



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, July 11, 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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Central Region Office
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Southern Region Office
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Bakersfield, CA 93301-2370
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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 Chairman, Hollis B. Carlile, called the meeting to order at 10:20 a.m.

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

Kimm Wolber (Absent)	Medical
Andrew C. Thomson	Attorney
Marvin Dean (*)	Public
William L. Bland, Jr., Vice Chairman (Absent)	Public
Hollis B. Carlile, Chairman	Engineer

(*) Arrived at 10:20 a.m.

Also present in the Southern Region Office (Bakersfield)
Creighton Smith, Supervising Air Quality Inspector, Leonard Scandura, Senior Air Quality Inspector and Bruce Muir, Air Quality Inspector II.

Also present in the Central Region Office (Fresno) – Philip M. Jay, District Counsel, Robert J. Kard, Director of Compliance, Ted Strauss, Supervising Air Quality Inspector, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

The Chairman requested that the Petitioners sign the Sign In Sheet.

All persons testifying were sworn in by the Chairman.

3. **Approve Minutes of June 13, 2001** – The Chairman asked if there were any corrections, or additions to the Minutes. The Board did not have any corrections or additions to the Minutes.

Therefore, the Chairman declared the Minutes of June 13, 2001 approved as submitted.

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

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

4. **Public Hearings:**

Michael Carrera presented the Staff Reports.

The Chairman, Hollis B. Carlile, indicated a conflict of interest in respect to A.) Docket No. S-01-19R, Chevron USA, Lost Hills. Therefore, Mr. Carlile left the dais for this portion of the hearings.

Acting Chairman, Marvin Dean, noted that the Board did not have a quorum for Docket No. S-01-19R, Chevron USA, Lost Hills. The Acting Chairman continued Docket No. S-01-19R, Chevron USA, Lost Hills to August 8, 2001.

The Acting Chairman, Marvin Dean, relinquished the chairmanship back to the Chairman, Hollis B. Carlile. Mr. Carlile chaired the remainder of the hearings.

B.)
Docket No. S-01-20R, Regular Variance, Aera Energy LLC, 59231 Main Camp Road, McKittrick, CA. 93251.

Mr. Carrera announced that Docket No. S-01-20R, Aera Energy LLC, requests re-scheduling to September 12, 2001.

Decision – Mr. Thomson moved that the variance be continued to September 12, 2001. The motion was seconded by Mr. Dean and carried unanimously with the following **Roll Call Vote**:

Ayes: *Thomson, Dean and Carlile.*

Noes: *None.*

Absent: *Wolber and Bland.*

Therefore, Docket No. S-01-20R, Aera Energy LLC was continued to September 12, 2001.

Mr. Carrera announced that Docket No. S-01-23S, Sierra Power Corporation, requests re-scheduling to August 8, 2001.

D.)
Docket No. S-01-23S, Short Variance, Sierra Power Corporation, 9000 Road 234, Terra Bella, CA. 93270. Type of Business: Biomass Cogeneration Facility.

Decision – Mr. Thomson moved that the variance be continued to August 8, 2001. The motion was seconded by Mr. Dean and carried unanimously with the following **Roll Call Vote:**

Ayes: *Thomson, Dean and Carlile.*

Noes: *None.*

Absent: *Wolber and Bland.*

Therefore, the Board continued Docket No. S-01-23S, Sierra Power Corporation to August 8, 2001.

C.)
Docket No. S-01-21R, Regular Variance, Crimson Resource Management, 5500 Ming Avenue, Suite 480, Bakersfield, CA. 93268. Type of Business: Crude Oil and Natural Gas Production.

The Chairman sworn in Bruce Muir before he provided testimony to the Board.

Creighton Smith, Bruce Muir and Leonard Scandura provided testimony to the Board.

Petitioner – Patty Lee Young represented Crimson Resource Management.

Ms. Young provided the Board and staff the following documents:

- (1) Findings of fact for Crimson Resource Management's variance request, Docket # S-01-21R, (3 pages),
- (2) Correspondence **TO:** Creighton Smith **FROM:** Stephen A. Frasch, Sales Manager, Cinco Group, Inc., **DATED:** July 7, 2001, **RE:** Crimson Resource Management Variance, Docket Number: S-01-21 R. (2 pages)
- (3) Minimum Identified Time Requirements per District Rule 4701 and
- (4) Timeline of Due Diligence for Catalysts at the IC Gas Plant.

Staff requested a break to review the above documents provided by Ms. Young. Therefore the Board took a break at 10:27 a.m.

The Board reconvened at 10:50 a.m.

Public Comment – No Public Comment.

Decision – Mr. Thomson moved that the variance be continued to August 8, 2001. The motion was seconded by Mr. Dean and carried unanimously with the following **Roll Call Vote**:

Ayes: ***Thomson, Dean and Carlile.***

Noes: ***None.***

Absent: ***Wolber and Bland.***

Therefore, the Board continued Docket No. S-01-21R, Crimson Resource Management until August 8, 2001. The Board suggested that District staff and the Petitioner meet and confer regarding the Petitioner's request for a variance.

5. **Public Comment** – Marvin Dean requested that staff add a hearing board member comment item to hearing board agendas.

Andrew C. Thomson stated that he agreed with Mr. Dean's request to add a hearing board member comment item to hearing board agendas. Mr. Thomson stated that he would also like to request that staff add a consent calendar section to hearing board agendas.

Patty Lee Young, Crimson Resource Management, stated that for the record she would be on vacation next week and therefore, would be unable to meet with District staff until after her return from vacation.

Ms. Young suggested that District staff prepare their Staff Reports more to the liking of the Department of Fish and Game where there are more findings of fact and less personal comments.

6. **New Business**: - No New Business.
7. **Next Scheduled Meeting** – Wednesday, August 8, 2001 at 10:00 a.m. The meeting will be held via video conferencing (VTC) in the Southern Region Office. 2700 M Street. Suite 275, VTC Room, Bakersfield with the Central Region Office (Fresno) included via VTC.
8. **Adjournment** – The Chairman, Hollis B. Carlile, adjourned the meeting at 11:45 a.m.