



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Northern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 4800 Enterprise Way, VTC Room Modesto, CA. 95356

Wednesday, August 2, 2006
10:00 a.m.

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

1. **Call Meeting to Order** – The Vice Chair, Gerald Schneider, called the meeting to order at 10:00 a.m.

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

Steve Benak, MD	Medical
Donald Ohlinger	Engineer
Roger Gohring	Public
Rob Hofmann (Alternate)	Attorney
Gerald Schneider, Vice Chair	Public

Also present in the Northern Region Office (Modesto) – Ron Giannone and Lisa Middleton, Supervising Air Quality Inspectors and John Cadrett, Air Quality Inspector.

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant District Counsel, Brian Dodds, Senior Air Quality Inspector, Michael Carrera, Supervising Air Quality Inspector, Lynn Sargenti, Senior Office Assistant and Angie DeSantiago, Office Services Supervisor.

3. **Approve Minutes of June 7, 2006** – The Vice Chair asked if there were any corrections to the Minutes. Hearing no comments the Chair declared the Minutes of February 1, 2006 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

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

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

Brian Dodds presented the Staff Report.

A.)
Docket N-06-07i, Interim Variance, **GWF Energy LLC**, 14950 West Schulte Road, Tracy, CA. 95377. Type of Business: Independent Electric Power Producer

Petitioners – Mark Kehoe and Neftali Nevarez represented GWF Energy LLC.

Public Comment – No Public Comment.

Decision – Board Member Benak made the motion to grant the Interim Variance. Staff provided the Hearing Board and the Petitioner with fourteen recommended conditions during the hearing. The recommended conditions were revised with the deletion of recommended conditions 4 and 5, and with modifications to recommended conditions 2, 3, 7, 8 and 10. Therefore, the interim variance will be subject to twelve recommended conditions as modified. Seconded by Board Member Ohlinger and unanimously carried with the following roll call vote:

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

Absent: None.

The Northern Region Hearing Board granted an Interim Variance to Docket N-06-07i, GWF Energy LLC. The Interim Variance shall be effective from August 2, 2006 to October 31, 2006, or until the Northern Region Hearing Board hears the petition for Short Variance (Docket N-06-07S), whichever occurs first. The twelve recommended conditions with modifications will be set forth in the Northern Region Hearing Board Order.

5. **Emergency Variances** – The Northern Region Hearing Board has not heard, or approved an emergency variance order since the June 7, 2006 Hearing Board Meeting.
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, September 6, 2006 at 10:00 a.m. The meeting will be held via video conferencing (VTC) in the Northern Region Office, 4800 Enterprise Way, VTC Room, Modesto with the Central Region Office (Fresno) participating via VTC.
10. **Adjournment** – The Vice Chair adjourned the meeting at 10:38 a.m.

Meeting Clerked by Lynn Sargenti, Senior Office Assistant
Minutes prepared by Sissy Smith, Clerk to the Board
Northern Region Hearing Board
San Joaquin Valley Unified APCD