

Action Summary Minutes

SOUTHERN REGION HEARING BOARD MEETING

Southern Region Office Video Teleconference (VTC) Room
34946 Flyover Court, Bakersfield, CA 93308

Wednesday, December 14, 2011, 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:

Robert Moeller – Medical	Present
Hollis Carlile (Chair) – Engineer	Present
John Stovall – Attorney	Present
Nancy Dunn – Public	Present
William Bland – Public	Present

Staff present - Southern Region (Bakersfield): David Baldwin, Supervising Air Quality Inspector

Central Region (Fresno): Patrick Houlihan, Sr. Air Quality Specialist; Ryan Hayashi, Supervising Air Quality Specialist, Michael Carrera, Compliance Manager, Morgan Lambert, Compliance Director, Daniel Martinez, Supervising Air Quality Inspector, Catherine Redmond, Legal Counsel, Vicki Christie, acting as Deputy Clerk to the Board

3. APPROVE MINUTES OF NOVEMBER 9, 2011
The Chair, Hollis Carlile, asked if there were any comments regarding the Minutes of November 9, 2011. Hearing no comments, the Chair declared the minutes were approved as submitted.

4. PUBLIC HEARING:
All those present to testify were sworn in by the Chair, and he requested they sign in.

A. S-10-06X Extension Alon Bakersfield Refining
6451 Rosedale Highway
Bakersfield, CA 93308

Petitioners: Helen Ordway

ALON has requested an extension of the previously modified regular variance from District Rules 1080, 1081, 2010, 2070.7.0, 2201, 2520, 4001, 4305, 4306, and 4320, in addition to conditions of the applicable Authorities to Construct (ATCs) and Permits to Operate (PTOs). The requested variance period would be from January 1, 2012, until December 31, 2012. If granted, the variance would allow ALON to continue the postponement of the current and upcoming RATA for the CEMS associated with the subject equipment. In addition, the variance would provide protection from upcoming source tests of the subject combustion equipment.

Ms. Ordway thanked Mr. Houlihan for his accurate representation of the petition. She had nothing further to add.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Stovall and seconded by Ms. Dunn, unanimously passed, the petitioner was granted an extension to their regular variance.

B.	S-11-68S	Short	Alon Bakersfield Refining 6451 Rosedale Highway Bakersfield, CA 93308
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Petitioners: Helen Ordway

ALON has requested a short variance from District Rules, 2070.7.0, 2201, 2520, 4305, 4306, and 4320, in addition to conditions of the applicable Permits to Operate (PTOs). The requested variance period would be for a consecutive 72-hour period to occur sometime between, and including, January 20, 2012, until April 14, 2012. If granted, the variance would allow ALON to exceed the allowed start up time of Selas heater. In addition, it would allow excess NOx emissions during the start up.

Ms. Ordway thanked Mr. Houlihan for his accurate representation of the petition. She had nothing further to add.

Public Comments: None

Having decided the petition has met the required findings, on motion of Ms. Dunn and seconded by Mr. Bland, unanimously passed, the petitioner was granted a regular variance.

C.	S-11-69S	Short	Alon Bakersfield Refining 6451 Rosedale Highway Bakersfield, CA 93308
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Petitioners: Helen Ordway

ALON has requested a short variance from District Rules, 2070.7.0, 2201, 2520, and 4623, in addition to conditions of the applicable Permits to Operate (PTOs). The requested variance period would be for a 24-hour period to occur sometime between,

and including, December 15, 2011, and March 13, 2012. If granted, the variance would allow ALON to continue to store VOC containing liquids in the storage tanks without a functional or operating VRS.

Ms. Ordway thanked Mr. Houlihan for his accurate representation of the petition. She had nothing further to add.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Bland and seconded by Mr. Stovall, unanimously passed, the petitioner was granted a short variance.

D.	S-11-70S	Short	Aera Energy LLC PO Box 11164 Bakersfield, CA 93389
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Petitioners: Tim Smith, Brent Wynn

AERA has requested a short variance from District Rules 2070.7.0, 2201, 2520 and 4409 in addition to the applicable conditions of the subject Permit to Operate (PTO). The requested short variance would be for a seven-day period to occur something between January 3, 2012, and March 30, 2012. If granted, the variance would not require AERA to follow all the provisions of Rule 4409 while the de-ethanizer is being repaired.

Mr. Smith presented photos of the equipment in question and explained the scope of the work to be completed.

Mr. Wynn thanked Mr. Houlihan for his accurate report.

Public Comments: None

Having decided the petition has met the required findings, on motion of Ms. Dunn and seconded by Mr. Stovall, unanimously passed, the petitioner was granted a short variance.

E.	S-11-71S	Short	Chevron USA, Inc. PO Box 1392 Bakersfield, CA 93302
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Petitioners: David Moore, Martin Lundy, Martin Quintero

CUSA has requested a short variance from District Rules 2070.7.0, 2201, and 4623 in addition to applicable conditions of the subject Permits to Operate (PTOs). The requested short variance period would be for a consecutive three-day period to occur sometime between, and including, December 14, 2011, and March 12, 2012. If granted, the variance would allow for the continued storage of VOC containing liquids

CUSA has requested a short variance from District Rules 2070.7.0, 2201, 2520, and 4623, in addition to the conditions of the applicable Permits to Operate (PTOs). The requested variance period would be effective for a non-consecutive 120-hour period to occur sometime between, and including, December 14, 2011, to March 12, 2012. If granted, the variance would allow CUSA to continue to store VOC containing liquids in the subject tanks without a functional or operating VRS discharge piping. It would also allow wells with closed well vapor vents to produce into storage tanks that are not controlled by a VRS.

Mr. Lundy asked to change the variance period to a NON-consecutive 120-hour period on page two of the Staff Report. The District will accept these changes. Mr. Lundy had nothing further to add.

Public Comments: None

Having decided the petition has met the required findings, on motion of Mr. Stovall and seconded by Ms. Dunn, unanimously passed, the petitioner was granted a short variance.

G.	S-11-72S	Short	Chapman Student Film 1835 West Willow Avenue Orange, CA 92868
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Petitioners: Mairin Hart, Scott Field, Eric Coyne, Brad Dunlap, Mimi Schuler, Larry Stoneburner

CHAPMAN has requested a short variance from the applicable requirements of District Rule 4103. The requested short variance would occur sometime between January 31, 2012, and February 13, 2012. If granted, the variance would allow CHAPMAN to create bonfires for the purpose of filming a graduate student film and to burn after 5:00 pm.

After introductory comments from the petitioners, Mr. Field asked the District if there is any way CHAPMAN could get the OK to burn further in advance than 1-day. They also asked permission to double the fuel load. The plan is to have the fires burning during the shoot time and extinguish the fires after shooting is completed. A double fuel load will ensure that there will be dry wood to burn for the next day's shoot.

After lengthy discussion between the Board, Petitioners and District staff, it was agreed that CHAPMAN's request to double the fuel load was approved. However, because of changing weather patterns, etc., it is not possible to give more advanced notice than 1 day.

During the first 5 days of the filming period the District will give the film crew 1-day advanced notice that it's ok to burn. If it comes to the last 5 days of filming and there has not been a clear day, burning will be allowed to proceed, provided the film crew will work with the APCD and relevant fire crews to minimize, to the degree possible, any air pollution that might occur from the burn.

