



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, November 1, 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 Chair, Mark 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
Donald Ohlinger	Engineer
Roger Gohring (absent)	Public
Gerald Schneider, Vice Chair	Public
Mark A. Kanai, Chair	Attorney

Also present in the Northern Region Office (Modesto) – Jami Aggers, Air Quality Compliance Manager, Ron Giannone and Lisa Middleton, Supervising Air Quality Inspectors and Jan Sudomier, Air Quality Inspector.

Also present in the Central Region Office (Fresno) – Catherine (Tognazzini) Redmond, Assistant District Counsel, Brian Dodds, Senior Air Quality Inspector, Michael Carrera, Supervising Air Quality Inspector, Erin Green, Office Assistant and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of October 4, 2006** – The Chair asked if there were any corrections to the Minutes. Hearing no comments the Chair declared the Minutes of October 4, 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 Reports.

A.)
Docket N-06-09R, Regular Variance, **Walnut Energy Center**, 600 South Washington Road, Turlock, CA. 95387. Type of Business: Electrical Power Generating Facility

Petitioners – Jeff Adkins and George Davies represented Walnut Energy Center.

Public Comment – No Public Comment.

Decision – Board Member Benak made the motion to continue the hearing for Docket N-06-09R to December 6, 2006, or until the next regularly scheduled Northern Region Hearing Board Meeting. Seconded by Board Member Ohlinger and unanimously carried with the following roll call vote:

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

Absent: ***Gohring.***

The Northern Region Hearing Board continued the Regular Variance hearing for Docket N-06-09R, Walnut Energy Center to December 6, 2006, or until the next regularly scheduled Northern Region Hearing Board Meeting.

B.)
Docket N-06-10R, Regular Variance, **Ripon Cogeneration LLC**, 944 S. Stockton, Ripon, CA. 95366. Type of Business: Cogeneration Facility

Petitioners – David Farabee, James Charles and Jim Kluesener represented Ripon Cogeneration LLC.

Public Comment – No Public Comment.

Decision – Board Member Schneider made the motion to grant the Regular Variance, with the required six findings. The variance will be subject to the seventeen recommended conditions set forth on pages 4, 5 and 6 of the Staff Report with revisions to: **Recommended Condition # 2, add PTO Condition # 5 to PTO #N-770-7-5, and add CO emissions to Recommended Conditions #3, #5, #12 and #15 C.**

Seconded by Board Member Benak and unanimously carried with the following roll call vote:

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

The Northern Region Hearing Board granted a Regular Variance to Docket N-06-10R, Ripon Cogeneration LLC. The variance shall be effective from November 1, 2006 to October 31, 2007, or until subject boiler achieves compliance with the permitted emission limit, whichever occurs first. The seventeen recommended conditions with revisions will be set forth in the Northern Region Hearing Board Order.

C.) Docket N-06-11S, Short Variance, Stockton CoGen Company , 1010 Zephyr Street, Stockton, CA. 95206. Type of Business: Cogeneration Facility
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Petitioners – Glenn Sizemore, Darryl Wenrick and Scot Govert represented Stockton CoGen Company.

Public Comments – No Public Comments.

Decision – Board Member Ohlinger made the motion to grant the variance with the required six findings. The variance will be subject to the nine recommended conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Schneider and unanimously carried with the following roll call vote:

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

The Northern Region Hearing Board granted a Short Variance to Docket N-06-11S, Stockton CoGen Company. The Short Variance shall be effective from November 13, 2006 to November 23, 2006, or until Stockton CoGen has replaced NOx/SOx analyzer and certified the CEMS as required, whichever occurs first. The nine recommended conditions 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 October 4, 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, December 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, CA. with the Central Region Office, 1990 E. Gettysburg Avenue, VTC Room, Fresno. CA., participating via VTC.
10. **Adjournment** – The Chair adjourned the meeting at 10:40 a.m.

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