



**Action Summary Minutes**

**SOUTHERN REGION HEARING BOARD MEETING**

Southern Region Office Video Teleconference (VTC) Room

34946 Flyover Court, Bakersfield, CA 93308

**Wednesday, September 9, 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 10:05 a.m.

2. ROLL CALL:

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

\*Attended in the Central Region Office.

Staff present—Southern Region (Bakersfield): Ellyce Baldwin

Central Region (Fresno): Patrick Houlihan, Sr. Air Quality Specialist; Ryan Hayashi, Supervising Air Quality Specialist; Michelle Banuelos, acting as Clerk to the Board.

3. APPROVE MINUTES OF AUGUST 12, 2009

The Chair, Hollis Carlile, asked if there were any comments regarding the Minutes of August 12, 2009. Hearing none, the Minutes for August 12, 2009, were approved.

4. PUBLIC HEARING:

The Chair asked the Clerk if 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-09-29R Regular South Kern Industrial Center  
2653 Santiago Road  
Taft, CA 93268

Petitioners: Doug McCormick  
Lorrie Loder

Patrick Houlihan presented the report. South Kern Industrial Center (SKIC) is requesting a regular variance period from September 9, 2009, until December 12, 2009, to allow the associated system components (ASPs) and biofilters be shut down for preventative inspection and maintenance.

Patrick Houlihan stated the District and SKIC differ in their excess emissions estimates. SKIC estimates the excess emissions to be 992 pounds of VOCs from all the operations, while the District has calculated 4963.92 total pounds of excess VOCs for the entire 24 hours, all operations.

Petitioner, Doug McCormick, stated they may need additional time to shut down, perform the necessary maintenance and put the fans back into service once the parts are received. Regarding maintenance on the biofilters, they feel their emissions will remain below the level they calculated in their application.

Mr. Carlile asked questions regarding the control of air movement, reaction time, and temperature of organic material. Ms. Loder stated this is the first facility of its nature in this air District and in the State and understands the conservativeness of the District.

Mr. Bland asked the Petitioner how they came up with their number of 992. Mr. McCormick answered their number is based on averages and testing reported by South Coast Air Quality Management District. These tests were done in the Los Angeles area and are very conservative.

Jim Swaney, Permits Services Manager, was asked to explain how the District arrived at their calculations. Mr. Swaney explained the formula the District used to come up with 4963.92. Mr. Swaney stated they did a tremendous amount of research and feels comfortable that the District's estimate is conservative and represents a worst-case for this type of facility.

Ryan Hayashi, Supervising Air Quality Specialist, added that the District feels comfortable with these figures because of the Permit limits, which were never disputed by the Petitioner. If the Petitioner realizes their emissions are indeed different, then they would have to come back and change their Permit.

Mr. Carlile stated his concern of not having enough information to determine whose figure is most reasonable or realistic. Nancy Dunn stated this is a trail-blazing event and we are not able to scientifically calculate unknowns. More research and testing are needed.

Patrick Houlihan stated the District usually estimates as high as possible to give a good range for the Petitioner. The Petitioner can always come back with more calculations at the end of the variance term. He stated the Petitioner will have to pay excess emission fees if they exceed over one ton.

Mr. McCormick stressed the piles will have a six-inch blanket of wood chips and does not feel emissions will be significant. They would like to take their chances on the one-ton threshold. They will do more research during the variance period.

- Public Comments: None
- Motion: Bland Second: Wolber
- AYES: Wolber, Dunn, Bland, Carlile
- 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 in the staff report.

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

Petitioners: Daniel Beck  
 Cory Eager

Patrick Houlihan presented the report. Kern River Cogeneration Company (KRCC) is requesting a short variance period for a cumulative 24-hour period to occur sometime between September 9, 2009, and December 8, 2009, to allow the operation of the subject turbine unit with excess NO<sub>x</sub> and CO emissions while KRCC conducts the necessary performance tests.

Petitioner, Daniel Beck, added that fuel nozzles needed to be replaced on Unit Three. Their operations group tried a number of corrective actions and was successful enough to postpone repairs. Ultimately, the part will need to be changed. He stressed it should only take a couple of hours.

- Public Comments: None
- Motion: Dunn Second: Wolber
- AYES: Wolber, Dunn, Carlile, Bland
- 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 in the staff report.

C. S-09-46S    Short            Aera Energy LLC  
   29235 Highway 33  
   Maricopa, CA 93252

This item was withdrawn by Petitioners.

The Chair suggested Items D and E could be combined. The Petitioners and the District agreed.

D. S-09-47S    Short            Sycamore Cogeneration Company  
   1600 China Grade Loop  
   Bakersfield, CA 93308

E. S-09-48S    Short            Sycamore Cogeneration Company  
   1600 China Grade Loop  
   Bakersfield, CA 93308

Petitioners:                            Daniel Beck  
   Cory Eager

Patrick Houlihan presented the combined report. Sycamore Cogeneration Company is requesting a short variance for a cumulative 24-hour period to occur sometime between September 9, 2009, and December 8, 2009, to allow the operation of the subject turbine units with excess NO<sub>x</sub> and CO emissions while Sycamore conducts the necessary performance tests.

Petitioner, Daniel Beck, wished to reiterate that Units Two and Three are going to have installed the latest hardware, and hope this hardware has a longer lifespan. They believe their actual emissions will be lower than their proposed emissions.

Public Comments:                            None

For Item S-09-47S:

Motion: Wolber                            Second: Dunn

AYES: Wolber, Carlile, Dunn. Bland

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 in the Staff Report.

For Item S-09-48S:

Motion: Dunn

Second: Wolber

AYES: Wolber, Carlile, Dunn, Bland

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 in the Staff Report.

Hollis Carlile recused himself from the meeting at this time due to a conflict of interest. The Vice Chair, William Bland, took over as Chair.

F. S-09-37M    Modification    Chevron USA, Inc.  
Midway Sunset Oil Field  
Fellows, CA 93224

Petitioners:                      Martin Lundy  
David Moore

Patrick Houlihan presented the report. Chevron USA, Inc. (CUSA) is requesting a modification of a short variance for 14 non-consecutive days to occur sometime between July 8, 2009, and October 6, 2009, to allow the subject storage tanks to continue to store VOC containing liquids without an operational VRS.

Petitioner, Martin Lundy, added that they had some plugging issues in the line back in July and couldn't do the testing, which prompted the adding of a third tank.

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 in the Staff Report.

Public Comments:                None

Motion: Wolber

Second: Dunn

AYES: Wolber, Dunn, Bland

NAYS: None

F. S-09-39S Short

Macpherson Oil Company  
Section 18 Dehy Facility  
Round Mountain Oil Field  
Bakersfield, CA

This Item was continued by the Petitioners.

Hollis Carlile returned to the meeting. The Vice Chair returned the Chair to Mr. Carlile.

5. The Southern Region Hearing Board heard no emergency variances.
6. PUBLIC COMMENTS: No public comments.
7. HEARING BOARD MEMBER COMMENTS: None
8. NEW BUSINESS: Patrick Houlihan pointed out that he did receive Kimm Wolber's letter regarding the increase in stipends for Hearing Board members. The letter will be forwarded to the District's Clerk to the Boards. Mr. Houlihan reminded the Board that the Southern Region Hearing Board meeting for November will be heard on Thursday, November 12, 2009, due to the Veteran's Day Holiday falling on a Wednesday.
9. NEXT SCHEDULED MEETING: Wednesday, October 14, 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 11:15 a.m.