



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Southern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 2700 M Street, Suite 275 Video Teleconferencing (VTC) Room Bakersfield, CA.

**Wednesday, July 14, 2004
10:00 a.m.**

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

1. **Call Meeting to Order** – The Vice Chair, called the meeting to order at 10:04 a.m.

2. **Roll Call was taken and a quorum was present.**

Kimm Wolber	Medical
Andrew C. Thomson	Attorney
Nancy Ann Dunn (absent)	Public
William L. Bland, Jr., Vice Chair	Public
Hollis B. Carlile, Chair (absent)	Engineer

Also present in the Southern Region Office (Bakersfield)

Creighton Smith, Supervising Air Quality Inspector, Allan Phillips, Supervising Air Quality Engineer and Mike Oldershaw, Senior Air Quality Inspector.

Also present in the Central Region Office (Fresno) Catherine

Tognazzini, Assistant District Counsel, Michael Carrera, Supervising Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of June 9, 2004** – The Vice Chair asked if there were any comments to the Minutes of June 9, 2004. Hearing no comments the Vice Chair declared the Minutes of June 9, 2004 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Vice Chair.

The Vice Chair asked if all of the Petitions had been properly noticed and on file with the Clerk to the Board. Ms. Smith responded affirmative.

The Vice Chair requested the Hearing Board Packet, and any addenda brought forth in today's hearings be entered into the Official Record.

Michael Carrera presented the Staff Reports

A.)
Docket S-04-30S, Short Variance, Plains Marketing LP – Belridge, 3600 Bowman Court, Bakersfield, CA. 93308. Type of Business: Crude Oil Storage and Pipeline Transportation Facility.

Petitioner – Jordan Janak represented Plains Marketing LP.

Public Comment – No Public Comment.

Decision – Board Member Thomson made the motion to grant the variance. Board Member Thomson requested that the record reflect that the Board reviewed, discussed and approved the required six findings. Board Member Thomson stated that the variance be granted pursuant to the ten recommendations set forth on page 3 and 4 of the Staff Report, and as amended during the Board's discussion. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

Ayes: ***Wolber, Thomson and Bland.***

Absent: ***Dunn and Carlile.***

The Board granted a Short Variance to Docket S-04-30S, Plains Marketing LP – Belridge. The Board reviewed, discussed and approved the required six findings. The variance shall be in effect for an accumulative eight day period from July 14, 2004 to August 31, 2004, or until all the tank seals are replaced and compliance is achieved whichever occurs first. The ten variance recommendations will be set forth in the Hearing Board Order.

B.)
Docket S-04-31S, Short Variance, Chevron USA, Inc. – Station 36, P O Box 1392, Bakersfield, CA. 93302. Type of Business: Heavy Crude Oil Production Facility.

Petitioners – Larry Landis and Barry Silken represented Chevron USA, Inc.

Chevron provided a copy of Exhibit 1 - Pictures taken July 14, 2004 of the vent hatches on Surge 2, 4 and 6

Public Comment – No Public Comment.

Decision – Board Member Thomson made the motion to grant the variance. Board Member Thomson stated the motion shall reflect that the Board reviewed and discussed the required six findings and have made a determination that the six findings can be made. Board Member Thomson stated the variance is subject to the eleven recommendations set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

Ayes: ***Wolber, Thomson and Bland.***

Absent: ***Dunn and Carlile.***

The Board granted a Short Variance to Docket S-04-31S, Chevron USA, Inc. – Station 36, P O Box 1392, Bakersfield, CA. 93302. The Board reviewed, discussed and approved the required six findings. The variance shall only be in effect for three separate 8-hour periods to occur sometime between July 15, 2004 and August 14, 2004, or until the pressure relief hatches on Surge Tanks #2, #4 and #6 have been replaced and compliance achieved, whichever occurs first. The eleven variance recommendations will be set forth in the Hearing Board Order.

C.) Docket S-04-33S, Short Variance, Kern River Cogeneration Company, P O Box 80478, Bakersfield, CA. 93308. Type of Business: Natural Gas-Fired Cogeneration.

Petitioners – Daniel Beck and Kelly Crowther represented Kern River Cogeneration Company.

Public Comment – No Public Comment.

Decisions – Board Member Thomson made the motion to grant the variance. Board Member Thomson added that during the presentation the Board has looked at the required six findings and had concluded that the six findings can be made. Board Member Thomson stated that the variance be granted pursuant to the eight recommendations set forth in the Staff Report on pages 3 and 4. Seconded by Board Member Wolber and carried unanimously with the following

Roll Call Vote:

Ayes: ***Wolber, Thomson and Bland.***

Absent: ***Dunn and Carlile.***

The Board granted the Short Variance to Docket S-04-33S, Kern River Cogeneration Company. The variance shall be effective up to a consecutive 24-hour period to occur sometime between July 31, 2004 and August 31, 2004, or until maintenance to the Magunden Substation is complete and electrical power restored, whichever is sooner. The eight variance recommendations will be set forth in the Hearing Board Order.

5. **Emergency Variances** - The Southern Region Hearing Board approved the following emergency variance order:

A.) Docket S-04-32E Equilon Enterprises LLC
6451 Rosedale Hwy, Bakersfield, CA. 93308

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – Board Member Wolber requested clarification regarding the fact that some petitioners are required to provide written reports within 7 days of completing their proposed work and some petitioners are given 15 days or more to report.

Michael Carrera explained that it depends on the difficulty of the variance. If the proposed work is very involved a petitioner is given a time period of 15 to 30 days to provide a written report to the District. But, if it is something relatively quick we like to close them off as quickly as possible, and we will require the reporting time period be due within 7 days of the petitioner completing the proposed work.

8. **New Business** – No New Business.

9. **Next Scheduled Meeting** – Wednesday, August 11, 2004 at 10:00 a.m. The meeting will be held via video teleconferencing (VTC) in the Southern Region Office, 2700 M Street, Suite 275, Bakersfield with the Central Region Office, Fresno, participating via VTC.

10. **Adjournment** – The Vice Chair adjourned the meeting at 10:38 a.m.

Sissy Smith, Clerk to the Board
Southern Region Hearing Board
San Joaquin Valley Unified APCD