



# 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 9, 2006  
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 Carlile, called the meeting to order at 10:00 a.m.

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

Kimm Wolber	Medical
Charles Brehmer	Attorney
Nancy Dunn	Public
William Bland, <b>Vice Chair</b>	Public
Hollis Carlile, <b>Chair</b>	Engineer

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

Creighton Smith and Ellyce Baldwin, Supervising Air Quality Inspectors, Ben Ellenberger, Air Quality Engineer, and Leonard Scandura, Supervising Air Quality Engineer.

**Also present in the Central Region Office (Fresno)** – Catherine Tognazzini, Assistant District Counsel, Brian Dodds, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of July 12, 2006** – The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of July 12, 2006 were approved as submitted.

4. **Public Hearing:**

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.

All persons testifying were sworn in by the Chair.

**Brian Dodds presented the Staff Reports.**

A.)  
Docket S-06-42S, Short Variance, **Aera Energy LLC**, 59231 Main Camp Road, McKittrick, CA. 93251. Type of Business: Crude Oil and Gas Production.  
and  
Docket S-06-49S, Short Variance, **Aera Energy**, 59231 Main Camp Road, McKittrick, CA. 93251. Type of Business: Crude Oil and Gas Production.

**Petitioner** – John Haley and Jack Story represented Aera Energy LLC.

**Brian Dodds indicated Aera Energy and District staff are requesting a continuance to next month's regularly scheduled Southern Region Hearing Board Meeting to review one of the recommended conditions pertaining to Docket S-06-42S and Docket S-06-49S.**

**Public Comment** – No Public Comment.

**Decision** - Board Member Brehmer made the motion to continue the hearing for Docket S-06-42S, Aera Energy LLC to September 13, 2006, or the next regularly scheduled Southern Region Hearing Board Meeting. Seconded by Board Member Bland and unanimously carried with the following roll call vote:

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

**Absent:** **None.**

*The Southern Region Hearing Board continued Docket S-06-42S, Aera Energy LLC to September 13, 2006, or the next regularly scheduled Southern Region Hearing Board Meeting.*

**Decision** - Board Member Brehmer made the motion to continue the hearing for Docket S-06-49S, Aera Energy to September 13, 2006, or the next regularly scheduled Southern Region Hearing Board Meeting. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

**Absent:** **None.**

*The Southern Region Hearing Board continued Docket S-06-49S, Aera Energy to September 13, 2006, or the next regularly scheduled Southern Region Hearing Board Meeting.*

C.)  
Docket S-06-51i, Interim Variance **Midway Sunset Cogeneration Company**,  
3466 W. Crocker Springs Road, Fellows, CA. 93224. Type of Business:  
Cogeneration Facility.

**Petitioners** – Ray Smith represented Midway Sunset Cogeneration Company.

**Public Comment** – No Public Comment.

**Decision** – Board Member Bland made the motion to grant the variance, and he indicated the required six findings could be made. Board Member Bland stated the variance will be subject to the eight recommended conditions set forth on page 3 of the Staff Report. Seconded by Board Member Brehmer and unanimously carried with the following roll call vote:

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

**Absent:** **None.**

*The Southern Region Hearing Board granted an Interim Variance to Docket S-06-51i, Midway Sunset Cogeneration Company. The Interim Variance shall be effective from September 1, 2006 to November 7, 2006, or until the Southern Region Hearing Board has heard the petition for regular variance (Docket S-06-51R), whichever occurs first. The eight recommended conditions will be set forth in the Southern Region Hearing Board Order.*

D.)  
Docket S-06-50S, Short Variance, **Chevron USA, Inc.**, Midway Sunset Oilfield,  
Fellows, CA. 93224. Type of Business: Crude Oil & Gas Production.

The Chair, Hollis Carlile recused himself from D.) Docket S-06-50S, Chevron USA, Inc., due to a conflict of interest.

The Chair indicated Mr. Bland would chair the Chevron hearing.

**Petitioners** – Larry Landis and Timothy Nishikubo represented Chevron USA, Inc.

**Break at 10:21 a.m.**

**Reconvened from Break at 10:25 a.m.**

**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 in the Staff Report could be made. Board Member Dunn indicated the variance shall be subject to the thirteen recommended conditions set forth on pages 4 and 5 in the Staff Report. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

**Recused:** **Carlile.**

**Absent:** **None.**

*The Southern Region Hearing Board granted a Short Variance to Docket S-06-50S, Chevron USA, Inc. The variance shall be effective for a single, consecutive 48-hour period to occur sometime between August 9, 2006 and November 6, 2006, or until the isolation valve and the tie in loop are installed, whichever occurs first. The thirteen recommended conditions will be set forth in the Southern Region Hearing Board Order.*

Mr. Bland relinquished the chairmanship to Mr. Carlile.

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

A.	Docket S-06-44E	Mt. Poso Cogeneration Company
B.	Docket S-06-46E	Chevron USA Inc.
C.	Docket S-06-47E	Chevron USA Inc.
D.	Docket S-06-48E	Chevron USA Inc.
E.	Docket S-06-52E	Chevron USA Inc.

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

7. **Hearing Board Member Comments** – The Chair requested staff provide the Hearing Board Members with specific written guidelines pertaining to their required action regarding postponement and rescheduling of hearings listed on the agenda.

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

9. **Next Scheduled Meeting** – Wednesday, September 13, 2006 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 10:32 a.m.