



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 Video Teleconferencing (VTC) Room Modesto, CA. 95354

Wednesday, January 2, 2002
10:00 a.m.

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

1. **Call Meeting to Order** – The Chairman, 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, MD	Medical
Roger Gohring	Public
Donald Ohlinger	Engineer
Gerald Schneider, Vice Chairman	Public
Mark A. Kanai, Chairman	Attorney

Also present in the Northern Region Office (Modesto)
Michael Escotto, Supervising Air Quality Inspector.

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

3. **Approve Minutes of November 7, 2001** – The Chairman asked if there were any corrections, comments or additions to the Minutes of November 7, 2001. The Board did not have any corrections, comments or additions to the Minutes. The Chairman declared the Minutes of November 7, 2001 approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chairman.

Michael Carrera presented the Staff Report.

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

Petitioner – James Hamrick represented Owens Brockway Glass Container, Inc.

Public Comments – No Public Comments.

Decision – Mr. Schneider moved that the variance be granted subject to the nine conditions set forth on page 3 of the Staff Report. The motion was seconded by Mr. Gohring and carried unanimously with the following **Roll Call Vote:**

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

Noes: None.

Absent: None.

The Board took the following action: granted an Interim Variance to Docket No. N-01-09i, Owens Brockway Glass Container, 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 variance shall be effective from January 1, 2002 to February 5, 2002, or until the regular variance can be heard, whichever occurs first. The variance shall be subject to nine conditions. The nine conditions will be set forth in the Order.

5. **Administrative Agenda – Receive and File** – The Board received and filed the following emergency variance order:

A.) Docket No. N-01-08E, Thermal Energy Development Corporation LTD

6. **Public Comments** - No Public Comments.

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

8. **New Business: Election of Chair and Vice Chair for 2002** - Mr. Ohlinger made a motion to elect Mark Kanai as Chair. The motion was seconded by Dr. Benak. Mr. Ohlinger amended his motion to include Gerald Schneider as Vice Chair.

The amended motion was seconded by Dr. Benak and carried unanimously with the following **Roll Call Vote**:

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

Noes: *None.*

Absent: *None.*

The Board took the following action: elected Mark A. Kanai, Attorney, Primary Member, Chair for 2002. The Board elected Gerald Schneider, Public, Primary Member, Vice Chair for 2002.

9. **Next Scheduled Meeting** – Wednesday, February 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 10:10 a.m.

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