



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 via Teleconference Bakersfield, CA.

**Tuesday, May 31, 2005
10:00 a.m.**

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

1. **Call Meeting to Order** – The Chair, Hollis B. Carlile, called the meeting to order at 10:10 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 (absent)	Public
Hollis B. Carlile, Chair	Engineer

Also present in the Southern Region Office (Bakersfield)
Creighton Smith, Supervising Air Quality Inspector.

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant Counsel, Wayne Clarke, Air Quality Compliance Manager, Ted Strauss and Michael Carrera, Supervising Air Quality Inspectors, and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of May 11, 2005** – The Chair requested the Approval of the May 11, 2005 Minutes be moved to the June 8, 2005 agenda.

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 Hearings for:
Item A.) Docket S-05-41i, Unocal California Pipeline LLC, McKittrick Pump Station and,
Item B.) Docket S-05-42i, Unocal California Pipeline LLC, Middlewater Pump Station, were held at the same time with a separate vote on each item.

A.)
Docket S-05-41i, Interim Variance, Unocal California Pipeline LLC, McKittrick Pump Station, 6601 Franco Western Road, McKittrick, CA. 93251.

Petitioners – Nancy E. Brodbeck and David Kinser represented Unocal California Pipeline LLC.

Public Comment – No Public Comment.

Decision – Board Member Dunn made the motion to grant the variance, Board Member Dunn modified her motion to include the following language: (1) the variance shall be effective from June 1, 2005 to June 8, 2005, or until the next regularly scheduled Southern Region Hearing Board Meeting, and (2) the Hearing Board finds in respect to the required six findings that good cause could be made based on the Board's belief a contractor was unavailable to install the burners. Board Member Dunn noted the variance is subject to thirteen recommended conditions. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote**:

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

The Board granted an Interim Variance to Docket S-05-41i, Unocal California Pipeline LLC, McKittrick Pump Station. The variance shall be effective from June 1, 2005 to June 8, 2005, or until the next regularly scheduled Southern Region Hearing Board meeting, or until such time that the modifications necessary to bring the McKittrick Pump Station heater unit into compliance with Rule 4306 NOx emission standard can be implemented, whichever occurs first. The thirteen recommended conditions will be set forth in the Hearing Board Order.

B.)
Docket S-05-42i, Interim Variance, Unocal California Pipeline LLC, Middlewater Pump Station, 17251 Pole Line Road, Lost Hills, CA. 93249.

Public Comment – No Public Comment.

Decision – Board Member Dunn made the motion to grant the variance. Board Member Dunn stated the Hearing Board finds in respect to the required six findings that good cause could be made based on the Board's belief a contractor was unavailable to install the burners. Board Member Dunn noted the variance shall be effective from June 1, 2005 to June 8, 2005, or until the next regularly scheduled Southern Region Hearing Board meeting. Board Member Dunn stated the variance shall be subject to the thirteen recommended conditions. Seconded by Board Member Wolber and carried unanimously with the following

Roll Call Vote:

Ayes: *Wolber, Dunn and Carlile.*

Absent: *Bland.*

The Board granted an Interim Variance to Docket S-05-42i, Unocal California Pipeline LLC, Middlewater Pump Station. The variance shall be effective from June 1, 2005 to June 8, 2005, or until the next regularly scheduled Southern Region Hearing Board meeting, or until such time that the modifications necessary to bring the Middlewater Pump Station heater unit into compliance with Rule 4306 NOx emission standard can be implemented, whichever occurs first. The thirteen recommended conditions will be set forth in the Hearing Board Order.

C.)

Docket S-05-46i, Interim Variance, Ruiz Foods Products, 501 S. Alta Avenue, Dinuba, CA. 93618

Petitioner – Tom Brattin represented Ruiz Food Products.

Public Comment – No Public Comment.

Decision – Board Member Dunn made the motion to grant the variance. Board Member Dunn stated the variance shall be subject to the recommended thirteen conditions. Board Member Dunn noted the Hearing Board finds in respect to the required six findings good cause could be made based on its belief that the subject boiler unit requires repairs. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote**

Ayes: *Wolber, Dunn and Carlile.*

Absent: *Bland.*

The Board granted an Interim Variance to Docket S-05-46i, Ruiz Foods Products. The variance shall be effective from June 1, 2005 to June 8, 2005, or until the next regularly scheduled Southern Region Hearing Board meeting, or until such time that the modifications necessary to bring the subject boiler unit into compliance with the Rule 4306 NOx emission standard can be implemented,

whichever occurs first. The thirteen recommended conditions will be set forth in the Order.

5. **Public Comments** – Morgan Lambert announced a corrected start time of 2:00 p.m. for the May 31, 2005 Central Region Hearing Board Meeting.
6. **Hearing Board Member Comments** – No Hearing Board Member Comments.
7. **New Business** – No New Business.
8. **Next Scheduled Meeting** – Wednesday, June 8, 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, Bakersfield with the Central Region Office (Fresno) participating via VTC.
9. **Adjournment** – The Chair adjourned the meeting at 10:47 a.m.

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