



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Northern Region Hearing Board Meeting Minutes San Joaquin Valley Unified Air Pollution Control District 4230 Kiernan Avenue, Suite 130 Modesto, CA. 95354

**Wednesday, February 4, 2004
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 10:00 a.m.

Philip M. Jay, District Counsel, introduced Catherine Tognazzini, Assistant Counsel, to the Board.

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

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

Also present in the Northern Region Office (Modesto) – Jami Aggers, Air Quality Compliance Manager, Jim Swaney, Permit Services Manager, Ron Giannone and Tony Scott, Supervising Air Quality Inspectors, Jennifer McKinney and Heather Kuklo, Air Quality Inspectors.

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

3. **Approve Minutes of January 7, 2004** – The Chair asked if there were any comments regarding the Minutes of January 7, 2004. Hearing no comments the Chair declared the Minutes of January 7, 2004 were approved as submitted.

All persons testifying were sworn in by the Chair.

The Petitioners signed the Sign In Sheet.

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

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

4. **Public Hearing:**

Michael Carrera presented the Staff Report.

A.)
Docket N-03-18R, Regular Variance, JR Simplot Company, 16777 Howland Road, Lathrop, CA. 95330. Type of Business: Sulfuric Acid Plant and Cogeneration Facility.

Robert J. Kard provided additional testimony for the District.

The Petitioner provided the Board and staff with the following document:

Board Addendum – for hearing 2/4/04
J. R. Simplot Company
Timeline July 3 – Dec. 12
Engineering Discussion
Rata 7/31/03
Stack Source Test Results
and CEMS 6/19 and 7/31

Petitioners – Donna J. Murphy and Harvey A. Horner represented J. R. Simplot Company.

Public Comments – No Public Comments.

Decision – Board Member Ohlinger made the motion to deny the variance request. Seconded by Board Member Benak and carried unanimously with the following **Roll Call Vote:**

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

Absent: ***Gohring.***

The Board denied the Regular Variance request for Docket N-03-18R, JR Simplot Company.

5. **Emergency Variances** – The Northern Region Hearing Board has not heard or

approved an emergency variance order since January 7, 2004.

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** – Thursday, March 4, 2004 at 10:00 a.m. The meeting will be held via video conferencing (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 10:40 a.m.

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