



# 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, June 4, 2003  
10:00 a.m.

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

1. **Call Meeting to Order** – The Chair, Mark A. Kanai, called the meeting to order at 10:01 a.m.

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

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

**Also present in the Northern Region Office (Modesto)** – Tony Scott, and Ron Giannone, Supervising Air Quality Inspectors, Brian Dodds and Jan Sudomier, Air Quality Inspectors and Craig Mitchell, Senior Air Quality Inspector.

**Also present in the Central Region Office (Fresno)** – Meggin Boranian, Assistant District Counsel, Michael Carrera, Senior Air Quality Inspector, Kristin Keeler, Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of February 5, 2003** – The Chair asked if there were any corrections, comments or additions to the Minutes of February 5, 2003. Hearing no comments the Chair declared the Minutes of February 5, 2003 were approved as submitted.

All persons testifying were sworn in by the Chair.

The Petitioners signed the Sign in Sheet.

The Petitions were properly noticed and are on file with the Clerk to the Board.

The Hearing Board Packet and any addenda brought forth in the hearings will be entered into the Official Record.

4. **Public Hearing:**

Michael Carrera presented the Staff Reports.

A.)  
Docket N-03-05R, Regular Variance, Owens-Brockway Glass Containers, Inc.,  
14700 W. Schulte Road, Tracy, CA. 95377. Type of Business: Glass Container  
Manufacturing.

**Petitioner** – Darrin Gambelin represented Owens-Brockway Glass Containers, Inc.

**Public Comment** – No Public Comment.

**Decision** – Board Member Gohring made the motion to grant the variance with the six required findings set forth on pages 2 and 3 of the Staff Report. The variance shall be subject to thirteen conditions. Seconded by Board Member Benak and carried unanimously with the following **Roll Call Vote:**

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

**Absent:** ***Schneider.***

*The Board granted a Regular Variance to Docket N-03-05R, Owens-Brockway Glass Containers, Inc. The variance shall be effective for a one-year period between March 18, 2003 and March 17, 2004, or until the rebuild of B-Furnace is complete, whichever occurs first. The variance is subject to thirteen conditions set forth on pages 3 and 4 of the Staff Report. The thirteen conditions shall be set forth in the Order.*

B.)  
Docket N-03-08S, Short Variance, Modesto Irrigation District, 920 Woodland Avenue, Modesto, CA. 95351. Type of Business: Electrical Power Generating Facility.

**Petitioners** – Jeff Adkins and Richard Smith represented Modesto Irrigation District.

**Public Comment** – No Public Comment.

**Decision** – Board Member Ohlinger made the motion to grant the variance with the required six findings set forth on pages 2 and 3 of the Staff Report. The variance shall be subject to seventeen conditions. Seconded by Board Member Gohring and carried unanimously with the following **Roll Call Vote**:

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

**Absent:** **Schneider.**

*The Board granted a Short Variance to Docket N-03-08S, Modesto Irrigation District. The variance shall be effective from May 15, 2003 to August 12, 2003, or until compliance is achieved, whichever occurs first. The variance is subject to seventeen conditions set forth on pages 4 and 5 of the Staff Report. The seventeen conditions shall be set forth in the Order.*

5. **Administrative Agenda – Receive and File** – The Northern Region Hearing Board received and filed the following Emergency Variance orders:

- A.) Docket N-03-03E Owens-Brockway Glass Container, Inc.  
14700 W. Schulte Road  
Tracy, CA. 95377
- B.) Docket N-03-04E Pilkington North America  
500 E. Louise Avenue  
Lathrop, CA. 95330
- C.) Docket N-03-06E Pilkington North America  
500 E. Louise Avenue  
Lathrop, CA. 95330
- D.) Docket N-03-07E Hershey Chocolate & Confectionary Company  
1400 S. Yosemite Avenue  
Oakdale, CA. 95361

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, July 2, 2003 at 10:00 a.m. The meeting will be held via video teleconferencing (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 chair adjourned the meeting at 10:23 a.m.

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