

Action Summary Minutes
SOUTHERN REGION HEARING BOARD MEETING

Southern Region Office Video Teleconference (VTC) Room

34946 Flyover Court, Bakersfield, CA 93308

Wednesday, April 8, 2009, 10:00 a.m.

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

MINUTES

1. CALL MEETING TO ORDER:

The Chair, Hollis Carlile, called the meeting to order at 10:00 a.m.

2. ROLL CALL:

Kimm Wolber - Medical	Present
Nancy Dunn – Public	Present
John Stovall - Attorney	Present
Hollis Carlile (chair) - Engineer	Present

Staff present—Southern Region (Bakersfield): Amelia Yuan

Central Region (Fresno): Patrick Houlihan, Sr. Air Quality Specialist; Ryan Hayashi, Supervising Air Quality Specialist; Catherine Redmond, Assistant District Counsel; and Michelle Banuelos, acting as Clerk to the Boards.

3. Approve Minutes of March 11, 2009

The Chair, Hollis Carlile, asked if there were any comments regarding the Minutes of March, 11, 2009. Hearing none, the Minutes for March 11, 2009, were approved.

4. PUBLIC HEARING:

The Chair asked the Clerk to verify that all items had been properly noticed. The Clerk responded that they had. All those present to testify were sworn in by the Chair, and he requested that they sign in.

A. S-09-16R Regular Big West of California, LLC
6451 Rosedale Highway
Bakersfield, CA 93308

Petitioners: Max Simms

Patrick Houlihan presented the report. Big West of California (BWC) has requested a regular variance period from April 8, 2009, to April 7, 2010, to allow the postponement of the current and upcoming CEMS RATA for the CEMS associated with the subject equipment.

Petitioner, Max Simms, stated the District's report was accurate in describing BWC's petition, and only added that the quarterly tests they conducted on some of their analyzers came back fine.

Comments: None

Motion: Dunn Second: Wolber

AYES: Wolber, Dunn, Carlile, Stovall

NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted to pass the Motion to grant the variance to occur from April 8, 2009, to April 7, 2010, or until the refinery resumes normal operation, and is subject to the conditions listed on pages four and five of the staff report.

B. S-09-20S Short Aera Energy, LLC
P. O. Box 11164
Bakersfield, CA 93389

Petitioners: John Haley
Travis Botts

Patrick Houlihan presented the report. Aera Energy, LLC, is seeking a short variance period for a cumulative, consecutive, 14-day period to occur between April 9, 2009, and July 8, 2009, to allow the Anderson Fitzgerald Dehydration Facility (A/F) Dehy flare to incinerate waste gases with excess sulfur concentrations while Aera conducts the proposed maintenance activities on the Sulfatreat system.

Patrick Houlihan presented the report. Petitioner, John Haley, stated the report was accurate, however wished to add that they have had Sulfatreat representatives on site who indicated their bed life should be longer than what they are seeing now. They believe something is wrong internally. Travis Botts indicated they believe the water misting system for this vessel is not operating properly.

Mr. Carlile asked how old the system is. Mr. Botts stated it is at least 15 years old. The bed had been replaced in December of 2007. Mr. Carlile asked if there had been other problems with this system. Mr. Botts stated the water builds up and

needs to be purged from time to time, which is part of maintenance. Mr. Carlile stated the bed would probably have to be replaced. Mr. Botts agreed.

Mr. Carlile asked if the District is aware that there may be more problems than what is presented here for this short variance. Patrick Houlihan answered that the District does have an inspector out at the site conducting an inspection due to Aera calling in a breakdown, but had not heard from the inspector yet.

Public Comments: None

Motion: Stovall

Second: Wolber

AYES: Wolber, Dunn, Carlile, Stovall

NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted to pass the Motion to grant the variance to occur between April 9, 2009, and July 8, 2009, or until compliance is achieved, whichever comes first, and is subject to the conditions in the staff report on pages three and four.

Having a conflict of interest, Hollis Carlile and John Stovall recused themselves from the meeting at this time. The Chair, Mr. Carlile, turned the meeting over to Hearing Board member, Nancy Dunn.

C. S-09-21i	Interim	Chevron USA, Inc. Station 1-09 Fellows, CA 93224
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D. S-09-23S	Short	Chevron USA, Inc. 29D ICP Fellows, CA 93224
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Petitioners: Bob Langner

Regarding S-09-23S, Ms. Dunn requested to change Chevron's Petition from Short to Emergency in order to be heard today.

Patrick Houlihan indicated while it had been done in the past, the Air Resources Board advised the District those emergencies were not valid and had to be reheard. Patrick Houlihan recommended a continuance.

Bob Langner stated that Chevron's petition is a two-step process. He requested that the District hear the portion of the petition which refers to dismantling the existing tanks to prepare for installation of isolation valves. Patrick Houlihan stated an emergency is an unforeseen event such as a tank imploding and once again recommended a continuance.

