



# 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, May 9, 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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Fresno, CA 93726-0244  
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Southern Region Office  
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Bakersfield, CA 93301-2370  
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[www.valleyair.org](http://www.valleyair.org)

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

1. **Call Meeting to Order** – The Chair, 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 Chair	Public
Hollis B. Carlile, Chair	Engineer

(\*) Arrived at start of Item #4

**Also present in the Southern Region Office (Bakersfield)**  
Clifton Calderwood, Air Quality Compliance Manager,  
Creighton Smith, Supervising Air Quality Inspector and Lance  
Ericksen, Supervising Air Quality Engineer.

**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.

3. **Approve Minutes of April 11, 2001** – The Chair 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 Chair declared the Minutes of April 11, 2001 approved as submitted.

4. **Public Hearings:**

The Chair requested that the Petitioners sign the Sign In Sheet.  
All persons testifying were sworn in by the Chair.

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

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

**Michael Carrera presented the Staff Reports.**

<p>A.) Docket No. S-01-11M, Modification of Short Variance, <u>Lone Star Gas Liquids Processing, Inc.</u>, P O Box 81257, Bakersfield, CA. 93380-1257. Type of Business: Gas Plant.</p>
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**Petitioner** – Scott Sill and Joe Selgrath represented Lone Star Gas Liquids Processing, Inc.

**Public Comment** – No Public Comment.

**Decision** – Mr. Dean moved that the modified the existing variance. The motion was seconded by Ms. Wolber and carried unanimously with the following **Roll Call Vote:**

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

**Noes:** None.

**Absent:** None.

*Therefore, the Board modified short variance Docket No. S-01-11S, Lone Star Gas Liquids Processing, Inc., by increasing the NOx concentration limits specified in Condition 4. The modified variance is subject to two conditions set forth on page 3 of the Staff Report. All other conditions of the short variance will remain unaffected. The modified conditions will be set forth in the Order.*

The Chair, Hollis B. Carlile, indicated a conflict of interest in respect to Docket No. S-01-13R, Regular Variance, Chevron USA. Therefore, Ms. Carlile left the dais for this portion of the hearing.

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

**B.)**

**Docket No. S-01-13R, Regular Variance, Chevron USA, 3300 Monte Cristo Road, Bakersfield, CA. 93251. Type of Business: Crude Oil and Natural Gas Production.**

**Petitioner** – Greg Schmidt and Bob Langner represented Chevron USA.

**Public Comment** – No Public Comment.

**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 Mr. Dean and carried unanimously with the following **Roll Call Vote**:

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

**Noes:** *None.*

**Excused:** *Carlile.*

*Therefore, the Board granted a Regular Variance to Docket No. S-01-13R, Chevron USA. The variance end date was modified from August 1, 2001 to September 1, 2001. The variance is subject to eight conditions set forth on pages 3 and 4 of the Staff Report with a modification to Condition #1 and Condition #6. The modified conditions will be set forth in the Order.*

**The Chair, Mr. Carlile, chaired the remainder of the hearings.**

**C.) *Withdrawn***

**Docket No. S-01-10R, Regular Variance, Golden Bear Oil Specialties, 1134 Manor Drive, Bakersfield, CA. 93308. Type of Business: Petroleum refining and liquid asphalt production.**

**D.)**

**Docket S-00-42S, Short Variance, Aera Energy LLC – South Midway Sunset, 29235 Highway 33, Maricopa, CA. 93252. Type of Business: Crude Oil and Natural Gas Production.**

**Petitioner** – Paul Tate and Dennis Carroll represented Aera Energy LLC – South Midway Sunset.

**Public Comment** – No Public Comment.

**Decision** – Mr. Thomson moved that the variance be granted and the required six findings set forth on pages 2 and 3 of the Staff Report be adopted by

reference. The motion was seconded by Ms. Wolber and carried unanimously with the following **Roll Call Vote:**

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

**Noes:** ***None.***

**Absent:** ***None.***

*Therefore, the Board granted a Short Variance to Docket No. S-00-42S, Aera Energy LLC – South Midway Sunset. The variance shall be effective for an eighteen (18) hour period to occur sometime between May 21, 2001 and July 27, 2001. The variance is subject to seven conditions set forth on pages 3 and 4 of the Staff Report. The seven conditions shall be set forth in the Order.*

**E.)**

**Docket No. S-01-15S, Short Variance, Aera Energy LLC, P O Box 11164, Bakersfield, CA. 93389-1164. Type of Business: Crude Oil and Natural Gas Production.**

**Petitioner** – Darryl Gunderson represented Aera Energy.

**Public Comment** – No Public Comments.

**Decision** – Mr. Dean moved that the variance be granted and adopt by reference the required six findings set forth on page 2 of the Staff Report. The motion was seconded by Ms. Wolber and carried unanimously with the following **Roll Call**

**Vote:**

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

**Noes:** ***None.***

**Absent:** ***None.***

*Therefore, the Board took the following action: granted a Short Variance to Docket No. S-01-15S, Aera Energy LLC. The variance shall be effective for a 60-day period between May 9, 2001 and August 27, 2001. The variance is subject to seven conditions set forth on page 3 of the Staff Report with a modification to Condition # 6 C to read: The results of all portable analyzer tests for just the units that are subject to the variance. The modified conditions shall be set forth in the Order.*

**F.)**

**Docket No. S-01-16S, Short Variance, Sunrise Power Company, P O Box 81617, Bakersfield, CA. 93380-1617. Type of Business: Electric Power Generation Plant.**

**The Chair sworn in Robert J. Kard, Director of Compliance. Mr. Kard provided additional testimony for the District.**

**Petitioner** – Daniel Beck and Alan Dartnell represented Sunrise Power Company.

**Public Comment** – No Public Comment.

**Decision** – Mr. Dean made a motion to grant the variance and adopt the required six findings set forth on pages 2 and 3 of the Staff Report. The motion was seconded by Mr. Thomson.

**The Board adjourned for a short break.**

**The Board reconvened from their short break.**

The motion carried with the following **Roll Call Vote**:

**Ayes:**            **Wolber, Thomson and Dean.**  
**Noes:**           **Bland and Carlile.**  
**Absent:**         **None.**

*Therefore, the Board took the following action: granted a Short Variance to Docket No. S-01-16S, Sunrise Power Company. The variance shall be effective from May 31, 2001 to August 29, 2001. The variance is subject to nine conditions set forth on pages 3 and 4 of the Staff Report. The nine conditions shall be set forth in the Order.*

***The Chair requested that the San Joaquin Valley Air Pollution Control District establish criteria other than Authority to Construct (ATCs) emissions for start up of new equipment in all testing phases and tune up modes.***

***Mr. Carrera stated that based on the conversations we had today. The District will be more than willing to meet with each of the Petitioners to set those limits. So that the Hearing Board will have some comfort level that the Emission Reduction Credits (ERCs) will not be an issue. Mr. Carrera noted that the Chair's point was well taken. We will get that information up front next time regardless of whether the manufacturer of that equipment is recalcitrant in supplying that information. We'll make sure that we have some numbers together before we appear before you again.***

5. **Public Comment** – No Public Comment.

6. **New Business**

- A. Discussion of the BAAQMD Hearing Board Rules
- B. Discussion of the Required Six Findings

***A motion was made by Ms. Wolber to continue A. and B. to the next regularly scheduled hearing. The motion was seconded by Mr. Bland and carried unanimously.***

- 7. **Next Scheduled Meeting** – Wednesday, June 13, 2001 at 10:00 a.m. The meeting will be held via video conferencing (VTC) at the Southern Region Office, 2700 M Street, Suite 275, VTC Room, Bakersfield with the Central Region Office (Fresno) included via VTC.
- 8. **Adjournment** – The Chair adjourned the meeting at 11:42 a.m.

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