



**GOVERNING BOARD**

- J. Steven Worthley, Chair  
Supervisor, Tulare County
- Leroy Ornellas, Vice Chair  
Supervisor, San Joaquin County
- Tony Barba  
Supervisor, Kings County
- Raji Brar  
Councilmember, City of Arvin

- Judith G. Case  
Supervisor, Fresno County
- Ronn Dominici  
Supervisor, Madera County
- Jon McQuiston  
Supervisor, Kern County
- Michael G. Nelson  
Supervisor, Merced County
- William O'Brien  
Supervisor, Stanislaus County
- Henry T. Perea  
Councilmember, City of Fresno

Chris Vierra  
Councilmember, City of Ceres

---

Seyed Sadredin  
Executive Director/  
Air Pollution Control Officer

---

Northern Region Office  
4800 Enterprise Way  
Modesto, CA 95356-8718  
(209) 557-6400  
FAX (209) 557-6475

---

Central Region Office  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000  
FAX (559) 230-6061

---

Southern Region Office  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2373  
(661) 326-6900  
FAX (661) 326-6985

---

**Action Summary Minutes**

**SOUTHERN REGION HEARING BOARD MEETING**

Southern Region Office Video Teleconference (VTC) Room

2700 "M" Street, Bakersfield, CA 93301

**Wednesday, September 12, 2007, 10:00 A.M.**

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

**AGENDA**

1. CALL MEETING TO ORDER:  
The Chair, Hollis Carlile, called the meeting to order at 10:13 a.m.
  
2. ROLL CALL:

Kimm Wolber—medical	present
Nancy Dunn—public	present
Charles Brehmer—attorney	present
William Bland—public	absent
Hollis Carlile (chair)—engineer	present

Staff present—Southern Region (Bakersfield): Dave Baldwin, Supervising Air Quality Inspector; Allan Phillips, Supervising Air Quality Engineer

Central Region (Fresno): Wayne Clark, Compliance Manager; Brian Dodds, Senior Air Quality Inspector; and Toni Taber, Clerk to the Boards.
  
3. PUBLIC HEARING:

A. S-07-56i	Interim	Phoenix Bio Industries 31120 Nutmeg Road Goshen, CA 93227
-------------	---------	---

Petitioners: Ben Wilton, Dough Shaffer

Brian Dodds presented the report. He noted that recommendation one on page three should read October 10, 2007 instead of October 3, 2007. Mr. Wilton stated the burners are able to burn ethanol, but they are not certified to burn ethanol. He stated the tank trucks discharge atmospheric air into the Vapor Recovery System, and that causes a blow out.

The Chair asked if there was any indication prior to the sale that there was a problem. Mr. Shaffer replied there had not. Mr. Dodds asked when they will submit their ATC. Mr. Wilton stated by September 24, 2007.

Public Comment: None

Moved: Dunn  
Second: Wolber  
Ayes: Wolber, Dunn, Brehmer, Carlile  
Noes: None  
Abstain: None

*Motion passes to grant variance as recommended by staff with finding of good cause and subject to the conditions in the Staff Report and with the change to recommendation one from October 3, 2007 to October 10, 2007.*

B. S-07-58S      Short      Aera Energy LLC  
59231 Main Camp Road  
McKittrick, CA 93224

Petitioners: Brent Winn, Rita Daniels-Waugh

Brian Dodds presented the report. He noted the change to condition one to state "72 hour period" instead of "48 hour period." Brent Winn stated he agreed with the staff report. The Chair asked how long the system has been in place. Rita Waugh replied the system has been in place for a year. The Chair suggested the time period seems too short to develop problems. Ms. Waugh stated they are changing the type of filters they use to make sure debris doesn't clog the nozzles again.

Public Comment: None

Moved: Wolber  
Second: Brehmer  
Ayes: Wolber, Dunn, Brehmer, Carlile  
Noes: None  
Abstain: None

*Motion passes to grant variance as recommended by staff with finding of good cause and subject to the conditions in the Staff Report and with the change to recommendation one from 48 hours to 72 hours.*

Due to a conflict of interest, the Chair, Hollis Carlile, abstained from the next two items. Charles Brehmer acted as Chair.

C. S-07-47R      Regular      Chevron USA Inc.  
Cymric Oilfield  
Western Heavy oil Stationary Source

McKittrick, CA 93224

Petitioners: John Gruber, Adrian Sukal, Bob Langner

Brian Dodds presented the report. He noted there was a change to recommendation 1 to read "September 12, 2007" instead of "September 5, 2007," and to recommendation 13 to read "August 23, 2008" instead of "October 25, 2007." John Gruber stated that he agreed with the report.

Public Comment: None

Moved: Brehmer  
Second: Wolber  
Ayes: Brehmer, Dunn, Wolber, Carlile  
Noes: None  
Abstain: None

*Motion passes to grant variance as recommended by staff with finding of good cause and subject to the conditions in the Staff Report and with the change to recommendation 1 to read "September 12, 2007" instead of "September 5, 2007," and to recommendation 13 to read "August 23, 2008" instead of "October 25, 2007."*

D. S-07-51R      Regular      Chevron USA Inc.  
Station 1-09  
Western Heavy oil Stationary Source  
Fellows, CA 93224

This item was withdrawn by the petitioner as they were able to complete the work under the interim variance they had received through the Hearing Board in August 2007.

Charles Brehmer returned the Chairmanship to Hollis Carlile.


5. The Southern Region Hearing Board approved the following emergency variance orders: Docket S-07-55E La Paloma Generating Company; Docket S-07-57E Chevron USA Inc.
6. PUBLIC COMMENTS: No public comments.

HEARING BOARD MEMBER COMMENTS: Kimm Wolber asked for an announcement of the upcoming San Joaquin Valley Air Pollution Control District's Symposium. The Clerk stated the Symposium will be held on October 3 and 4<sup>th</sup> in Visalia at the Visalia Convention Center, and the Symposium will be followed by a meeting of the Governor's Partnership for the San Joaquin Valley on October 4<sup>th</sup>.

3. NEW BUSINESS: No new business.

4. NEXT SCHEDULED MEETING: Wednesday, October 10, 2007 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.
5. ADJOURNMENT  
The Chair adjourned the meeting at 11:04 a.m.

Respectfully Submitted,



Toni J. Taber  
Clerk to the Boards  
San Joaquin Valley Unified Air Pollution Control Districts