



# San Joaquin Valley Air Pollution Control District

## GOVERNING BOARD

Ronn Dominici, Chair  
Supervisor, Madera County

Barbara Patrick, Vice Chair  
Supervisor, Kern County

Mike Maggard  
Councilmember, City of Bakersfield

Judith G. Case  
Supervisor, Fresno County

Tony Barba  
Supervisor, Kings County

Sam Armentrout  
Councilmember, City of Madera

Michael G. Nelson  
Supervisor, Merced County

Jack A. Sieglock  
Supervisor, San Joaquin County

Thomas W. Mayfield  
Supervisor, Stanislaus County

J. Steven Worthley  
Supervisor, Tulare County

David L. Crow  
Executive Director/  
Air Pollution Control Officer

Northern Region Office  
4230 Kiernan Avenue, Suite 130  
Modesto, CA 95356-9322  
(209) 557-6400  
FAX (209) 557-6475

Central Region Office  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000  
FAX (559) 230-6061

Southern Region Office  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2370  
(661) 326-6900  
FAX (661) 326-6985

[www.valleyair.org](http://www.valleyair.org)

## 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) System Bakersfield, CA.

Tuesday, April 9, 2003  
10:00 a.m.

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

1. **Call Meeting to Order** – The Vice Chair, William L. Bland, Jr., chaired the meeting. The Chair called the meeting to order at 10:10 a.m.

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

Kimm Wolber	Medical
Andrew C. Thomson ( <b>absent</b> )	Attorney
Marvin Dean	Public
William L. Bland, Jr., <b>Vice Chair</b>	Public
Hollis B. Carlile, <b>Chair (absent)</b>	Engineer

**Also present in the Southern Region Office (Bakersfield)** – Creighton Smith, Supervising Air Quality Inspector.

**Also present in the Central Region Office (Fresno)** Meggin Boranian, Assistant District Counsel, Ted Strauss, Supervising Air Quality Inspector, Chuck Hanna, Senior Air Quality Inspector, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

3. **Approve Minutes of March 11, 2003** – The Chair asked if there were any corrections to the Minutes. Hearing no comments the Chair declared that the Minutes of March 11, 2003 were approved as submitted.

All persons testifying were sworn in by the Chair.

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

The Chair requested the Hearing Board Packet and any addenda brought forth in today's hearings be entered into the Official Record.

The Chair requested the Petitioners to sign the Sign In Sheet.

4. **Public Hearing:**

**Michael Carrera presented the Staff Reports.**

A.)  
Docket S-03-10S, Short Variance, Aera Energy LLC, 59231 Main Camp Road, McKittrick, CA. 93251. Type of Business: Crude Oil & Natural Gas Production.

**Petitioners** – John Haley and Patrick Dillion represented Aera Energy LLC.

**Public Comment** – No Public Comment.

**Decision** – Board Member Dean made the motion to grant the variance. Board Member Dean stated based on the testimony received during the hearing the six findings set forth on pages 2 and 3 of the Staff Report could be made. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

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

**Absent:**         ***Thomson and Carlile.***

*Therefore the Board granted a Short Variance to Docket S-03-10S, Aera Energy LLC. The variance shall be effective for a consecutive four (4) day period to occur sometime between April 10, 2003 and July 2003. The variance is subject to fourteen conditions set forth on pages 3 and 4 of the Staff Report with a modification to:*

**Condition # 6**

*Prior to opening each tank to atmosphere, the Petitioner shall continue operating the VRS for an additional 24 hours or until the tank headspace vapor concentration measures less than 5,000 ppmv, as measured by ~~an~~ an instrument a hydrocarbon analyzer calibrated with methane. The fourteen conditions shall be set forth in the Order.*

B.)  
Docket S-03-11i, Interim Variance, Recot, Inc., 22801 Highway 58,  
Bakersfield, CA. 93312. Type of Business: Snack Food Production.

**Petitioners** – Bob Myers, Brent Fowler and Patricia O’Toole, represented Recot, Inc.

**Public Comment** – No Public Comment.

**Decision** – Board Member Dean made the motion to grant the variance. Regarding Finding of Fact the Board finds that good cause can be made. Board Member Dean included the seven conditions set forth on pages 2 and 3 of the Staff Report. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

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

**Absent:**       ***Thomson and Carlile.***

*The Board granted an Interim Variance to Docket S-03-11i, Recot, Inc. the variance shall be effective from March 24, 2003 to May 14, 2003, until the next scheduled Hearing Board meeting can be held, or the ATC to increase the PM10 limit has been issued, whichever occurs first. The seven conditions shall be set forth in the Order.*

5. **Administrative Agenda – Receive and File** – The Southern Region Hearing Board Received and Filed the following emergency variance orders.

A.)     Docket S-03-08E     Aera Energy LLC  
  P O Box 1164  
  Bakersfield, CA. 93389

B.)     Docket S-03-09E     Kern River Cogeneration Company  
  P O Box 80478  
  Bakersfield, CA. 93380

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – Marvin Dean complimented the California Air Resources Board on the Advanced Hearing Board Workshop held on March 12 and 13, 2003.

Mr. Dean stated he was still interested in the District providing the Board with a ERC offset workshop.

8. **New Business:**

A.) La Paloma Generating Plant – Progress Report on Phase II

Progress Report provided by Zenis Walley and Dr. Ted Guth  
Copy of Report provided to Board and Staff:  
La Paloma Generating Company, LLC  
SJVAPCD Hearing Board  
Regular Variances  
Docket NOS. S-02-34R, 24R, 25R, and 29R  
Phase II – Progress Report  
April 9, 2003

9. **Next Scheduled Meeting** – Wednesday, May 14, 2003 at 10:00 a.m. The meeting will be held via video teleconferencing (VTC) in the Southern Region 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 11:02 a.m.

---

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