



San Joaquin Valley Air Pollution Control District

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**(* Page one Amended during the October 11, 2006 Meeting
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, September 13, 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 10:06 a.m.

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

Kimm Wolber	Medical
Charles Brehmer	Attorney
Nancy Dunn (absent)	Public
William Bland, Vice Chair (*)	Public
Hollis Carlile, Chair	Engineer

(* Arrived after Roll Call

Also present in the Southern Region Office (Bakersfield)
Creighton Smith and Dave Baldwin, Supervising Air Quality Inspectors and Allan Phillips, Supervising Air Quality Engineer.

Also present in the Central Region Office (Fresno) – Catherine Tognazzini, Assistant District Counsel, Brian Dodds, Senior Air Quality Inspector, Michael Carrera, Supervising Air Quality Inspector, Angie DeSantiago, Office Services Supervisor and Lynn Sargenti, Senior Office Assistant.

(* The Chair noted that the August 9, 2006 Minutes were not listed on the agenda or included in the packet. Staff noted the August 9, 2006 Minutes would be included in the October 11, 2006 meeting packet.

3. **Public Hearing:**

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 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.) *Continued from August 9, 2006*

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, LLC**, 59231 Main Camp Road, McKittrick, CA. 93251. Type of Business: Crude Oil and Gas Production.

Petitioner – Jack Story, John Haley, and Rita Daniels represented Aera Energy LLC.

The Petitioner indicated a typo on page 5, Recommended Condition 2. D., PTO should read #S-1547-888-10

Public Comment – No Public Comment.

Docket S-06-42S

Decision - Board Member Bland made the motion to grant the variance. Board Member Bland noted the variance meets the required six findings set forth on pages 3 and 4 of the Staff Report. Board Member Bland indicated the variance shall be subject to the thirteen recommended conditions set forth on pages 4, 5 and 6 of the Staff Report with a typo correction to Recommended Condition 2. D, page 5 to read PTO #S-1547-888-10. Seconded by Board Member Wolber and unanimously carried with the following roll call vote:

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

Absent: ***Dunn.***

The Southern Region Hearing Board granted a Short Variance to Docket S-06-42S, Aera Energy LLC. The variance shall be effective for a single, consecutive 48-hour period to occur sometime between October 1, 2006 to December 21, 2006, or until sections of the high-pressure water distribution system are replaced, whichever occurs first. The thirteen recommended conditions with a correction to 2.D. will be set forth in the Southern Region Hearing Board Order.

Docket S-06-49S

Decision - Board Member Bland made the motion to grant the variance. Board Member Bland noted the variance request meets the required six findings set forth on pages 2 and 3 of the Staff Report. Board Member Bland stated the variance shall be subject to the thirteen recommended conditions set forth on pages 4 and 5 of the Staff Report. Seconded by Board Member Brehmer and unanimously carried with the following roll call vote:

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

Absent: **Dunn.**

The Southern Region Hearing Board granted a Short Variance to Docket S-06-49S, Aera Energy LLC. The variance shall be effective for a single, consecutive 48-hour period to occur sometime between October 1, 2006 to December 21, 2006, or until the H2S monitors are installed and compliance is achieved, whichever occurs first. The thirteen recommended conditions will be set forth in the Southern Region Hearing Board Order.

C.)

Docket S-06-51R Regular 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 Wolber made the motion to grant the variance. Board Member Wolber stated the required six findings set forth on pages 2 and 3 could be made. Board Member Wolber stated the variance shall be subject to the eleven recommended conditions set forth on pages 4 and 5 of the Staff Report. Seconded by Board Member Brehmer and unanimously carried with the following roll call vote:

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

Absent: **Dunn.**

The Southern Region Hearing Board granted a Regular Variance to Docket S-06-51R, Midway Sunset Cogeneration Company. The Regular Variance shall be effective from September 13, 2006 to February 28, 2007, or until MSCC has replaced and certified each CEMS as required, whichever occurs first. The eleven recommended conditions will be set forth in the Southern Region Hearing Board Order.

D.) **Withdrawn**

Docket S-06-54S, Short Variance, **Kern Oil and Refining Company**, 7724 E. Panama Lane, Bakersfield, CA. 93307. Type of Business: Crude Oil Refinery.

The Chair, Hollis Carlile recused himself from the following dockets due to a conflict to interest:

E.) Docket S-06-53S, Chevron USA Inc.

F.) Docket S-06-55S, Chevron USA Inc.,

G.) Docket S-06-57S, Chevron USA Inc.

The Chair indicated that Vice Chair Bill Bland will chair the meeting.

E.)

Docket S-06-53S, Short Variance, **Chevron USA Inc.**, Sec. SW03 T29S R28E, Kern River Oil Field, Kern County, CA. Type of Business: Crude Oil & Gas Production.

Petitioners – Larry Landis represented Chevron USA, Inc.

Public Comment – No Public Comment.

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

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

Recused: ***Carlile.***

Absent: ***Dunn.***

The Southern Region Hearing Board granted a Short Variance to Docket S-06-53S, Chevron USA, Inc. The variance shall be effective for a single, consecutive 2-hour period to occur sometime between September 13, 2006 and October 15, 2006, or until the subject electrical switch is serviced, whichever occurs first. The nine recommended conditions will be set forth in the Southern Region Hearing Board Order.

F.)

Docket S-06-55S, Short Variance, **Chevron USA Inc.**, Sec. 15 T30S R22E, Sec 8 T30S R22E, McKittrick, CA. 93224. Type of Business: Crude Oil & Gas Production.

Petitioners – John Gruber, De Vu and Bob Langner represented Chevron USA, Inc.

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 2 and 3 in the Staff Report could be made. Board Member Wolber indicated Recommended Condition #3 has been deleted, therefore, the variance shall be subject to nine recommended conditions set forth on pages 4 and 5 in the Staff Report. Seconded by Board Member Brehmer unanimously carried with the following roll call vote:

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

Recused: ***Carlile.***

Absent: ***Dunn.***

The Southern Region Hearing Board granted a Short Variance to Docket S-06-55S, Chevron USA, Inc. The variance shall be effective from September 14, 2006 to December 12, 2006, or until the sludge is properly disposed of, whichever occurs first. The nine recommended conditions will be set forth in the Southern Region Hearing Board Order.

G.) Docket S-06-57S, Short Variance, Chevron USA Inc. , Sec. 15 T30S R22E, McKittrick, CA. 93224. Type of Business: Light Crude Oil & Gas Production Facility.
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Petitioners – John Gruber, De Vu and Bob Langner represented Chevron USA, Inc.

Public Comment – No Public Comment.

Decision – Board Member Brehmer made the motion to grant the variance. Board Member Brehmer noted the required six findings set forth on pages 2 and 3 in the Staff Report could be made. Board Member Brehmer 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, Brehmer and Bland.***

Recused: ***Carlile.***

Absent: ***Dunn.***

The Southern Region Hearing Board granted a Short Variance to Docket S-06-57S, Chevron USA, Inc. The variance shall be effective for a non-consecutive

10-day period to occur sometime between September 14, 2006 and December 12, 2006, or until the maintenance activities are completed and the VRS is brought back online, 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.

4. **The Southern Region Hearing Board approved the following emergency variance orders:**
 - A. Docket S-06-54E Kern Oil and Refining
5. **Public Comments** – No Public Comments.
6. **Hearing Board Member Comments** – No Hearing Board Member Comments.
7. **New Business** – No New Business.
8. **Next Scheduled Meeting** – Wednesday, October 11, 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.
9. **Adjournment** – The Chair adjourned the meeting at 10:58 a.m.

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