



San Joaquin Valley Air Pollution Control District

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www.valleyair.org

Action Summary Minutes SOUTHERN REGION HEARING BOARD MEETING

Southern Region Office Video Teleconference (VTC) Room

2700 "M" Street, Bakersfield, CA 93301

Wednesday, February 14, 2007, 10:00 A.M.

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

AGENDA

1. CALL MEETING TO ORDER:
The Chair, Hollis Carlile, called the meeting to order at 10:10 a.m.

2. ROLL CALL:

Kimm Wolber—medical	present
Nancy Dunn—public	present
Charles Brehmer—attorney	present
Hollis Carlile (chair)—engineer	present
William Bland—public	absent

Staff present—Southern Region (Bakersfield): Emily Gonzalez-Demont, Administrative Analyst II.

Central Region (Fresno): Catherine Redmond, Assistant District Counsel; Brian Dodds, Senior Air Quality Inspector; Michael Carrera, Supervising Air Quality Inspector; Lupe Reyes, Office Assistant II; and Toni Taber, Clerk to the Boards.

3. APPROVE MINUTES OF JANUARY 10, 2007:
The Chair requested the Minutes from January 10, 2007 be amended to reflect that the petitioners and all participants were sworn in, and tabled the item until the next Southern Region Hearing Board meeting.

4. PUBLIC HEARING:

The Chair asked the Clerk to verify that all items had been properly noticed. The Clerk responded that they had. All those present to testify were sworn in by the Chair.

A. Short Variance Docket No. S-07-06S: Aera Energy LLC, 59231 Main Camp Road, McKittrick, CA 93251

Petitioners: Charles Tufts, Aera Energy LLC; Brent Winn, Aera Energy LLC.

Brian Dodds presented the report. Mr. Winn thanked the staff for their work on the report and said they concurred with the Staff's conclusions. He clarified that on page three under Recommendations, Item 3, would more properly be stated "the variance shall allow continued operation of the drain vessel while isolated from VRS" rather than as stated in the report. He added that the rest of the report reflects that intent. Mr. Dodds concurred.

Public Comment: None

Moved: Brehmer
Second: Dunn

Brehmer: Aye
Dunn: Aye
Wolber: Aye
Carlile: Aye

Motion carried to grant variance to Aera Energy LLC as recommended.

B. Short Variance Docket Number S-07-10-S: Phoenix Bio Industries, 31120 Nutmeg Road, Goshen, CA 93227

Petitioners: Adrien Galvez, Altra Biofuels (Phoenix Bio Industries LLC), Mark Mullen, Altra Biofuels a Phoenix Bio Industries LLC).

Brian Dodds presented the report. Ms. Wolber asked how long it will take the company to complete the repairs. Mr. Dodds said that they must get an authority to construct before they can begin work, but should complete the work by April 19; Phoenix Bio Industries has requested the entire 90 days should unforeseen complications arise. Mr. Galvez concurs with the staff report. He stated that when Phoenix Bio Industries took over the facility, they discovered that the previous test method used was outdated. Phoenix Bio recognized this fact, and suspected they might be out of compliance. They immediately began the process to order and install a regenerative thermal oxidizer. The Chair wanted to know how the original facility was allowed to operate without meeting the District's requirements. Mr. Galvez stated that the original facility used old test methods, and under those methods, it met

the requirements; however, under the new testing methods it does not. The Chair stated that this is a situation in which no one is at fault.

Public Comment: None

Moved: Dunn
Seconded: Wolber

Brehmer: Aye
Dunn: Aye
Wolber: Aye
Carlile: Aye

Motion carried to grant variance to Phoenix Bio Industries as recommended.

The Chair recused himself from the next three public hearings due to conflict of interest. Kimm Wolber was named Acting Chair.

C: Short Variance Docket Number S-07-03S: Chevron USA Inc.,
Cymric Oil Field, Sec. 31, T29S, R22E, McKittrick, CA 93224

Petitioners: John Gruber, Chevron USA Inc.; JJ Wilson, Chevron USA Inc.;
Bob Langner, Chevron USA Inc.

Brian Dodds presented the report. Mr. Gruber stated that the report is accurate and that he concurs with staff. He added that the tanks are currently in compliance, but the variance they are requesting will allow them to inspect the piping to stay in compliance.

Public Comment: None

Moved: Brehmer
Seconded: Dunn

Brehmer: Aye
Dunn: Aye
Wolber: Aye
Carlile: Abstained due to conflict of interest

Motion carried to grant variance to Chevron USA as recommended.

D: Short Variance Docket Number S-07-07S: Chevron USA Inc.
Station 1-09, Midway Sunset Oilfield, Fellows, CA 93224

Petitioners: Martin Lundy, Chevron USA Inc.; Dave Moore, Chevron USA Inc.

Brian Dodds presented the report. Mr. Lundy thanked Mr. Dodds for the work he put into the report. Mr. Lundy emphasized that in order to minimize emissions, only one tank will be taken down at a time.

Public Comment: None

Moved: Dunn
Seconded: Brehmer

Brehmer: Aye
Dunn: Aye
Wolber: Aye
Carlile: Abstained due to conflict of interest

Motion carried to grant variance to Chevron USA as recommended.

E: Short Variance Docket Number S-07-08S: Chevron USA Inc.
Stations 2-22, 1-09, 36, and 31, Midway Sunset Oilfield, Fellows, CA 93224

Petitioners: Martin Lundy, Chevron USA Inc.; Dave Moore, Chevron USA Inc.

Brian Dodds presented the report. Mr. Lundy thanked Mr. Dodds for the work he did on the report, and stated that he concurs with the report.

Public Comment: None

Moved: Brehmer
Seconded: Dunn

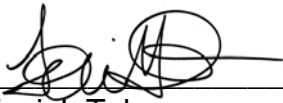
Brehmer: Aye
Dunn: Aye
Wolber: Aye
Carlile: Abstained due to conflict of interest

Motion carried to grant variance to Chevron USA as recommended.

Hollis Carlile returned to chair the remainder of the meeting.

5. The Southern Region Hearing Board approved the following emergency variances orders:
 - A. Docket S-07-01E – Central Resources, Inc.
 - B. Docket S-07-09E – Chevron USA Inc.

6. PUBLIC COMMENTS: No public comments.
7. HEARING BOARD MEMBER COMMENTS:
Ms. Dunn stated that she would like to be more informed of what the Governing Board and the District are doing, so when someone questions her about District activities, she has a response. The Chair suggested she tell the person to contact the District. Mr. Brehmer stated that the Hearing Board's role is not to comment on the District's activities. Ms. Redmond suggested Ms. Dunn visit www.valleyair.org when she wants to see what the District activities are.
8. NEW BUSINESS: No new business.
9. NEXT SCHEDULED MEETING: Wednesday, March 14, 2007 at 10:00 a.m.
The meeting will be held via video teleconferencing (VTC) in the Southern Region Office (Bakersfield) with the Central Region Office (Fresno) participating via VTC.
10. ADJOURNMENT
The Chair adjourned the meeting at 11:00 a.m.



Toni J. Taber
Clerk to the Boards
San Joaquin Valley Unified Air Pollution Control Districts