



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes for the Northern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 4230 Kiernan Avenue, Suite 130 Teleconferencing (TC) Room Modesto, CA. 95354

Wednesday, February 6, 2002
10:00 a.m.

Meeting held via teleconferencing (TC) with the Central Region Office (Fresno) included via TC.

1. **Call Meeting to Order** – The Chair, Mark A. Kanai, called the meeting to order at 10:00 a.m.

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

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

Also present in the Northern Region Office (Modesto) – Tony Scott, and Michael Escotto, Supervising Air Quality Inspectors.

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

3. **Approve Minutes of January 2, 2002** – The Chair asked if there were any corrections, comments or additions to the Minutes of January 2, 2002. The Board did not have any corrections, comments or additions to the Minutes. The Chair declared the Minutes of January 2, 2002 approved as submitted.

4. **Public Hearings:**

All persons testifying were sworn in by the Chair.

Tony Scott presented the Staff Reports.

**A.)
Docket No. N-01-09R, Regular Variance, Owens Brockway Glass Container, Inc., 14700 W. Schulte Road, Tracy, CA. 95377. Type of Business: Glass Container Manufacturing.**

Petitioner – James Hamrick represented Owens Brockway Glass Container.

Public Comments – No Public Comments.

Decision – Mr. Schneider moved that the variance be granted subject to the ten conditions set forth on page 4 and 5 of the Staff Report. The required six findings set forth on pages 3 and 4 of the Staff Report were incorporated in the motion by reference. The motion was seconded by Mr. Gohring and carried unanimously with the following **Roll Call Vote:**

Ayes: Ohlinger, Gohring, Schneider and Kanai.

Noes: None.

Absent: Benak.

Therefore, the Board took the following action: granted a Regular Variance to Docket No. N-01-09R, Owens Brockway Glass Container, Inc. The variance shall be effective from February 6, 2002 to July 1, 2002 or until compliance is achieved, whichever occurs first. The variance shall be subject to ten conditions. The ten conditions will be set forth in the Order.

**B.)
Docket No. N-02-01i, Interim Variance, Recot, Inc., 600 Garner Road, Modesto, CA. 95357. Type of Business: Snack Food Production.**

Petitioner – Patricia M. O'Toole, Don Brock and Rob Meyers represented Recot, Inc.

Public Comments – No Public Comments.

Decision – Mr. Ohlinger moved that the variance be granted subject to seven conditions set forth on pages 2 and 3 of the Staff Report with a modification to Condition #5 (March 16, 2002) and #5 B. (All collected preliminary emissions data). The motion was seconded by Mr. Schneider and carried unanimously with the following **Roll Call Vote:**

Ayes: Ohlinger, Gohring, Schneider and Kanai.

Noes: None.

Absent: Benak.

Therefore, the Board took the following action: granted an Interim Variance to Docket No. N-02-01i, Recot, Inc. The Board finds that based on information provided, a good cause determination can be made, which is based on some certainty that the required six findings will be made during the regular variance hearing. The interim variance period shall be effective from January 8, 2002 to March 6, 2002, or until the next regular scheduled hearing. The variance shall be subject to seven conditions. The seven conditions will be set forth in the Order.

5. **Administrative Agenda – Receive and file:** - No emergency variance orders have been approved by the Northern Region Hearing Board since its last meeting.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – The Chair directed the Clerk to write a letter to the County of Stanislaus regarding the No Parking signs on Nutcracker Road/Street. The Chair requested that the letter request that parking be allowed on Nutcracker Road/Street during business hours. The Chair stated that he knows the owner of the building and he will contact the owner of the building and request that he write a similar letter.
8. **New Business** – No New Business.
9. **Next Scheduled Meeting** – Wednesday, March 6, 2002 at 10:00 a.m., Northern Region Office, VTC Room, 4230 Kiernan Avenue, Suite 130, Modesto, CA. with the Central Region Office (Fresno) included via VTC.
10. **Adjournment** – The Chair, Mark A. Kanai, adjourned the meeting at 10:20 a.m.

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