



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, October 12, 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

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

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

3. **Approve Minutes of September 14, 2005** – The Chair stated he disagreed with the wording on the September 14, 2005 Minutes in respect to Item 7. Hearing Board Member Comments and requested staff review the September 14, 2005 meeting tape. The Chair requested the September 14, 2005 Minutes be re-submitted for approval at the next regularly scheduled Southern Region Hearing Board Meeting.

4. **Public Hearing:**

All persons testifying were sworn in by the Chair.

The Chair requested the Petitioners sign the Sign In Sheet.

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

Creighton Smith presented the Staff Reports.

A.) *Withdrawn*

Docket S-05-71S, Short Variance, **H.M. Holloway, Inc.**, Holloway Road (North of Highway 46), Lost Hills, CA. 93249.

The Chair due to a conflict of interest, recused himself from hearing the following dockets: **B.) Docket S-05-72S, Chevron USA, Inc. Station 2-22 and E.) Docket S-05-75S, Chevron USA, Inc. 17Z Gas Plant.**

Therefore, **William L. Bland, Jr., Vice Chair, chaired Dockets B.) and E.)**

B.)

Docket S-05-72S, Short Variance, **Chevron USA, Inc.**, Station 2-22, SE Sec. 22, T31S, R22E. Midway Sunset Oilfield, Fellows, CA. 93224. Type of Business: Crude Oil and Natural Gas Production.

Petitioners – David R. Moore and Steve Cramer represented Chevron USA, Inc.

Public Comment – No Public Comment.

Decision – Board Member Dunn made the motion to grant the variance. Board Member Dunn stated the required six findings set forth on pages 3 and 4 of the Staff Report could be made. Board Member Dunn stated the variance shall be subject to the ten 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 and Bland.***

Recused: ***Carlile.***

The Southern Region Hearing Board granted a Short Variance to Docket S-05-72S, Chevron USA, Inc., Station 2-22, Midway Sunset Oilfield. The variance shall be effective for a single, consecutive 24-hour period to occur sometime between October 13, 2005 and January 10, 2006, or until the subject valve is replaced and the VRS is brought back on-line, whichever occurs first.

E.)
Docket S-05-75S, Short Variance, **Chevron USA, Inc.**, 17Z Gas Plant, Sec. 17, T30S, R22E, McKittrick Oilfield, McKittrick, CA. 93224. Type of Business: Natural Gas Processing Facility.

Petitioners – Frank Maccioli and George Wolfe represented Chevron USA Inc.

Mr. Maccioli noted a typo in the Staff Report on page 4, RECOMMENDATIONS: Condition 4, Excess Emissions shall not exceed ~~40.8~~ 46.8 pounds of VOC during this variance period. No other excess emissions shall be granted relief under this variance.

Public Comment – No Public Comment.

Decision – Board Member Wolber made the motion to grant the variance. Board Member Wolber stated the required six findings set forth on pages 2 and 3 of the Staff Report could be made. Board Member Wolber stated the twelve recommended conditions set forth in the Staff Report on pages 4 and 5 are incorporated by reference with a change to Recommended Condition 4 from 40.8 pounds to 46.8 pounds. Seconded by Board Member Dunn and unanimously carried with the following roll call vote:

Ayes: *Wolber, Dunn and Bland.*

Recused: *Carlile.*

The Southern Region Hearing Board granted a Short Variance to Docket S-05-75S, Chevron USA, Inc., 17Z Gas Plant, McKittrick Oilfield. The variance shall be effective for a cumulative 10-day period to occur sometime between October 15, 2005 and January 12, 2006, or until the subject tanks are completely drained and cleaned of any VOC containing materials, whichever occurs first. The twelve recommended conditions with a correction to Condition #4 will be set forth in the Southern Region Hearing Board Order.

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

C.)
Docket S-05-73S, Short Variance, **Big West of California, LLC**, Aera 3 Refinery, 3663 Gibson Street, Bakersfield, CA. 93302. Type of Business: Crude Oil Refining.

Petitioners – Brian Pellens and Tom Creswell 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 stated the six findings set forth on pages 3 and 4 of the Staff Report could be made. Board Member Bland stated the recommended thirteen conditions set forth on pages 4, 5 and 6 of the Staff Report will be adopted into the motion. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Absent: **None.**

The Southern Region Hearing Board granted a Short Variance to Docket S-05-73S, Big West of California, LLC, Area 3 Refinery. The variance shall be effective for a single, consecutive 24-day period to occur sometime between October 20, 2005 and January 17, 2006, or until the maintenance turnaround is complete and compliance with District rules and permit conditions is achieved, whichever occurs first.

D.)

Docket S-05-74S, Short Variance, **Big West of California LLC**, Area 1 & 2 Refineries, 6451 Rosedale Hwy, Bakersfield, CA. 93308 and Area 3 Refinery, 3663 Gibson Street, Bakersfield, CA. 93302. Type of Business: Crude Oil Refining.

Petitioners – Brian Pellens and Tom Creswell 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 stated the required six findings set forth on pages 4, 5, and 6 of the Staff Report could be made. Board Member Bland stated the variance is subject to the eighteen recommended conditions set forth on pages 7, 8, 9 and 10 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 Southern Region Hearing Board granted a Short Variance to Docket S-05-74S, Big West of California, LLC, Area 1 & 2 Refineries, and Area 3 Refinery. The variance shall be effective for a single, consecutive 24-day period to occur sometime between October 20, 2005 and January 17, 2006, or until the maintenance turnaround is complete and compliance with District rules and

permit conditions is achieved, whichever occurs first. The eighteen recommended conditions will be set forth in the Southern Region Hearing Board Order.

5. **Emergency Variances** – The Southern Region Hearing Board has not heard or approved an emergency variance order since September 14, 2005.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – No Hearing Board Member Comments.
8. **New Business** – The Clerk reported that the Governing Board, during their October 20, 2005 Governing Board Meeting, will be taking action on the Citizens Advisory Committee's recommendations regarding appointments to the District's Regional Hearing Boards.
9. **Next Scheduled Meeting** – Wednesday, November 9, 2005, 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 11:15 a.m.

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