



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes for the Southern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 2700 M Street, Suite 275 Video Teleconferencing (VTC) Room Bakersfield, CA.

Wednesday, October 9, 2002
10:00 a.m.

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

Also present in the Southern Region Office (Bakersfield) - Jon Adams, Air Quality Compliance Manager and Leonard Scandura, Supervising Air Quality Engineer.

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

3. **Approve Minutes of: September 11, 2002** – The Chair asked if there were any corrections, comments or additions to the Minutes. The Board did not have any corrections, comments or additions to the Minutes. Therefore, the Chair declared the Minutes of September 11, 2002 were approved as submitted.

The Chair requested the Petitioners sign the Sign In Sheet.

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

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

All persons testifying were sworn in by the Chair.

4. **Public Hearing:**

Michael Carrera presented the Staff Report.

A.)
Docket S-02-35i, Interim Variance, **Cheese & Protein International, Inc.**, 800 E. Paige Avenue, Tulare, CA. 93274. Type of Business: Milk Processing Facility

Petitioners – Chris Scheidt, Denise Emler and Jeff Davis represented Cheese & Protein International, Inc.

Public Comments – No Public Comments.

Decision – Board Member Dean made the motion to grant the variance subject to eleven recommendations set forth on pages 3 and 4 of the Staff Report. Board Member Dean stated that good cause for the variance was made based on the testimony. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

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

Absent: ***None.***

The Board granted an Interim Variance to Docket S-02-35i, Cheese & Protein International, Inc. The variance shall be effective from September 17, 2002 to November 13, 2002, or until the next regularly scheduled Southern Region Hearing Board Meeting can be held, whichever occurs first. The eleven conditions shall be set forth in the Order.

B.) Postponed until 11/13/02
Docket S-02-31R, Regular Variance, Shell Pipeline Company, LP (Carneras Pump Station), Section SW34, T27E, R20E, Lost Hills, CA.

5. **Administrative Agenda – Receive and File** – The Southern Region Hearing Board has not approved an emergency variance order since September 11, 2002.
6. **Public Comments** – No Public Comments.
7. **Hearing Board Member Comments** – No Hearing Board Member Comments.
8. **New Business: Discussion on Emergency Variances** – Board Member Dean requested staff provide the Board with what criteria must be met for a petitioner to qualify for an emergency variance.

The Board and staff discussed this issue.

Michael Carrera and Jon Adams advised the Board on how the District handles Emergency Variances (EVs) at staff level. Staff noted that the District does not have a written policy on the granting of EVs. Staff explained that they have a internal policy on how they deal with EVs on a day to day bases on whether or not the District will accept a EV as an emergency and whether it is related to a breakdown or for good cause. Staff noted that each request for a EV that comes before the Board and the District is different and therefore reviewed on a case by case bases by a committee of staff members before it goes before a hearing board member.

9. **Next Scheduled Meeting** – Wednesday, November 13, 2002 at 10:00 a.m. The meeting will be held via video teleconferencing (VTC) in the Southern Region Hearing Board Office, 2700 M Street, Suite 275, VTC Room, Bakersfield with the Central Region Office (Fresno) participating via VTC.
10. **Adjournment** – The Chair adjourned the meeting at 10:30 a.m.

Sissy Smith, Clerk to the Board
Southern Region Hearing Board
San Joaquin Valley Unified
Air Pollution Control District