015, Hearing Board meeting.

SJVUAPCD Northern Region Hearing Board Action Summary Minutes May 6, 2015

# 6. Public Comments

No public comment.

# 7. Hearing Board Member Comments

None.

# 8. New Business

None.

# 9. Next Scheduled Meeting

The next scheduled meeting is June 3, 2015. 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 10:25 a.m.