



**Action Summary Minutes**

**SOUTHERN REGION HEARING BOARD MEETING**

Southern Region Office Video Teleconference (VTC) Room

34946 Flyover Court, Bakersfield, CA 93308

**Wednesday, January 13, 2010, 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	Present

\*Bill Bland attended in the 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 Board.

3. APPROVE MINUTES OF DECEMBER 9, 2009

The Chair, Hollis Carlile, asked if there were any comments regarding the Minutes of December 9, 2009. Hearing none, the Minutes for December 9, 2009, were approved as submitted.

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.

The Chair, Hollis Carlile, announced at this time that he has sold his Chevron stock and will no longer be recusing himself from the meetings while Chevron Petitions are being heard.

A. S-09-70i Interim Occidental of Elk Hills, Inc.  
10800 Stockdale Highway  
Bakersfield, CA 93311

Petitioners: Rick Garcia  
Joe Ashley

Patrick Houlihan presented the report. Occidental of Elk Hills, Inc. (OEHI) is seeking an interim variance for a period between December 18, 2009, and March 10, 2010, to allow for the storage of VOC containing liquids without an operational or functional vapor recovery system (VRS).

Patrick Houlihan pointed out a change to the staff report. Page three (3), Recommendation four (4) should read as follows:

4. Excess VOC emissions shall not exceed 45.3 pounds per day during the variance period.

Petitioner, Rick Garcia, stated their petition was covered thoroughly and only went over the required findings.

Mr. Carlile asked about the gravity of the oil. Ms. Dunn questioned the timeframe of the variance. Patrick Houlihan cleared up any questions she had.

John Stovall recused himself from the meeting due to a conflict of interest, as he owns stock in Occidental of Elk Hills.

Public Comments: None

Motion: Dunn Second: Wolber

AYES: Wolber, Dunn, Bland, Carlile

NAYS: None

RECUSED: Stovall

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.

John Stovall returned to the meeting at this time.

B. S-09-71S      Short                      Aera Energy, LLC  
29235 Highway 33  
Maricopa, CA 93252

Petitioners:                      Robert Beebout

Patrick Houlihan presented the report. Aera Energy, LLC (AERA) is seeking a short variance for a consecutive period of 56 hours to occur sometime between January 25, 2010, and April 25, 2010, to allow the continued storage of VOC containing liquids at the subject leases without an operational vapor recovery system.

Hollis Carlile pointed out a correction on page four (4) of the staff report. Strike out 48 and put in 56. Number one (1) of the recommendations should read as follows:

1. The variance shall be effective for a consecutive period of 56 hours to occur sometime between January 5, 2010, and April 25, 2010, or until PG&E restores electrical power and compliance is re-established, whichever occurs first.

Petitioner, Robert Beebout, stated the District accurately summarized their situation. PG & E notified them of their upcoming maintenance and therefore, electrical power would be shut off to some of AERA's leases sometime in February of 2010. This variance request is a result of PG & E's scheduled power outage.

Public Comments:                      None

Motion: Wolber                              Second: Stovall

AYES: Wolber, Dunn, Carlile, Bland, Stovall

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-09-72S      Short                      Chevron USA, Inc.  
P O Box 1392  
Bakersfield, CA 93302

This item has been continued until the next regularly scheduled Hearing on February 10, 2010.

D. S-09-73S Short Kern River Cogeneration Company  
P O Box 80478  
Bakersfield, CA 93308

Petitioners: Daniel Beck

Patrick Houlihan presented the report. Kern River Cogeneration Company (KRCC) is seeking a short variance to occur between January 13, 2010, and April 13, 2010, to allow the operation of the subject turbine unit with excess NO<sub>x</sub> emissions when the turbine is called upon to provide electricity to the grid.

Petitioner, Daniel Beck, stated their petition was presented accurately, but wanted to add this petition is to extend the Emergency Variance that is about to expire today.

Public Comments: None

Motion: Stovall Second: Dunn

AYES: Wolber, Dunn, Carlile, Bland, Stovall

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.

E. S-09-74S Short California Dairies, Inc.  
755 F Street  
Fresno, CA 93706

Petitioners: Mary Jane Wilson

Patrick Houlihan presented the report. California Dairies, Inc. (CDI) is seeking a short variance to occur between January 7, 2010, and April 7, 2010, to allow for the postponement of the upcoming source test until a new ATC can be issued with a reasonably achievable CO emission rate for the subject dryer.

Petitioner, Mary Jane Wilson, stated their petition was presented accurately, but wished to request relief from condition 14. Page 4 (four) Recommendation 2 A, add the number 14, to read as follows:

A. Conditions 14, 17, 18, and 19 of ATC #S-7063-12-0.

Public Comments: None

Motion: Stovall

Second: Bland

AYES: Wolber, Dunn, Carlile, Bland, Stovall

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.

**Clerk's note:** Due to technical difficulties, this meeting was not recorded.

5. The Southern Region Hearing Board heard six emergency variances.
6. PUBLIC COMMENTS: None
7. HEARING BOARD MEMBER COMMENTS: None.
8. NEW BUSINESS: Patrick Houlihan stated for the record that Hollis Carlile no longer owns stock in Chevron, Inc. Mr. Carlile confirmed this fact.
9. NEXT SCHEDULED MEETING: Wednesday, February 10, 2010, 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 11:05 a.m.