



San Joaquin Valley Air Pollution Control District

Action Summary Minutes for the Northern Region Hearing Board Meeting Wednesday, January 24, 2001 at 1:00 p.m. Louis J. Newman Memorial Building 649 Orestimba Road Newman, CA.

GOVERNING BOARD

Judith G. Case, Chair
Supervisor, Fresno County

Sam Armentrout, Vice Chair
Mayor, City of Madera

Barbara Patrick
Supervisor, Kern County

Mike Maggard
Councilmember, City of Bakersfield

Tony Barba
Supervisor, Kings County

Ronn Dominici
Supervisor, Madera County

Jerry O'Banion
Supervisor, Merced County

Jack A. Sieglock
Supervisor, San Joaquin County

Nick W. Blom
Supervisor, Stanislaus County

Tom Applegate
Councilmember, City of Newman

William Sanders
Supervisor, Tulare County

David L. Crow
Executive Director/
Air Pollution Control Officer

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FAX (209) 557-6475

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2700 M Street, Suite 275
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(661) 326-6900
FAX (661) 326-6985

www.valleyair.org

1. **Call Meeting to Order** – The Chairman, Mark A. Kanai, called the meeting to order at 1:00 p.m.

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

Roger E. Gohring (Alternate)	Public
Donald Ohlinger (*)	Engineer
Gerald A. Schneider	Public
Steve Benak, MD	Medical
Mark A. Kanai, Chairman	Attorney

(*) Donald Ohlinger arrived after Staff's presentation. Mr. Jay noted Mr. Ohlinger's late arrival and asked if the Petitioner had any objections to Mr. Ohlinger participating in the hearing. Mr. Rosenberg stated that he did not have any objections to Mr. Ohlinger participating in the hearing.

3. **Approve Minutes of April 5, 2000** - The Chairman asked if there were any corrections or additions to the Minutes. The Board did not have any corrections or additions. The Chairman declared the Minutes of April 5, 2000 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chairman.

Robert J. Kard, Director of Compliance presented the Staff Report.

**A.)
Docket No. N-00-04A, Permit Appeal, The Tartaric Manufacturing Corporation, 2155 Hills Ferry Road, Newman, CA. Type of Business: Calcium Tartrate Manufacturing Facility.**

Petitioner – Alex Bonecchi and Richard D. Rosenberg represented The Tartaric Manufacturing Corporation.

The following persons spoke on behalf of The Tartaric Manufacturing Corporation - Harold Callahan, Gordon Dewars, Ray Kablanow, Paul W. Franzia, Robert Darby and Bill Wieland.

Public Comments: - **The following individuals spoke in opposition to The Tartaric Manufacturing Corporation's request that the Northern Region Hearing Board reverse the District's decision to deny the reinstatement of Permit to Operate (#N-3903-1-0) and allow the facility to operate:** Lloyd Bidwell, Lee Foster, Supervisor Paul W. Caruso, Mark Toland, Cleve Morris, City Manager, Lorraine Spaulding, Barry Lyon, Dennis Jensen, Klisa Lisa Ponce de Lun, Councilmember Tom Applegate, Judith Wardlaw, Mayor David Reed, Paul Wallace, President Chamber of Commerce, Charles Marquez and Archie (last name inaudible).

Bob Catchow, Planning Department, Stanislaus County, spoke regarding CEQA issues.

The following correspondence was received:

Correspondence **to:** San Joaquin Valley Unified Air Pollution, **from:** Mark Toland, **dated:** January 12, 2001.

Correspondence **to:** San Joaquin Valley Unified Air Pollution Control District, **from:** Mark Toland, **dated:** January 15, 2001.

Correspondence **to:** Roland Brooks, c/o SJVUAPCD, **from:** Mark & Diana Toland, **dated:** January 20, 2001.

Correspondence **to:** Mr. Mark A. Kanai, Chairman, Northern Region Hearing Board, San Joaquin Valley Unified Air Pollution Control District, **from:** Victor J. Izzo, Senior Engineering Geologist, California Regional Water Quality Control Board, Central Valley Region, **dated:** January 22, 2001.

Testimony from Dennis Jensen: During Mr. Jensen's testimony he made reference to the following correspondence:

Correspondence **to:** Mr. Rick Dudley, Tartaric Manufacturing, **from:** Dennis Jensen, **dated:** December 1, 1997

Document: **Substitution of Attorney:** **to** Rosenberg Law Firm **from:** Bartko, Zankel, Tarrant, a Professional Corporation, dated January 22, 2001.

Decision – Dr. Benak made a motion to deny Tartaric Manufacturing Corporation’s request. The motion was seconded by Mr. Gohring and carried unanimously with the following **Roll Call Vote:**

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

Noes: **None.**

Absent: **None.**

Therefore, the Board took the following action: denied Docket No. N-00-04A, Permit Appeal from The Tartaric Manufacturing Corporation’s (Tartaric) whereby Tartaric requested the Northern Region Hearing Board reverse the District’s decision to deny the reinstatement of the Permit to Operate (#N-3903-1-0) that would have allowed the facility to operate.

5. **Public Comments** – No Public Comments.

6. **New Business: Chairman and Vice Chairman Elections**

A motion was made by Dr. Benak to elect Mark Kanai as Chairman and Gerald Schneider as Vice Chairman. The motion was seconded by Mr. Gohring and carried unanimously.

Therefore, the Board took the following action: elected Mark A. Kanai, Chairman for the year 2001 and Gerald A. Schneider, Vice Chairman for the year 2001.

7. **Northern Region Hearing Board** – 2001 Calendar.

The Board received and filed the 2001 Calendar.

8. **Next Scheduled Meeting** – Wednesday, February 7, 2001 at 10:00 a.m. Northern Region Office, Video Teleconference (VTC) Room, 4230 Kiernan Avenue, # 130, Modesto. The meeting will be held in the Northern Region Office with the Central Region Office, 1990 E. Gettysburg Avenue, Fresno included via VTC.

9. **Adjournment** – The Chairman, Mark A. Kanai, adjourned the meeting at 2:55 p.m.

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