

**Action Summary Minutes  
San Joaquin Valley Unified Air Pollution Control District  
Governing Board Meeting, Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA.**

**Thursday, January 20, 2005  
9:00 a.m.**

<p><b>The Meeting was held via video teleconference (VTC) in the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).</b></p>
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1. **CALL TO ORDER** – The Chair, Supervisor Thomas W. Mayfield, called the meeting to order at 9:06 a.m.

2. **ROLL CALL** was taken and a quorum was present.

Susan B. Anderson, Supervisor ( <b>absent</b> )	Fresno County
Raymond A. Watson, Supervisor ( <b>Alternate</b> ) (*)	Kern County
Tony Barba, Supervisor	Kings County
Ronn Dominici, Supervisor	Madera County
Sam Armentrout, Councilmember	City of Madera
Michael G. Nelson, Supervisor	Merced County
Dan Prince, Councilmember (**)	City of Ripon
Jack A. Sieglock, Supervisor (**) (***)	San Joaquin County
J. Steven Worthley, Supervisor	Tulare County
Mike Maggard, Councilmember, <b>Vice Chair</b> (*)	City of Bakersfield
Thomas W. Mayfield, Supervisor, <b>Chair</b> (**)	Stanislaus County

(\*) **Attended Meeting in Southern Region Office (Bakersfield)**

(\*\*) **Attended Meeting in Northern Region Office (Modesto)**

(\*\*\*) **Arrived after Agenda Item # 6**

3. **STATE OF DISTRICT** - The incoming Chair, Supervisor Thomas W. Mayfield, made comments in respect to the State of District and District goals for 2005.

4. **APPROVAL OF CONSENT CALENDAR - Item Numbers (15-22)**. (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any consent item).

15. Approve Action Summary Minutes from the Governing Board Meeting of Thursday, December 16, 2004.

16. Receive and file List of Scheduled Meetings for 2005.

17. Receive and file Operation Statistic Summaries for December 2004.
18. Receive and file Budget Status Report as of December 31, 2004.
19. Receive and file proposed amendments to Rule 4101 (Visible Emissions) and set February 17, 2005 for a Public Hearing.
20. Receive and file proposed Rule 4204 (Cotton Gins) and set February 17, 2005 for a Public Hearing.
21. Approve contract with SJV Technology Group, LLC for programming services for the Compliance Notice of Violation Database Application for an amount not to exceed \$44,700.
22. Approve and authorize application for Carl Moyer Memorial Air Quality Standards Attainment Program Funds.

**APPROVED AS RECOMMENDED** – Board Member Prince made the motion to adopt the Consent Calendar as submitted. Seconded by Board Member Nelson and carried unanimously with the following Roll Call Vote:

**Ayes:** Nelson, Dominici, Worthley, Armentrout, Barba, Watson,  
Prince, Maggard and Mayfield.  
**Absent:** Sieglock and Anderson.

**Action:** The Board approved the Consent Calendar Items 15, 16, 17, 18, 19, 20, 21 and 22 as submitted.

5. **PUBLIC COMMENT** – Georgia Uremovic, resident of Fresno County, spoke in opposition to the potential use of the \$2 DMV Surcharge fee for the purchase of pumps for farmers. Ms. Uremovic requested the Board revisit the approval of the \$2 DMV Surcharge Fee.
6. **REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)** – Christine Foster, Environmental Primary Member, Tulare County, made the CAC Report to the Board for the January 4, 2005 CAC Meeting.
7. **PUBLIC HEARING; ADOPT NEW RULES AND RULE AMENDMENTS FOR FUGITIVE VOC EMISSIONS FROM OIL, GAS, REFINING, AND CHEMICAL FACILITIES** – Presentation made by David L. Crow, Executive Director/APCO, Seyed Sadredin, Deputy Air Pollution Control Officer, and George Heinen, Supervising Air Quality Engineer.

Staff provided the Board and the public with an Addenda to proposed Rule 4409 (Components at Light Crude Oil Production Facilities, Natural Gas Production

Facilities, and Natural Gas Processing Facilities); and Proposed Rule 4455 (Components at Petroleum Refineries, Gas Liquids Processing Facilities and Chemical Plants).

**The following persons provided comments during the public comment portion of this item:**

Jerry Frost, Kern Oil & Refining Company, spoke in opposition to Rule 4455, and requested the Board delay adopting this rule today. Mr. Frost summarized some of the key issues of concern with proposed Rule 4455 :

- Requirement of additional inspections
- Reduction of allowable repair timeframe
- The District is possibly overstating the potential reduction of emissions
- The District's estimation of the cost to comply with the rule is understated
- Administrative burdens are excessive, and unnecessary

Mr. Frost indicated that Kern Oil would like to continue working with District staff to resolve some of these issues.

Chad Tuttle, Kern Oil & Refining Company, stated that Kern Oil is opposed to Rule 4455 as it's presented today.

Mike Polyniak, Independent Oil Producers Agency (IOPA), stated IOPA has the following three comments:

- IOPA disagrees with the inclusion of Polished Rod Stuffing Boxes (PRSB) as components in Table 1
- IOPA disagrees with the inclusion of Pipes as Components in Table 2
- IOPA requests Section 5.2.8.1 be rewritten to account for pipe failures or ruptures because compliance with this section is totally impractical in emergency events

Scott Sill, Lone Star Gas Company, spoke in opposition to Rule 4455 as presented. Mr. Sill stated Lone Star Gas Company agrees with comments from the representatives from Kern Oil & Refining Company.

Joey Barulich, Vintage Petroleum, spoke in opposition to Rule 4409 as presented, and made comments in respect to Polished Rod Stuffing Boxes. Mr. Barulich also commented that Vintage Petroleum is opposed to supplying pictures and tagging of every component at his facility.

Daryl Gunderson, Aera Energy, stated he was in attendance to support Rule 4409, but after hearing the public comments made today he thinks that they do have some valid concerns and he would not be opposed to the Board postponing their decision today. Mr. Gunderson stated he agreed with the comments from

Joey Barulich, Vintage Petroleum regarding Polished Rod Stuffing Boxes . Mr. Gunderson expressed his appreciation to staff for working with stakeholders for over two years to develop the proposed VOC rules.

After discussion the Board took the following action:

**MOTION TO CONTINUE TO MARCH 17, 2005 – Board Member Sieglock made the motion to continue the Public Hearing to March 17, 2005, and directed staff to meet with interested stakeholders to discuss specific topics outlined during today’s hearing. Seconded by Board Member Nelson and carried with the following Roll Call Vote:**

**Ayes: Watson, Nelson, Sieglock, Prince, Worthley, Maggard and Mayfield.**

**Noes: Dominici, Barba and Armentrout**

**Absent: Anderson.**

**Action: The Board continued to March 17, 2005 the Public Hearing to Adopt new Rules and Rule Amendments for Fugitive VOC Emissions from Oil, Gas, Refining, and Chemical Facilities. The Board directed staff to meet with interested stakeholders to discuss specific topics outlined during today’s hearing related to Proposed New Rule 4409 (Components at Light Crude Oil Production Facilities, Natural Gas Production Facilities, and Natural Gas Processing Facilities), and Proposed New Rule 4455 (Components at Petroleum Refineries, Gas Liquids Processing Facilities, and Chemical Plants).**

**Break at 11:15 a.m.**

**Return from Break at 11:25 a.m.**

8. **VERBAL REPORT: DISTRICT INCENTIVE PROGRAMS** – Informational report by David L. Crow, Executive Director/APCO, Seyed Sadredin, Deputy Air Pollution Control Officer, and Roger McCoy, Director of Administrative Services.

Mr. Sadredin presented key features for the incentive programs, the grant process, program accomplishments, and future needs and expectations.

Mr. McCoy presented the revenues, and expenditures to date.

**The following persons provided comments during the public comment portion of this item:**

Georgia Uremovic, resident of Fresno County, spoke in opposition to the way the funding is appropriated, the contracts are approved, and any funding for ag

pumps. Ms. Uremovic stated she would like to see a breakdown on the District's website detailing how these funds are spent. Mr. Uremovic stated she would like to see the approval of these items on the Regular Agenda and not the Consent Agenda. Ms. Uremovic stated that the urban dwellers should receive funding as well.

Dennis Tristao, Tulare Lake Resource Conservation District, stated he sits on other boards for public and private agencies, and Mr. McCoy has just given what he believes to be the most succinct, detailed, and understandable presentation on the governmental finance issues that he has every listened to. Mr. Tristao complimented the District's many grant programs and noted that the various incentive funding programs the District utilizes have been extremely successful in reducing emissions. Mr. Tristao noted that the Board and District staff's administration of these various incentives funding programs have been very responsible and cost effective. Mr. Tristao stated that the staff of this District has the best track record of anyone in the nation in administering these programs, and ensuring that we get a cost effective accounting for the use of these funds.

Manuel Cunha, Nisei Farmers League, complimented staff for an excellent presentation and noted that the various funding programs the District uses have been very successful. Mr. Cunha named several specific occasions where the ag industry has utilized these grant funds to control emissions.

Roger Christy, Chevron/Texaco, thanked staff for their presentation. Mr. Christy asked staff to look at why more people do not avail themselves of this source of funding.

9. **VERBAL REPORT: WEST COAST DIESEL COLLABORATIVE** – Report by Kerry Drake, EPA Region IX, San Francisco, and Peter Murchie, EPA Region X (Seattle), regarding the partnership of leaders from federal, state, and local government, the private sector, and environmental groups on the West Coast regarding diesel emission reduction.

**Item 10 moved down on the Agenda.**

11. **DISTRICT'S 2005-06 LEGISLATIVE PLATFORM** – Presentation made by David L. Crow, Executive Director/APCO, Paul Yoder and Tom Renfree, Lobbyist, Strategic Local Government Services, Inc.

Mr. Crow stated that the provisions in the District's 2005-06 Legislative Platform are general in nature and can be interpreted in a couple of different ways. Mr. Crow stated that his commitment to the Board is: if the District gets into areas where specific legislation is being seriously deliberated, staff will not hesitate to come back to a subcommittee of at least, the Chair and the Vice Chair.

Board Member Watson made the following comments regarding Item # 14 in the legislative proposal regarding net energy metering. Mr. Watson indicated that net energy metering does not do the job. Mr. Watson stated he would like for the Board to take a stance on full purchase of power.

Mr. Crow suggested the language in Item # 14 be revised to read:

Support legislation that encourages the generation of power through ~~net energy metering~~ to optimize the energy utilization and cost of recovery of those systems.

**APPROVED WITH AMENDMENT TO ITEM # 14 – Board Member Worthley made the motion to approve the 2005-06 District’s Legislative Platform with an amendment to Item #14. Seconded by Board Member Barba and carried unanimously with the following Roll Call Vote:**

**Ayes:**           Worthley, Prince, Nelson, Watson, Barba, Maggard and Mayfield.

**Absent:**       Sieglock, Dominici, Armentrout and Anderson.

**Action: The Board approved the District’s 2005-06 Legislative Platform with an amendment to Item # 14: ~~strike: through net energy metering, and add: to optimize the energy utilization and cost of recovery of those systems.~~**

10. **VERBAL REPORT: RESIDENTIAL WOODBURNING PROGRAM IMPLEMENTATION UPDATE** – Presentation made by Tom Jordan, Air Quality Projects Advisory.

**The following persons provided comments during the public comment portion of this item:**

Josette Merced Bello, American Lung Association of the Central Valley, stated the American Lung Association supports this program.

Mary-Michal Rawling, Mariposa-Merced County Asthma Coalition, stated this program has the support of community groups and community members that still believe that this is a good rule.

Kevin Hamilton, Director of the Asthma Program at Community Medical Center, expressed his support for this program.

12. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB) BOARD MEETING** - Report made by Douglas Ito, ARB representative and Liaison for the Valley Air District.

Mr. Ito reported that Dr. Alan C. Lloyd, previous ARB Board Chairman was sworn in as secretary to the Environmental Protection Agency (CAL/EPA). Mr. Ito noted that an announcement on who will be appointed to serve as the chair of the ARB Board has not been made at this time.

13. **EXECUTIVE DIRECTOR/APCO** – David L. Crow, Executive Director/APCO, stated that January 2005 was the deadline for growers to submit their Conservation Management Practices (CMP) Plans to the District. Mr. Crow stated that we are very pleased that we received over six thousand CMP Plans from growers in the Valley.

Mr. Crow announced that Gary Martin is retiring from the District. Mr. Crow noted that Mr. Martin started working with the Valley Air District at its inception and previously, starting in 1969, worked with Fresno County in their Air Quality Program. Mr. Crow noted that Mr. Martin was the lead person in the District's Mutual Settlement Program and worked with folks that found themselves in violation of District Rules. Mr. Crow noted Mr. Martin worked on over thirteen thousand cases, and in all of those thirteen thousand cases he (Mr. Crow) could not think of a time that anyone was critical of how Mr. Martin represented the District, his demeanor and so on. Mr. Crow noted that he wanted to recognize Mr. Martin because he has done an outstanding job over a very long period of time with a tough assignment.

Mr. Crow noted that the other person we're going to say good bye to today is Dave Jones, Director of Planning. Mr. Crow noted that Mr. Jones has decided to take a job as the Air Pollution Control Officer with the Kern County Air Pollution Control District. Mr. Crow commended Mr. Jones for his excellent service to the District.

Mr. Jones stated that he really enjoyed working for the District, and it has really been a growing experience for him. Mr. Jones noted that he was given a lot of responsibility at the District, and he really appreciated that. Mr. Jones stated that over the years we have accomplished a lot.

14. **GOVERNING BOARD MEMBER COMMENTS** – Board Member Maggard stated that he wants us to remain vigilant about our public disclosure of all the funds that we have available still. Board Member Maggard noted that we received a very good presentation from Mr. McCoy, but he wants us to remain vigilant about how we use that money, and use it as efficiently as we can to turn it into clean air.

**OTHER BUSINESS** – No Other Business.

**The Chair adjourned the meeting at 1:32 p.m.**