



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, June 13, 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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www.valleyair.org

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 10:00 a.m.

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

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

(*) Arrived during Petitioner's presentation for Item A.)

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, Patrick Houlihan and Denise Holmes, Air Quality Inspectors.

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

M. Jay, District Counsel, Ted Strauss, Supervising Air Quality Inspector, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of May 9, 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 May 9, 2001 approved as submitted.

4. **Public Hearings:**

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

All persons testifying were sworn in by the Chairman.

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.

**A.)
Docket No. S-01-11R, Regular Variance, Lone Star Gas Liquids Processing, Inc., P O Box 81257, Bakersfield, CA. 93380-1257. Type of Business: Gas Plant.**

Petitioner – Scott Sill and Joe Selgrath represented Lone Star Gas Liquids Processing, Inc.

Public Comment – No Public Comment.

Decision – Mr. Thomson moved that the variance be granted 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 and Carlile.*

Noes: *None.*

Absent: *Bland and Dean.*

Therefore, the Board granted a Regular Variance to Docket No. S-01-11R, Lone Star Gas Liquids Processing, Inc. The variance shall be effective from June 14, 2001 through September 28, 2001, or until compliance is achieved, whichever occurs first. The variance is subject to eleven conditions set forth on pages 4 and 5 of the Staff Report. The eleven conditions will be set forth in the Order.

The Chairman, Hollis B. Carlile, indicated a conflict of interest in respect to B.) Docket No. S-01-18S, Short Variance, Chevron USA, Bakersfield and C.) Docket No. S-01-19i, Interim Variance, Chevron USA, Lost Hills. Therefore, Ms. Carlile left the dais for this portion of the hearings.

The Vice Chairman, William L. Bland, Jr., chaired this portion of the hearing.

B.)

Docket No. S-01-18S, Short Variance, Chevron USA, 3300 Monte Cristo Road, Bakersfield, CA. 93308. Type of Business: Crude Oil and Natural Gas Production.

Petitioner – Greg Schmidt and Gene Blanton represented Chevron USA, Bakersfield.

Public Comment – No Public Comment.

Decision – Mr. Dean moved that the variance be granted and adopt by reference the required six findings set forth on 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 and Bland.*

Noes: *None.*

Excused: *Carlile.*

Therefore, the Board granted a Short Variance to Docket No. S-01-18S, Chevron USA, Bakersfield. The variance shall be effective from June 18, 2001 through September 15, 2001, or until compliance is achieved, whichever is sooner. The variance is subject to nine conditions set forth on pages 3 and 4 of the Staff Report. The nine conditions will be set forth in the Order.

C.)

Docket No. S-01-19i, Interim Variance, Chevron USA, 15255 Lost Hills Road, Lost Hills, CA. 93249. Type of Business: Crude Oil and Natural Gas Production.

Petitioner – Greg Schmidt, George Wolfe and David Wilbur represented Chevron USA, Lost Hills.

Public Comment – No Public Comment.

Decision – Mr. Dean made a motion to grant the variance. The motion was seconded by Ms. Wolber. The motion carried with the following **Roll Call Vote:**

Ayes: *Wolber, Dean and Bland.*

Noes: *Thomson.*

Excused: *Carlile.*

Therefore, the Board granted an Interim Variance to Docket No. S-01-19i, Chevron USA, Lost Hills. Finding of Fact: the Board finds that good cause can be made based on its belief that there is a reasonable possibility that the required findings will be made during the hearing on the regular variance request. The

interim variance period shall be effective from May 18, 2001 through July 11, 2001, or the next scheduled Hearing Board meeting, whichever occurs first. The variance is subject to ten conditions set forth on pages 2 and 3 of the Staff Report. The ten conditions will be set forth in the Order.

The Vice Chairman, William L. Bland, Jr., relinquished the chairmanship back to the Chairman, Hollis B. Carlile. Mr. Carlile, chaired the remainder of the hearing.

5. **Public Comment** – No Public Comment.
6. **New Business** – The Chairman stated that the May 9, 2001 Agenda contained two items under **New Business**:
 - A. Discussion of the BAAQMD Hearing Board Rules
 - B. Discussion of the Required Six Findings

The Chairman stated that the two items were continued to today's hearing and questioned why they were not included in today's agenda.

Philip M. Jay, District Counsel, stated that he reviewed the BAAQMD Hearing Board Rules and concluded that the District's three Regional Hearing Board meetings are conducted under the District's Rules and Regulations, the California Air Pollution Control Laws (Blue Book), Health and Safety Code and the Ralph M. Brown Act. Mr. Jay noted that the BAAQMD Hearing Board Rules have a Consent Calendar whereby the BAAQMD and the Petitioner are in agreement and the BAAQMD Hearing Board votes to adopt the Consent Calendar. Mr. Jay stated that perhaps a Consent Calendar could be implemented for the District Hearing Boards.

The majority of the Hearing Board members indicated that they have no problems in respect to how the Hearing Board Meetings are currently conducted. The Hearing Board Members suggested that perhaps the Chairman could provide something in writing with any suggested changes he is seeking.

The Hearing Board requested that the District look at the possibility of adding a Consent Calendar to Hearing Board Agendas. Whereby, matters that are considered routine in nature and are usually approved by a single vote. Prior to action on Consent Calendar items, the public would be given the opportunity to comment on any consent item. Items on the Consent Calendar could be moved off the Consent Calendar by any member of the Hearing Board or the public to the Regular Agenda for discussion and/or action.

7. **Next Scheduled Meeting** – Wednesday, July 11, 2001 at 10:00 a.m. The meeting will be held via video conferencing (VTC) at the Southern Region

*Action Summary Minutes of
Wednesday, June 13, 2001
Southern Region
Hearing Board Meeting*

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 11:00 a.m.

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