



# San Joaquin Valley Air Pollution Control District

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**David L. Crow**  
Executive Director/  
Air Pollution Control Officer

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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 Teleconference (VTC) Room Bakersfield, CA.

**Wednesday, November 10, 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 Chair, Hollis B. Carlile, called the meeting to order at 10:02 a.m.

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

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

**Also present in the Southern Region Office (Bakersfield)**

Creighton Smith, Supervising Air Quality Inspector, Jo Mikelyn DeMers, Air Quality Inspector, Leonard Scandura, Supervising Air Quality Engineer and Spencer Hammond, Air Quality Engineer.

**Also present in the Central Region Office (Fresno)**

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

3. **Approve Minutes of October 13, 2004** – The Chair asked if there were any corrections to the Minutes of October 13, 2004. Hearing no comments the Chair declared the Minutes of October 13, 2004 were approved as submitted.

4. **Public Hearing:**

The Chair requested the Petitioners sign the Sign In Sheet.

The Chair announced the following:

D.) Docket S-04-58S, Aera Energy LLC has been **postponed indefinitely**, and  
E.) Docket S-04-60S, Chevron USA, Inc has been **continued to December 8, 2004**

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

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

**The Chair asked if the Petitioner or the District had any opposition to Items A.), B.), and C.) being held simultaneously with separate votes on each item. The Petition nor District staff voiced any opposition to the Chair's request.**

**Morgan Lambert presented the Staff Reports for:**

A.) Docket S-03-53X, Extension  
La Paloma Generating Company LLC, Turbine Unit 2  
B.) Docket S-03-54X, Extension  
La Paloma Generating Company LLC, Turbine Unit 3  
C.) Docket S-03-55X, Extension  
La Paloma Generating Company LLC, Turbine Unit 4  
1760 W. Skyline Road, McKittrick, CA. 93251. Type of Business: Electrical Power Generating Facility

**Petitioners** – Zenis Walley and Bill Steiner represented La Paloma Generating Company LLC.

**Public Comment** – No Public Comment on Dockets A.), B.), or C.).

**A.) Docket S-03-53X, Turbine Unit 2**

**Decision** – Board Member Dunn made the motion to grant the variance. Board Member Dunn stated that the required six findings set forth on pages 3 and 4 of the Staff Report be adopted by the Board by reference. The variance is subject to the nineteen recommended conditions set forth on pages 5 and 6 of the Staff Report. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

**Ayes:** *Wolber, Dunn and Carlile.*

**Absent:** *Thomson and Bland.*

*The Board granted the extension of the Regular Variance for Docket S-03-53X, La Paloma Generating Company LLC, Turbine Unit 2. The variance shall be effective between February 11, 2004 through July 10, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.*

**B.) Docket S-03-54X, Turbine Unit 3**

**Decision** – Board Member Wolber made the motion to grant the variance. Board Member Wolber stated that the required six findings set forth on pages 3 and 4 of the Staff Report be adopted by the Board by reference. The variance is subject to the nineteen recommended conditions set forth on pages 5 and 6 of the Staff Report. Seconded by Board Member Dunn and carried unanimously with the following **Roll Call Vote:**

**Ayes:**            **Wolber, Dunn and Carlile.**  
**Absent:**          **Thomson and Bland.**

*The Board granted the extension of the Regular Variance for Docket S-03-54X, La Paloma Generating Company LLC, Turbine Unit 3. The variance shall be effective between February 11, 2004 through July 10, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.*

**C.) Docket S-03-55X, Turbine Unit 4**

**Decision** – Board Member Dunn made the motion to grant the variance. Board Member Dunn stated that the required six findings set forth on pages 3 and 4 of the Staff Report be adopted by the Board by reference. The variance is subject to the nineteen recommended conditions set forth on pages 5 and 6 of the Staff Report. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

**Ayes:**            **Wolber, Dunn and Carlile.**  
**Absent:**          **Thomson and Bland.**

*The Board granted the extension of the Regular Variance to Docket S-03-55X, La Paloma Generating Company LLC, Turbine Unit 4. The variance shall be effective between February 11, 2004 through July 10, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.*

**The Chair announced the following:**

**D.) Postponed Indefinitely**

Docket S-04-58S, Short Variance, Aera Energy LLC, Anderson/Fitzgerald Dehydration Facility, and

**E.) Continued to December 8, 2004**

Docket S-04-60S, Short Variance, Chevron USA, Inc, Station 36 Dehydration Facility

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

- |     |                 |                            |
|-----|-----------------|----------------------------|
| A.) | Docket S-04-57E | Taft Manufacturing Company |
| B.) | Docket S-04-59E | Equilon Enterprises LLC    |
| C.) | Docket S-04-61E | Equilon Enterprises LLC    |

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

7. **Hearing Board Member Comments** – No Hearing Board Member Comments.

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

9. **Next Scheduled Meeting** – Wednesday, December 8, 2004 at 10:00 a.m. The meeting will be held via video teleconference (VTC) in the Southern Region Office, 2700 M Street, Suite 275, Bakersfield with the Central Region Office (Fresno) participating via VTC.

10. **Adjournment** – The Chair adjourned the meeting at 10:22 a.m.

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