



Action Summary Minutes

SOUTHERN REGION HEARING BOARD MEETING

Southern Region Office Video Teleconference (VTC) Room

34946 Flyover Court, Bakersfield, CA 93308

Wednesday, July 8, 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 10:01 a.m.

2. ROLL CALL:

Kimm Wolber - Medical	Present
John Stovall - Attorney	Present
Hollis Carlile (chair) - Engineer	Present
Nancy Dunn - Public	Present
William Bland - Public*	Absent

*Arrived after item S-09-35S; Attended in Central Region

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 JUNE 10, 2009

The Chair, Hollis Carlile, asked if there were any comments regarding the Minutes of June 10, 2009. Hearing none, the Minutes for June 10, 2009, were approved.

4. PUBLIC HEARING:

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

A. S-09-34S Short Aera Energy LLC
MOCO, D&E, Nevada & PRU
29235 Highway 33
Maricopa, CA 93252

Petitioners: Robert Beebout

Patrick Houlihan presented the report. Aera Energy, LLC is seeking a short variance for a cumulative, consecutive period of approximately 24 hours to occur sometime between July 15, 2009, and October 13, 2009, to allow the continued storage of VOC containing fluids in storage tanks without an operational VRS.

Petitioner, Robert Beebout, stated the District's report was accurate but wanted to state for the record that they may or may not perform work on the electrical system as stated in their report.

Public Comments: None

Motion: Stovall Second: Wolber

AYES: Wolber, Carlile, Stovall, Dunn

NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted to pass the Motion to grant the variance subject to the conditions and changes noted on the Staff Report.

B. S-09-35S Regular Kern River Cogeneration Company
1600 China Grade Loop
Bakersfield, CA 93308

Petitioners:

Hollis Carlile noted that Item B, S-09-35S, was withdrawn from this agenda and continued until the September 9, 2009 Hearing and would not be heard today.

Hollis Carlile recused himself from the meeting due to conflict of interest. John Stovall took over as chair.

D. S-09-37S Short Chevron USA, Inc.
P. O. Box 1392
Bakersfield, CA 93302

Petitioners: David Moore
Martin Lundy

Patrick Houlihan presented the report. Chevron USA, Inc., (CUSA) has requested a short variance period for 14 cumulative, non-consecutive days between July 8, 2009, and October 6, 2009, to allow the subject storage tank to continue to store VOC containing liquids without an operational vapor recovery system.

Mr. Houlihan stated there is a slight change in the variance period date. The variance period should be a 90 day period. The variance period should read:

14 cumulative, nonconsecutive days between July 8, 2009, and October 5, 2009

Mr. Houlihan stated Chevron has requested a change in their request. Page Four, Recommendation One shall now read:

The variance shall be effective for a cumulative, non-consecutive 14-day period to occur sometime between July 8, 2009, and October 5, 2009, or until the testing of the back-up compressor is complete, whichever occurs first.

Mr. Houlihan stated Recommendation number Seven should be changed as well. The summary date will be rolled back one day and should read, *October 20, 2009*, not October 21, 2009.

Petitioner, Martin Lundy, added they have a change to note on page Four, Recommendation Four. The report notes 701.4 pounds of excess VOC emissions, but they had two tanks in service. They wish to modify the stated emissions to 1402.8 pounds of excess emissions.

Mr. Stovall asked if the District would have a problem with this. Mr. Houlihan stated since the estimates are below 2,000 pounds, they will simply make a change to page Four, Recommendation Four, as follows:

Excess VOC emissions shall not exceed 1402.8 lbs for the entire variance period.

Petitioner, David Moore asked that another tank could be added to the variance as they neglected to put it in the original petition, but that it was necessary to the process. Mr. Moore was unsure of the correct permit number, but thought it was S-2010-10-3.

Mr. Houlihan asked the District Counsel if the District could make these additions later once the correct permit number was found. District Counsel Catherine Redmond stated, ideally they should be added now and could be revised later if need be. Therefore, an addition was made to page Four, Recommendation Two:

C. *Conditions 1,3,4, and 7 of PTO S-2010-10-3*

Mr. Moore indicated he spoke to Dave Baldwin in the morning with a request to start work that day without the 24 hour notice. Mr. Houlihan stated there will be no problem with this request.

Public Comments: None

Motion: Dunn Second: Wolber

AYES: Wolber, Bland, Dunn, Stovall

NAYS: None

RECUSED: Carlile

Having decided the petition has met the required findings, the Hearing Board voted to pass the Motion to grant the variance subject to the conditions and changes noted on the Staff Report.

Hollis Carlile returned to the meeting and resumed his role as Chair for the remainder of the meeting.

5. The Southern Region Hearing Board heard no emergency variances.
6. PUBLIC COMMENTS: No public comments.
7. HEARING BOARD MEMBER COMMENTS: Ms. Wolber asked Mr. Houlihan if he received her recent E-mail. They exchanged E-mail addresses.
8. NEW BUSINESS: No new business.
9. NEXT SCHEDULED MEETING: Wednesday, August 12, 2009, at 10:00 a.m.
The meeting will be held via video conferencing (VTC) in the Southern Region Office (Bakersfield) with the Central Region Office (Fresno) participating via VTC.
10. ADJOURNMENT: The Chair adjourned the meeting at 10:50 a.m.