



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, VTC Room Bakersfield, CA.

**Wednesday, August 10, 2005
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
Nancy Ann Dunn	Public
William L. Bland, Jr., Vice Chair	Public
Hollis B. Carlile, Chair	Engineer

(*) Arrived during Item 4.

Also present in the Southern Region Office (Bakersfield)
Creighton Smith, Supervising Air Quality Inspector, Leonard Scandura, Supervising Air Quality Engineer and Ben Ellenberger, Air Quality Engineer.

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant Counsel, Morgan Lambert, Senior Air Quality Inspector and Lynn Sargenti, Senior Office Assistant.

3. **Approve Minutes of July 13, 2005** – The Chair asked if there were any comments regarding the minutes of July 13, 2005. Hearing no comments the Chair declared the Minutes of July 13, 2005 were approved as submitted.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

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

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

Morgan Lambert presented the Staff Reports.

The following Dockets A.), B.) and C.), were presented at the same time with a separate vote on each item.

A.)
Docket S-03-53X2, Extension, **La Paloma Generating Company LLC, (Unit 2)**
1760 W. Skyline Road, McKittrick, CA. 93251. Type of Business: Electrical
Power Generating Facility

B.)
Docket S-03-54X2, Extension, **La Paloma Generating Company LLC, (Unit 3)**
1760 W. Skyline Road, McKittrick, CA. 93251. Type of Business: Electrical
Power Generating Facility

C.)
Docket S-03-55X2, Extension, **La Paloma Generating Company LLC, (Unit 4)**
1760 W. Skyline Road, McKittrick, CA. 93251. Type of Business: Electrical
Power Generating Facility

Petitioner – Zenis M. Walley, represented La Paloma Gas Company.

Public Comment – No Public Comment.

Decision

A.) Docket S-03-53X2, La Paloma Generating Company LLC, (Unit 2)

Board Member Bland made the motion to grant the variance extension. Board Member Bland noted the required six findings could be made. Board Member Bland indicted the variance is subject to the nineteen recommended conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Dunn and unanimously carried with the following roll call vote:

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

The Board granted an Extension to Docket S-03-53X2, La Paloma Generating Company LLC, (Unit 2). The variance extension shall be effective between August 10, 2005 and November 30, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.

Decision

B.) Docket S-03-54X2, La Paloma Generating Company LLC, (Unit 3)

Board Member Bland made the motion to grant the variance extension. Board Member Bland noted the required six findings could be made. Board Member Bland indicated the variance is subject to nineteen recommended conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Dunn and unanimously carried with the following roll call vote:

Ayes: Dunn, Bland and Carlile.

Absent: Wolber.

The Board granted an Extension to Docket S-03-54X2, La Paloma Generating Company LLC (Unit 3). The variance extension shall be effective between August 10, 2005 and November 30, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.

Decision

C.) Docket S-05-55X2, La Paloma Generating Company LLC, (Unit 4)

Board Member Bland made the motion to grant the variance extension. Board Member Bland noted the required six findings could be made. Board Member Bland indicated the variance is subject to nineteen recommended conditions set forth on pages 3 and 4 of the Staff Report. Seconded by Board Member Dunn and unanimously carried with the following roll call vote:

Ayes: Dunn, Bland and Carlile.

Absent: Wolber.

The Board granted an Extension to Docket S-03-55X2, La Paloma Generating Company LLC (Unit 4). The variance extension shall be effective between August 10, 2005 and November 30, 2005, or until re-commissioning activities are complete, whichever occurs sooner. The nineteen recommended conditions will be set forth in the Hearing Board Order.

D.)

Docket S-05-58S, Short Variance, **Aera Energy LLC**, Cogeneration Plant 32, Sec. 32/T28S/21E, Belridge Oilfield, Kern County, CA. Type of Business: Crude Oil and Gas Production

Petitioners – Brent Winn and Stein Storslett represented Aera Energy LLC.

Public Comment - No Public Comments.

Decision – Board Member Dunn made the motion to grant the variance. Board Member Dunn noted the required six findings set forth on pages 3 and 4 of the Staff Report could be made. Board Member Dunn indicated the variance is subject to eleven recommended conditions set forth on pages 4 and 5 of the Staff Report. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Absent: **None.**

The Board granted a Short Variance to Docket S-05-58S, Aera Energy LLC, Cogeneration Plant 32, Belridge Oilfield. The variance shall be effective from August 10, 2005 to November 8, 2005, or until the subject turbine unit is returned to compliance with the applicable District rules and ATC conditions, whichever occurs first. The eleven recommended conditions will be set forth in the Hearing Board Order.

E.) (Withdrawn)

Docket S-05-59S, Short Variance, **Chevron USA Inc.**, 26C Oil Cleaning Plant, Sec. 26C/T32S/R23E, Midway Sunset Oilfield, Kern County, CA.

F.)

Docket S-05-60i, Interim Variance, **Corrpro Companies Inc.**, 6837 Krebs Road, Bakersfield, CA. 93308. Type of Business: Metal Parts and Products Coating.

Petitioners – Mike Polyniak and Jim Odom represented Corrpro Companies, Inc.

Public Comment – No Public Comment.

Correspondence received: from Petrotech, August 10, 2005, Subject: Corrpro Conventional Spray Gun Preliminary Source Test Results.

Board Member Wolber made the motion to grant the variance. Board Member Wolber stated good cause has been established for the required six findings. Board Member Wolber indicated the variance is subject to the eight recommended conditions set forth on pages 2 and 3 of the Staff Report. Seconded by Board Member Dunn and unanimously carried with the following roll call vote:

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

Absent: **None.**

The Board granted an Interim Variance to Docket S-05-60i, Corpro Companies Inc. The interim variance shall be effective from August 11, 2005 to September 14, 2005, or until the next regularly scheduled Southern Region Hearing Board Meeting; however, if the conventional (i.e., non-HVLP) spray gun is not capable of achieving at least 65% transfer efficiency, as determined in accordance with SCAQMD methodology, the variance shall effectively be terminated and CORRPRO shall cease coating operations using the conventional spray gun. The eight recommended conditions will be set forth in the Hearing Board Order.

G.)
Docket S-05-62S, Short Variance, **Big West of California, LLC**, Bakersfield Refinery ((**Areas 1 & 2**), 6451 Rosedale Highway, Bakersfield, CA. 93308, Bakersfield Refinery (**Area 3**) 3663 Gibson Street, Bakersfield, CA. 93302. Type of Business: Crude Oil Refining

Petitioners – Brian Pellens and Raj Rangaraj represented Big West of California, LLC.

Public Comment – No Public Comment.

Decision – Board Member Bland made the motion to grant the variance. Board Member Bland indicated the required six findings set forth on pages 2, 3, and 4 could be made. Board Member Bland noted the variance is subject to the fourteen recommended conditions set forth on pages 4 and 5 of the Staff Report with the following **date revisions**:

Recommended Condition 1 from October 13, 2005 to November 8, 2005

Recommended Condition 10 from October 13, 2005 to November 8, 2005

Recommended Condition 12 from November 12, 2005 to December 8, 2005.

Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Absent: *None.*

The Board granted a Short Variance Docket S-05-62S, Big West of California, LLC. The variance shall be effective for a period to occur between August 10, 2005 and November 8, 2005, or until compliance is achieved, whichever occurs first. The fourteen recommended conditions with date revisions to #1, #10 and #12 will be set forth in the Hearing Board Order.

H.)
Docket S-05-64S, Short Variance, **Big West of California, LLC**, Bakersfield Refinery (**Aera 1**), 6451 Rosedale Highway, Bakersfield, CA. 93308. Type of Business: Crude Oil Refining

Petitioner – Brian Pellens represented Big West of California, LLC.

Public Comment – No Public Comment.

Decision – Board Member Bland made the motion to grant the variance. Board Member Bland indicated the required six findings set forth on pages 2, 3, and 4 could be made. Board Member Bland noted the variance is subject to eleven recommended conditions set forth on pages 4 and 5 of the Staff Report. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Absent: *None.*

The Board granted a Short Variance to Docket S-05-64S, Big West of California, LLC. The variance shall be effective for a consecutive 48-hour period to occur sometime between August 11, 2005 and September 9, 2005, or until maintenance to replace the corroded sections of piping is completed and the VRS is brought back online, whichever occurs first. The eleven recommended conditions will be set forth in the Hearing Board Order.

5. **Emergency Variances** – The Southern Region Hearing approved the following emergency variance orders:
 - A.) Docket S-05-59E, Chevron USA Inc.
 - B.) Docket S-05-60E, Corrpro Companies Inc.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – The Board asked how the recruitment process for new hearing board members was going. Morgan Lambert noted the District is actively recruiting hearing board members to fill current vacant positions for all three regional hearing boards. Mr. Lambert noted the application deadline is August 12, 2005.
9. **Next Scheduled Meeting** – Wednesday, September 14, 2005 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 11:29 a.m.

Meeting Clerked by Lynn Sargenti, Senior Office Assistant
Minutes prepared by Sissy Smith, Clerk to the Board
Southern Region Hearing Board
San Joaquin Valley Unified APCD