



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, July 13, 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 10:06 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

Also present in the Southern Region Office (Bakersfield)

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

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant Counsel, Michael Carrera, Supervising Air Quality Inspector, Morgan Lambert Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of May 31, 2005 and June 8, 2005** – The Chair asked if there were any comments regarding the minutes of May 31, 2005 and June 8, 2005. Hearing no comments the Chair declared the Minutes of May 31, 2005 and June 8, 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. Smith 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 Chair, Hollis B. Carlile, due to a conflict of interest relinquished the chairmanship to the Vice Chair, William L. Bland, Jr., for the following docket.

A.)
Docket S-05-37R, Regular Variance, **Chevron USA Inc.**, Station 1-09 Dehydration Facility, Sec 09, T32S, R23E, Midway Sunset Oilfield, Kern County, Ca. Type of Business: Heavy Crude Oil and Gas Production Facility.

Petitioners – Greg Schmidt, Chris McNinch and Patrick Toomey represented Chevron USA Inc.

Public Comment – No Public Comment.

Decision – Board Member Dunn made the motion to grant the variance. Board Member Dunn noted the required six findings set forth on pages 2 and 3 of the Staff Report could be made with the inclusion of Tanks # 3 & #4 to Finding # 5. Board Member Dunn noted the variance is subject to the twelve recommended conditions set forth on pages 4 and 5 of the Staff Report with the inclusion of Tanks #3 & #4 to recommended condition #6 and a date correction on recommended condition #10 from January 12, 2005 to January 12, 2006. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Excused: **Carlile.**

The Board granted a Regular Variance to Docket S-05-37R, Chevron USA Inc., Station 1-09 Dehydration Facility. The variance shall be effective from July 13, 2005 to December 13, 2005, or until the subject tanks have been migrated to the new vapor recovery system (VRS) and testing of the VRS is completed whichever occurs first. The twelve recommended conditions with amendments to #6 and #10 will be set forth in the Hearing Board Order.

The Vice Chair, William L. Bland, Jr., relinquished the chairmanship back to the Chair, Hollis B. Carlile.

B.)

Docket S-05-42M, Modification, **Unocal California Pipeline LLC**, Middlewater Pump Station, 17251 Pole Line Road, Lost Hills, CA. 93249. Type of Business: Petroleum Pipeline Pump Station.

Petitioners – Chris Carpenter and Matt Krubski represented Unocal California Pipeline LLC.

Public Comment – No Public Comment.

Decision – Board Member Bland made the motion to grant the variance. Board Member Bland noted the variance is subject to the two recommended conditions set forth on page 3 of the Staff Report. The variance modification will allow the petitioner to achieve compliance and shall be implemented no later than July 31, 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 variance modification to Docket S-05-42M, UNOCAL California Pipeline LLC. The variance modification shall allow UNOCAL to achieve compliance with the short variance Docket S-05-42S by implementing the modifications necessary to bring the Middlewater Pump Station heater unit authorized by PTO #S-1520-2-2 into compliance with Rule 4306 NOx emission standard no later than July 31, 2005. All conditions and time frames established by Short Variance Docket S-05-42S shall remain in effect.

C.)

Docket S-05-45R, Regular Variance, **Crimson Resource Management**, 1C Gas Plant, 1630 North Lincoln, Taft, CA. 93268. Type of Business: Gas Processing Facility.

Petitioner – Patty Lee Kusek represented Crimson Resource Management.

Public Comment – No Public Comment.

Decision – Board Member Wolber made the motion to grant the variance. Board Member Wolber noted the required six findings set forth on pages 3 and 4 of the Staff Report could be made. Board Member Wolber stated the variance is subject to the thirteen recommended conditions set forth on pages 4, 5, and 6 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 a Regular Variance to Docket S-05-45R, Crimson Resource Management. The variance shall be effective from July 14, 2005 to November 16, 2005, or until the subject engine units are returned to compliance with the applicable District rules and ATC conditions, whichever occurs first. The thirteen recommended conditions will be set forth in the Hearing Board Order.

D.) Withdrawn)

Docket S-05-48S, Short Variance, **Grimmway Farms**, 830 E. Sycamore, Arvin, CA. 93203.

E.) Withdrawn

Docket S-05-49S, Short Variance, **Chevron USA Inc.**, 2F OCP, 31E OCP, Station 1-09 Dehy, 26C OCP, & 29D OCP Tank Farms, Midway Sunset Oilfield, Kern County, CA.

F.)

Docket S-05-54S, Short Variance, **Semitropic Water Storage District**, South Pumping Plant, NE ¼ Sec. 31/T27S/R23E, Wasco, CA. 93280. Type of Business: Irrigation Water Supply.

Petitioner – Ralph Sanchez represented Semitropic Water Storage District.

Public Comment – No Public Comment.

Decision – Board Member Bland made the motion to grant the variance. Board Member Bland noted the required six findings set forth on pages 2 and 3 of the Staff Report have been made. Board Member Bland stated the variance is subject to the eight 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: **Wolber, Dunn, Bland and Carlile.**

Absent: **None.**

The Board granted a Short Variance to Docket S-05-54S, Semitropic Water Storage District. The variance shall be effective between July 14, 2005 and September 8, 2005, or until such time that the biennial compliance testing can be conducted, whichever occurs first. The eight recommended conditions will be set forth in the Hearing Board Order.

G.)
Docket S-05-58i, Interim Variance, **Aera Energy LLC**, Cogeneration Plant 32,
Sec. 32/T28S/R21E, Belridge Oilfield, Kern County, Ca. Type of Business:
Crude Oil and Gas Production.

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

Leonard Scandura, District Supervising Air Quality Engineer and Creighton Smith, Supervising Air Quality Inspector, provided additional information to the Board regarding District requirements pertaining to the surrender of ERCs.

Public Comment – No Public Comment.

Decision – Board Member Bland made the motion to grant the variance. Board Member Bland noted the Board finds good cause to grant the interim variance. Board Member Bland stated the variance was subject to the eleven recommended conditions set forth on pages 1, 2, and 3 of the Staff Report with date revisions to Recommended Condition #1 from October 18, 2005 to August 10, 2005, and Recommended Conditions #7 and #9 from November 17, 2005 to September 9, 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 an Interim Variance to Docket S-05-58i, Aera Energy LLC. The variance shall be effective for a cumulative 90-day period to occur between July 20, 2005 and August 10, 2005, or until the next regularly scheduled Southern Region Hearing Board meeting, 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 with date revisions to #1, #7 and #9 will be set forth in the Hearing Board Order.

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

- A.) Docket S-05-47E, Plains Pipeline LP
- B.) Docket S-05-48E, Grimmway Farms
- C.) Docket S-05-49E, Chevron USA, Inc.
- D.) Docket S-05-50E, Aera Energy LLC
- E.) Docket S-05-51E, Pastoria Energy Facility, LLC
- F.) Docket S-05-52E, Chevron USA Inc.
- G.) Docket S-05-53E, Chevron USA Inc.

- H.) Docket S-05-54E, Semitropic Water Storage District
 - I.) Docket S-05-55E, Semitropic Water Storage District
 - J.) Docket S-05-56E, Aera Energy LLC
 - K.) Docket S-05-57E, Aera Energy LLC
6. **Public Comments** – No Public Comments.
 7. **Hearing Board Member Comments** – No Hearing Board Member Comments.
 8. **New Business** – Staff announced that a ARB Advanced Hearing Board Workshop would be held in Fresno on August 23 & 24, 2005.
 9. **Next Scheduled Meeting** – Wednesday, August 10, 2005 at 10:00 a.m. The meeting will be held via video conferencing (VTC) in the Southern Region Office, 2700 M Street, Suite 275, VTC Room, Bakersfield with the Central Region Office (Fresno) participating via VTC.
 10. **Adjournment** – The Chair adjourned the meeting at 11:15 a.m.

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