



San Joaquin Valley Air Pollution Control District

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

**Wednesday, September 1, 2004
10:00 a.m.**

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

1. **Call Meeting to Order** – The Vice Chair, Gerald A. Schneider, called the meeting to order at 10:03 a.m.

2. **Roll Call was taken and a quorum was present.**

Don Ohlinger (absent)	Engineer
Roger Gohring	Public
Steve Benak, MD	Medical
Gerald A. Schneider, Vice Chair	Public
Mark A. Kanai, Chair (absent)	Attorney

Also present in the Northern Region Office (Modesto) - Jami Aggers, Air Quality Compliance Manager, Ron Giannone and Tony Scott, Supervising Air Quality Inspectors, Heather Kuklo, Air Quality Inspector and Rupi Gill, Supervising Air Quality Engineer.

Also present in the Central Region Office (Fresno) – Philip M. Jay, District Counsel, Robert J. Kard, Director of Compliance, Ted Strauss, Supervising Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of August 4, 2004** – The Vice Chair asked if there were any corrections to the Minutes. Hearing no comments the Vice Chair declared the Minutes of August 4, 2004 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Vice Chair.

The Vice Chair asked if the Petition had been properly noticed and on file with the Clerk. Ms. Smith responded affirmative.

The Vice Chair requested the Hearing Board Packet and any addenda brought forth in today's hearing be entered into the Official Record.

The Vice Chair requested the Petitioners sign the Sign In Sheet.

Ron Giannone presented the Staff Report.

A.)
Docket N-04-07S, Short Variance, Conopco, dba Unilever Bestfoods North America, 1400 E. Waterloo Road, Stockton, CA. 95205. Type of Business: Tomato Processing Facility.

Petitioners – Ivo C. Sahagun and Steve Smialkowski represented Conopco.

Public Comment – No Public Comment.

Decision – Board Member Benak made the motion to grant the variance request. The required six findings were adopted by reference. The variance shall be subject to twelve recommendations with recommendation #1 modifying the effective dates of the variance to: August 9, 2004 to October 30, 2004 and recommendation #8 modified to read analyzed once a week. Seconded by Board Member Gohring and carried unanimously with the following **Roll Call Vote:**

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

Absent: ***Ohlinger and Kanai.***

The Board granted a Short Variance to Docket N-04-07S, Conopco dba Unilever Bestfoods North America. The variance shall be effective from August 9, 2004 to October 30, 2004, or until the end of the season, whichever occurs sooner. The variance is subject to twelve recommended conditions with recommendation #1 and #8 modified during the hearing. The twelve conditions with modifications will be set forth in the Hearing Board Order.

5. **Emergency Variance** – The Northern Region Hearing Board has not heard or approved an emergency variance order since August 4, 2004.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – No Hearing Board Member Comments.
8. **New Business** – No New Business.
9. **Next Scheduled Meeting** – Wednesday, October 6, 2004 at 10:00 a.m. The meeting will be held via video teleconference (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 Vice Chair adjourned the meeting at 10:25 a.m.

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