



GOVERNING BOARD

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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

Tuesday, November 20, 2007, 2:00 p.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 2:04 p.m.

2. ROLL CALL:

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

* *attended in Central Region Office*

Staff present—Southern Region (Bakersfield): Creighton Smith, Supervising Air Quality Inspector; Allan Phillips, Supervising Air Quality Engineer

Central Region (Fresno): Wayne Clarke, Compliance Manager; Catherine Redmond, Assistant District Counsel; and Toni Taber, Clerk to the Boards.

3. APPROVE MINUTES OF OCTOBER 10, 2007
The Chair asked if there were any comments regarding the Minutes of October 10, 2007. Hearing none, the Chair declared the Minutes for October 10, 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.

A. S-07-68S Short Big West of California
6451 Rosedale Highway
Bakersfield, CA 93308

Petitioners: Max Sims, Larry Wilkerson

Wayne Clarke presented the report. Mr. Clarke noted the dates of the report needed to change to reflect the change in Hearing Board meeting date. Condition one should change to read "November 20, 2007 and February 17, 2007 . . ." and Condition nine should read "March 3, 2008 . . . ". Max Sims stated he concurred with the District's findings.

Motion: Bland Second: Wolber

AYES: Wolber, Dunn, Bland, Carlile NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages three and four with the modified dates of November 20, 2007 to February 17, 2007 for condition one, and March 8, 2008 for condition nine.

B. S-07-69S Short Big West of California
6451 Rosedale Highway
Bakersfield, CA 93308

Petitioners: Max Sims, Larry Wilkerson

Wayne Clarke presented the report. Mr. Clarke noted the dates of the report needed to change to reflect the change in Hearing Board meeting date. Condition one should change to read "November 20, 2007 and February 17, 2007 . . ." and Condition nine should read "March 3, 2008 . . . ". Max Sims stated he concurred with the report.

Motion: Dunn Second: Wolber

AYES: Wolber, Dunn, Bland, Carlile NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages three and four with the modified dates of November 20, 2007 to February 17, 2007 for condition one, and March 8, 2008 for condition nine.

C. S-07-70S Short Big West of California
6451 Rosedale Highway
Bakersfield, CA 93308

Petitioners: Max Sims, Larry Wilkerson

Wayne Clarke presented the report. Mr. Clarke noted the dates of the report needed to change to reflect the change in Hearing Board meeting date. Condition one should change to read "November 20, 2007 and February 17,

2007 . . .” and Condition nine should read “March 3, 2008 . . . “. Max Sims stated he concurred with the report.

Motion: Bland Second: Dunn

AYES: Wolber, Dunn, Bland, Carlile NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages three and four with the modified dates of November 20, 2007 to February 17, 2007 for condition one, and March 8, 2008 for condition nine.

D. S-07-72S Short Kern River Cogeneration Company
1600 China Grade Loop
Bakersfield, CA

Wayne Clarke noted this item had been withdrawn. Kern River Cogeneration Company received an emergency variance on November 14, 2007.

E. S-07-73S Short Sycamore Cogeneration Company
1600 China Grade Loop
Bakersfield, CA

Petitioner: Daniel Beck

Wayne Clarke presented the report. He noted a change to the date in condition 10 to read “By January 14, 2008, or 15 days . . . “. Mr. Beck requested a change to condition two to replace Rule 4250 with Rule 4703. He also requested that condition four read “Excess NOx emissions shall not . . .” and that condition five should read “Excess CO emissions shall not . . . “. The Chair asked if the District accepted those changes. Mr. Clarke replied in the affirmative.

Motion: Wolber Second: Dunn

AYES: Wolber, Dunn, Bland, Carlile NAYS: None

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages three and four with the change to condition 10 to read “By January 14, 2008, or 15 days . . .”, and changes to condition four read “Excess NOx emissions shall not . . .” and that condition five should read “Excess CO emissions shall not . . . “.

Due to a conflict of interest, the Chair, Hollis Carlile, abstained from the next two items. William Bland, Vice-Chair acted as Chair.

F. S-07-71S Short Chevron USA Inc.—Kern River Oil Field
PO Box 1392
Bakersfield, CA 93302

Petitioners: Larry Landis, Kenekwukwu Okoli, Mike Familia

Wayne Clarke presented the report. Larry Landis requested a date change to Condition one to read “January 12, 2008, and February 12, 2008.” Condition eight should read “By February 7, 2008 . . .”.

Motion: Dunn Second: Wolber

AYES: Wolber, Dunn, Bland NAYS: None ABSTAIN: Carlile

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages three and four with the modified dates of January 12, 2008 to February 12, 2007 for condition one, and February 7, 2008 for condition eight.

G. S-07-74S Short Chevron USA Inc.—Cymrick Oilfield
PO Box 1392
Bakersfield, CA 93302

Petitioners: John Gruber, Barry Silken, Robert Smith

Wayne Clarke presented the report. He noted the dates on condition one should read “November 21, 2007, and February 18, 2008” and condition 12 should read “By March 4, 2008.” Mr. Gruber requested a clarification to the language in the first paragraph of the section titled “Immediate Compliance.” The first sentence should read “Continued compliance with District rules, ATC, and PTO conditions would prevent CUSA from conducting the maintenance and testing on the SGI wells, which is necessary to ensure the continued operation of the *Sour Gas Handling System*.” He also stated that they had received a variance once before but were unable to complete the tests; however, they brought the system back online to stay in compliance, and then requested a new variance to complete the tests. He noted they were never out of compliance.

Motion: Dunn Second: Wolber

AYES: Wolber, Dunn, Bland NAYS: None ABSTAIN: Carlile

Having decided the petition has met the required findings, the Hearing Board voted unanimously to pass the Motion to grant the variance subject to the conditions in the staff report on pages four and five with the modified dates of November 21, 2007, and February 18, 2008 in condition one, and March 2, 2008 in condition 12.

Hollis Carlile returned to the meeting, and William Bland turned over the Chairmanship to Mr. Carlile.

5. The Southern Region Hearing Board heard no emergency variances between October 10, 2007 and November 14, 2007.
6. PUBLIC COMMENTS: No public comments.
HEARING BOARD MEMBER COMMENTS: No Hearing Board member comments
3. NEW BUSINESS: No new business.
4. NEXT SCHEDULED MEETING: Wednesday, December 12, 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.
5. ADJOURNMENT
The Chair adjourned the meeting at 3:02 p.m.