



# San Joaquin Valley Air Pollution Control District

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David L. Crow  
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## Northern Region Hearing Board Meeting Action Summary Minutes San Joaquin Valley Unified Air Pollution Control District 4230 Kiernan Avenue, Suite 130 Modesto, CA. 95354

Wednesday, December 3, 2003  
10:00 a.m.

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

1. **Call Meeting to Order** – The Chair, Mark A. Kanai, called the meeting to order at 10:07 a.m.
2. **Roll Call was taken and a quorum was present.**

Steve Benak, MD	Medical
Roger Gohring	Public
Donald Ohlinger	Engineer
Gerald A. Schneider, <b>Vice Chair</b>	Public
Mark A. Kanai, <b>Chair</b>	Attorney

**Also present in the Northern Region Office (Modesto)**  
Jami Aggers, Air Quality Compliance Manager, Tom Busenbark, Air Quality Inspector and Jim Swaney, Permit Services Manager.

**Also present in the Central Region Office (Fresno)** – Philip M. Jay, District Counsel, Michael Carrera, Supervising Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of August 6, 2003** – The Chair asked if there were any comments regarding the Minutes of August 6, 2003. Hearing no comments the Chair declared the Minutes of August 6, 2003 were approved as submitted.

All persons testifying were sworn in by the Chair.

The Petitioners signed the Sign In Sheet.

The Petitions were properly noticed and on file with the Clerk to the Board.

The Hearing Board Packet and any addenda brought forth in the hearing will be entered into the Official Record.

4. **Public Hearing:**

A.)  
Docket N-03-16S, Short Variance, SFPP, LP, 2947 Navy Drive, Stockton, CA.  
95206. Type of Business: Petroleum Bulk Station.

**Petitioner** – Bop Onufer, Kinder – Morgan, represented SFPP, LP.

**Public Comments** – No Public Comments.

**Decision** – Board Member Gohring made the motion to grant the variance with the Board concurring the required six findings set forth on pages 2 and 3 of the Staff Report could be met. The variance shall be subject to eleven conditions set forth on pages 3 and 4 of the Staff Report with one amendment to condition # 7 (with the word weekly inserted in place of the word daily). Seconded by Board Member Benak and carried unanimously with the following **Roll Call Vote:**

**Ayes:** ***Benak, Ohlinger, Gohring, Schneider and Kanai.***

**Absent:** ***No.***

*The Board granted a Short Variance to Docket N-03-16S, SFPP, LP. The variance shall be effective from November 15, 2003 to February 13, 2004, or until Tank SN-6 achieves compliance with the bolting requirement, whichever occurs first. The eleven conditions with amendment to condition #7 shall be set forth in the Order.*

5. **Administrative Agenda – Receive and File:** The Northern Region Hearing Board approved the following emergency variance orders:

A.) Docket N-03-13E Owens-Brockway Glass Containers  
14700 W. Schulte Road  
Tracy, CA. 95377

B.) Docket N-03-15E Pilkington North-America, Inc.  
500 E. Louise Avenue  
Lathrop, CA. 95330

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – No Hearing Board Member Comments.

8. **New Business: 2004 Chair and Vice Chair Elections**

Board Member Benak made the motion to nominate Mark Kanai as Chair and Gerald Schneider as Vice Chair. Seconded by Board Member Gohring and carried unanimously with the following **Roll Call Vote:**

**Ayes:** **Benak, Ohlinger, Gohring, Schneider and Kanai.**

**Absent:** **None.**

*Therefore the Board elected Mark A. Kanai, Chair and Gerald A. Schneider, Vice Chair for 2004.*

9. **Next Scheduled Meeting** – Wednesday, January 7, 2004 at 10:00 a.m. The meeting will be held via video conferencing (VTC) in the Northern Region Office, 4230 Kiernan Avenue, Suite 130, VTC Room, Modesto, CA. with the Central Region Office (Fresno) participating via VTC.

10. **Adjournment** – The Chair adjourned the meeting at 10:17 a.m.

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Sissy Smith, Clerk to the Board  
Northern Region Hearing Board  
San Joaquin Valley Unified APCD