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**Action Summary Minutes**  
**SOUTHERN REGION HEARING BOARD MEETING**

Southern Region Office Video Teleconference (VTC) Room

2700 "M" Street, Bakersfield, CA 93301

**Wednesday, June 29, 2007, 10:00 A.M.**

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

**AGENDA**

1. CALL MEETING TO ORDER:  
The Chair, Hollis Carlile, called the meeting to order at 10:05 a.m.
  
2. ROLL CALL:

Kimm Wolber—medical	present
Nancy Dunn—public	present
William Bland—public*	present
Hollis Carlile (chair)—engineer	present
Charles Brehmer—attorney	absent

\* Arrived during item 4.G

Staff present—Southern Region (Bakersfield): Creighton Smith, Supervising Air Quality Inspector; Mike Oldershaw, Air Quality Compliance Manager

Central Region (Fresno): Catherine Redmond, Assistant District Counsel; Brian Dodds, Senior Air Quality Inspector; and Toni Taber, Clerk to the Boards.
  
3. APPROVE MINUTES OF APRIL 11, 2007:  
The Chair asked if there were any comments regarding the Minutes of May 9, 2007. Hearing none, the Chair declared the Minutes for May 9, 2007 approved.

4. PUBLIC HEARING:

The Chair asked the Clerk to verify that all items had been properly noticed. The Clerk responded that they had. All those present to testify were sworn in by the Chair, and he requested that they sign in. Brian Dodds requested that items 4.D, 4.E, 4.F to be heard last on the docket to await the arrival of another Hearing Board Member.

A. S-07-32i          Interim          **Berry Petroleum Company**  
North Midway Sunset Field  
Severini Lease  
Derby Acres, CA

Petitioners: John Ludwick, Charles Jaster

Brian Dodds presented the staff report. Mr. Ludwick stated the staff report presented their issue clearly.

Public Comment: None

Moved:          Wolber  
Second:         Dunn

Ayes:            Wolber, Dunn, Carlile  
Noes:            None  
Absent:          Bland  
Abstain:         None

*Motion carried to grant variance as recommended by staff.*

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B. S-07-40i          Interim          **South Kern Industrial Center, LLC**  
2653 Santiago Road  
Bakersfield, CA 93308

Petitioners: John Goodwin, Tom Card

Brian Dodds presented the staff report. Mr. Goodwin stated that they had nothing to add.

Public Comment: None

Moved:          Dunn  
Second:         Wolber

Ayes:            Wolber, Dunn, Carlile  
Noes:            None  
Absent:          Bland  
Abstain:         None

*Motion carried to grant variance as recommended by staff.*

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Docket Number S-07-30S for Chevron USA was moved to the last item.

D. S-07-39i Interim **Big West of California, LLC**  
6451 Rosedale Highway  
Bakersfield, CA 93308

Petitioners: Max Sims, David McCoy, Larry Wilkerson, Bart Leininger

Brian Dodds presented the staff report. He noted the Hearing Board must make a finding of good cause, and in this case, the District's opinion is that good cause cannot be demonstrated. The Hearing Board heard testimony from Bart Leininger in which he described how the SCR system was incompatible with the heater in question. He noted the drawings upon which the engineers based their design were flawed, and that Big West is doing everything they can to remedy the situation. He noted that Big West should be able to complete the work by July 31, 2007, but applied for a regular variance in case the work is not complete by then.

The Chair stated the temperature data from the heater was too low, and Big West and the engineers at the design company should have double checked the drawings and data before designing the SCR. Mr. Leininger stated they retrofitted 22 other heaters based on the drawings and none had any problems. He added that the staff report's estimate of excess emissions is 152 pounds per day, but the monitored excess emissions are 50 pounds per day. He added that all of the heaters they modified to comply with Rule 4306 are operating at below the permit limits.

Mike Oldershaw stated that the District feels that an independent measurement should have been taken because the confusion in the drawing, and that it is not unreasonable to expect Big West to have independently verified the exhaust temperature. Mr. Oldershaw also noted that offset emissions cannot be taken from units that were modified to comply with a Rule.

The Chair stated his concern is that there were ways to have caught the problem before the design process began, but added he didn't think Big West intentionally made the mistake.

Public Comment: None

Moved: Wolber  
Second: Dunn

Ayes: Wolber, Dunn  
Noes: Carlile  
Abstain: Bland

*With a vote of 2 for, and one against, the motion to grant an interim variance to Big West with a finding of good cause, failed. The variance was denied.*

C. S-07-30S      Short      **Chevron USA Inc.**  
Lost Hills Oil Field  
Lost Hills, CA

Petitioners: Martin Lundy, George Naidy.

Brian Dodds presented the staff report. Martin Lundy stated that he agreed with staff report.

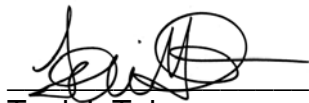
Moved:        Dunn  
Second:       Wolber

Ayes:         Wolber, Dunn, Bland  
Noes:         None  
Abstain:       Carlile

Motion carried to grant variance as recommended by staff.

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5. The Southern Region Hearing Board heard the following emergency variances: S-07-28E Chevron USA Inc.; S-07-29E Chevron USA Inc.; S-07-36E Chevron USA Inc.; S-07-37E Chevron USA Inc.; S-07-39E Chevron USA Inc.
6. PUBLIC COMMENTS: No public comments.
7. HEARING BOARD MEMBER COMMENTS: No comments.
8. NEW BUSINESS: No new business.
9. NEXT SCHEDULED MEETING: Wednesday, July 11, 2007 at 10:00 a.m.  
The meeting will be held via video conferencing (VTC) in the Southern Region Office (Bakersfield) with the Central Region Office (Fresno) participating via VTC.
10. ADJOURNMENT  
The Chair adjourned the meeting at 11:02 a.m.



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Toni J. Taber  
Clerk to the Boards  
San Joaquin Valley Unified Air Pollution Control Districts