



# San Joaquin Valley Air Pollution Control District

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**David L. Crow**  
Executive Director/  
Air Pollution Control Officer

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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, VTC Room Modesto, CA. 95356

**Wednesday, October 5, 2005  
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 Schneider, called the meeting to order at 10:00 a.m.

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

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

**Also present in the Northern Region Office (Modesto)** – Jami Aggers, Air Quality Compliance Manager, Ronald Giannone and Lisa Middleton, Supervising Air Quality Inspectors, John Cadrett, Air Quality Inspector and Jim Swaney, Permit Services Manager.

**Also present in the Central Region Office (Fresno)** – Catherine Tognazzini, Assistant Counsel, Morgan Lambert, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of September 7, 2005** – The Vice Chair asked if there were any corrections to the Minutes. Hearing no comments the Vice Chair declared the Minutes of September 7, 2005 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

The Petition was properly noticed and on file with the Clerk to the Board.

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

**Staff Report presented by Morgan Lambert.**

A.)  
Docket N-05-16S, Short Variance, **Owens-Brockway Glass Container Inc.**,  
14700 W. Schulte Road, Tracy, CA. 95376. Type of Business: Glass Container  
Manufacturing

Morgan Lambert noted the following corrections to the Staff Report:

Findings:, page 3

Finding No. #1 condition 5 of PTO #N-593-0-4 2

Recommendations: page 5

Recommendation #2, condition 5 of PTO #N-593-0-~~4~~2, conditions 4, 18, 23, and  
~~25~~ 35, and

conditions 3, 22, 24, 27 and ~~29~~ 30 of PTO #N-593-13-7

Board Member Gohring noted a typo on Findings, page 3

Finding No #2, second to last line in second paragraph ~~insulted~~ insulated

**Petitioner** – Darrin Gambelin represented Owen-Brockway Glass Container Inc.

**Public Comment** – No Public Comment.

**Decision** – Board Member Benak made the motion to grant the variance. The required six findings set forth on pages 3 and 4 of the Staff Report were adopted by reference. The variance shall be subject to the thirteen recommended conditions set forth on pages 5 and 6 of the Staff Report with changes to Recommendation # 2 as set forth above. Seconded by Board Member Ohlinger and unanimously carried with the following roll call vote:

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

**Absent:** **Kanai.**

*The Northern Region Hearing Board granted a Short Variance to Docket N-05-16S, Owens-Brockway Glass Container Inc. The Northern Region Hearing Board concurred the required six findings could be made. The variance shall be effective for a single, consecutive 21-day period to occur sometime between October 10, 2005 and January 7, 2006, or until replacement of the expansion joints is completed, whichever occurs first. The thirteen recommended conditions with corrections to recommended condition #2 will be set forth in the Northern Region Hearing Board Order.*

5. **Emergency Variances** – The Northern Region Hearing Board has not heard or approved an emergency variance order since September 7, 2005.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – No Hearing Board Member Comments.
8. **New Business** – Mr. Lambert indicated the November 2, 2005 Northern Region Hearing Board meeting will be held in the Mariposa Room located in the District's new Northern Region Office, 4800 Enterprise Way, Modesto. Mr. Lambert stated a map to the new building will be included in the November 2, 2005 Hearing Board Meeting Packet.
9. **Next Scheduled Meeting** – Wednesday, November 2, 2005 at 10:00 a.m. The meeting will not be held via video teleconferencing. Location of the meeting: 4800 Enterprise Way, Mariposa Room, Modesto, CA.
10. **Adjournment** – The Vice Chair adjourned the meeting at 10:09 a.m.

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