



San Joaquin Valley Air Pollution Control District

Action Summary Minutes for the Southern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District Wednesday, February 14, 2001 at 10:00 a.m. Video Teleconferencing (VTC) Room 2700 M Street, Suite 275, Bakersfield, CA. 93301

GOVERNING BOARD

Judith G. Case, Chair
Supervisor, Fresno County

Sam Armentrout, Vice Chair
Mayor, City of Madera

Barbara Patrick
Supervisor, Kern County

Mike Maggard
Councilmember, City of Bakersfield

Tony Barba
Supervisor, Kings County

Ronn Dominici
Supervisor, Madera County

Jerry O'Banion
Supervisor, Merced County

Jack A. Sieglock
Supervisor, San Joaquin County

Nick W. Blom
Supervisor, Stanislaus County

Tom Applegate
Councilmember, City of Newman

William Sanders
Supervisor, Tulare County

David L. Crow
Executive Director/
Air Pollution Control Officer

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Southern Region Office
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Meeting held via video teleconferencing (VTC) with the Central Region Office (Fresno) included via VTC.

1. **Call Meeting to Order** – The Vice Chair, William L. Bland, Jr., called the meeting to order at 10:02 a.m.
2. **Roll Call** was taken and a quorum was present.

Kimm Wolber	Medical
Andrew C. Thomson	Attorney
Marvin Dean	Public
G. L. Gerry Cales (Alternate)	Engineer
William L. Bland, Jr., Vice Chair	Public

Also present in the Southern Region Office (Bakersfield)

Clifton Calderwood, Air Quality Compliance Manager, Creighton Smith, Supervising Air Quality Inspector, Allan Phillips, Supervising Air Quality Engineer, Denise Holmes, *Air Quality Inspector*.

Also present in the Central Region Office (Fresno) – Philip M.

Jay, District Counsel, Robert J. Kard, Director of Compliance, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of January 10, 2001** – The Vice Chair asked if there were any corrections or additions to the Minutes. The Chair declared the Minutes of January 10, 2001 were approved as submitted.
4. **Public Hearings:**

All persons testifying were sworn in by the Vice Chair.

The Vice Chair asked if the Petitions have been properly noticed and on file with the Clerk to the Board. Ms. Smith responded affirmative.

The Vice Chair requested that the Hearing Board Packet and any additional materials provided during the hearings be entered into the Official Record.

The Vice Chair requested that the Petitioners sign the Sign In Sheet.

Michael Carrera presented the Staff Reports.

Color-Box, Inc. withdrew its petition for a interim variance

A.) Docket No. S-01-02i, Interim Variance, Color-Box, Inc., 9525 Nicholas Court, Visalia, CA. 93291. Type of Business: Commercial Graphic Printing.

B.) Docket No. S-01-03S, Short Variance, Kern River Cogeneration Company, P O Box 80478, Bakersfield, CA. 93380. Natural Gas-Fired Cogeneration Facility.

Petitioner – Daniel Beck and Lowell Pollerra represented Kern River Cogeneration Company.

Public Comments – No Public Comments.

Decision - Mr. Dean made a motion to grant the variance and adopt by reference the required six findings set forth on pages 2 and 3 of the Staff Report. The motion was seconded by Ms. Wolber and carried unanimously with the following Roll Call Vote:

Ayes: Wolber, Thomson, Dean, Cales, and Bland.

Noes: None.

Absent: None.

Therefore, the Board took the following action: granted a Short Variance to Document S-01-03S, Kern River Cogeneration Company. The variance shall be effective between February 23, 2001 and May 23, 2001. The variance is subject to eleven conditions set forth on pages 3 and 4 of the Staff Report. The eleven conditions shall be set forth in the Order.

C.) Docket No. S-00-38R, Regular Variance, Chevron USA, Inc., 3300 Monte Cristo Road, Bakersfield, CA. 93302. Type of Business: Crude Oil and Natural Gas Production.

Board Member G. L. Gerry Cales indicated a conflict of interest in respect to Docket No. S-00-38R, Regular Variance, Chevron USA, Inc. Therefore, Mr. Cales took a seat in the audience.

Petitioner – Gene Blanton, Greg Schmidt, and Bob Langner represented Chevron USA, Inc.

The Petitioner provided the board and staff with the following handout:
Chevron USA Production Company: Casing Collection System Maintenance and Return to Service Record.

Public Comments – No Public Comments.

Decision – Mr. Thomson made a motion to grant the variance and adopt by reference the required six findings set forth on pages 2 and 3 of the Staff Report. The motion was seconded by Board Member Dean and carried unanimously with the following **Roll Call Vote:**

Ayes: *Wolber, Thomson, Dean and Bland.*

Noes: *None.*

Excused: *Cales.*

Absent: *None.*

Therefore, the Board took the following action: granted a Regular Variance to Docket No. S-00-38R, Chevron USA, Inc. The variance shall be effective from February 15, 2001 and May 11, 2001, or until compliance is achieved, whichever is sooner. The variance is subject to eight conditions set forth on pages 3 and 4 of the Staff Report. The eight conditions shall be set forth in the Order.

D.) Docket No. S-00-39R, Regular Variance, Aera Energy LLC, P O Box 11164, Bakersfield, CA. 93389-1164. Type of Business: Natural Gas Processing Plant.

Board Member G. L. Gerry Cales indicated a conflict of interest in respect to Docket No. S-00-39R, Regular Variance, Aera Energy LLC. Therefore, Mr. Cales took a seat in the audience.

Creighton Smith provided additional testimony for the District.

Petitioner – Peggy Shue and Michael Brown represented Aera Energy LLC.

Handout

Public Comments – No Public Comments.

Decision – Mr. Dean made a motion to grant the variance and adopt by reference the required six findings set forth on pages 2 and 3 in the Staff Report. The motion was seconded by Ms. Wolber and carried unanimously with the

following **Roll Call Vote:**

Ayes: **Wolber, Thomson, Dean and Bland.**

Noes: **None.**

Excused: **Cales.**

Absent: **None.**

Therefore, the Board took the following action: granted a Regular Variance to Docket No. S-00-39R, Aera Energy LLC. The variance shall be effective from February 15, 2001 to June 30, 2001 or until the permitted H2S and SO2 limits have been modified and Petitioner demonstrates compliance with the new limits, whichever is sooner. The variance is subject to nine conditions set forth on page 4 of the Staff with a modification to condition # 3. The modified conditions shall be set forth in the Order.

Mr. Cales joined the Board for the remainder of the meeting.

E.) Docket No. S-00-41R, Regular Variance, Equilon Enterprises, LLC, P O Box 1476, Bakersfield, CA. 93302. Type of Business: Crude Oil Refining.

Petitioner – Ken Comey, Mark Denis, Joe Colannino and Mike Pappe represented Equilon Enterprises LLC.

The Petitioner provided the Board and staff with the following handouts: (1) Correspondence to: Mr. Sherman Yount, San Joaquin Valley Air Pollution Control District, from: Equilon Enterprises LLC, dated: February 2, 2001. **(2)** Figure 9. Reformer furnace and **(3)** 20-H11 Burner Compliance Plan.

Public Comments – No Public Comments.

Decision - After a lengthy discussion Mr. Dean made a motion to grant the variance. The Board discussed the required six finding set forth on pages 2 and 3 of the Staff Report and concurred that they could be made. The motion was seconded by Ms. Wolber and carried unanimously with the following **Roll Call**

Vote:

Ayes: **Wolber, Thomson, Dean, Cales and Bland.**

Noes: **None.**

Absent: **None.**

Therefore, the Board took the following action: granted a Regular Variance to Docket No. S-00-41R, Equilon Enterprises, LLC. The variance shall be effective between December 31, 2000 and September 30, 2001, or until the unit achieves compliance, whichever occurs first. The variance is subject to eight conditions set forth page 4 of the Staff Page with modifications. The eight conditions with modifications shall be set forth in the Order.

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5. **Public Comment** – No Public Comment.
6. **New Business** – Advanced Hearing Board Workshop, Tenaya Lodge – March 29-30, 2001. Mr. Carrera announced the ARB Advanced Hearing Board Workshop. Mr. Carrera asked the Board if anyone was interested in attending. Mr. Carrera asked that the Board contact him as soon as possible if they were interested in attending the workshop.

Mr. Dean stated that a few months ago the Board was asked if they would like a tour of the Willow Ridge Facility. Mr. Dean noted that he had voiced an interest and was wondering when that tour would take place.

Staff will check with the facility regarding the tour and advise the Board of their findings.

7. **Next Scheduled Meeting** – Wednesday, March 14, 2001 at 10:00 a.m. The meeting will be held via video conferencing (VTC) at the Southern Region Office, VTC Room, 2700 M Street, Suite 275, Bakersfield with the Central Region Office (Fresno) included via VTC.
8. **Adjournment** – The Vice Chair adjourned the meeting at 12:01 p.m.

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