

**San Joaquin Valley Air Pollution Control District
SOUTHERN REGION HEARING BOARD MEETING**

ACTION SUMMARY MINUTES

Wednesday, December 13, 2023

Meeting held in Southern Region Office with the Central Region Office via VTC

1. Call Meeting to Order

The Chair, John Stovall, called the meeting to order at 10:00 a.m.

2. Roll Call

John Stovall – Attorney	Present
Nancy Dunn – Public	Present
Kory Weber- Public	Present
Dr. Chang Na – Medical (Primary)	Present
Dr. Robert Moeller – Medical (Alternate)	Absent

3. Approval of Consent Calendar (Items 9-11)

These items are routine in nature and are usually approved by a single vote. Prior to action by the Hearing Board, the public will be given the opportunity to comment on any consent item.

9. Approve Minutes of Wednesday, October 11, 2023

10. The Southern Region Hearing Board has heard, and granted the following emergency variances since the October 11, 2023 hearing:

A. S-23-37E Pactiv LLC

On October 12, 2023, Hearing Board Chair, John Stovall, acting for and on behalf of the Southern Region Hearing Board, approved an emergency variance from October 12, 2023, through October 31, 2023. The variance provided relief from specific requirements of District Rules 2010, 2070, 2201 and 2520 and allowed Pactiv LLC the continuation of the extruded polystyrene foam manufacturing operation without a functioning RTO

11. Next Scheduled Meeting

The next scheduled meeting is on January 10, 2024.

Public Comments: None

Moved: Dr. Na
Seconded: Dunn
Ayes: Stovall, Dr. Na, Dunn, Weber
Abstain: None
Nays: None

Motion unanimously carried to approve Consent Calendar Items 9-11

4. Public Hearing

The Chair, Mr. Stovall, swore in all those present to testify for all matters.

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
A. S-23-32S	Short	Kern River Cogeneration Facility PO Box 81438 Bakersfield, CA 93380

Petitioner: Timothy Braly

Will Coon presented the staff report.

KERN is requesting a short variance from the applicable requirements of District Rules 2201 and 4703 in addition to the applicable conditions of the subject permits. The requested short variance would be for a non-consecutive 30 day period to occur sometime between January 1, 2024, and March 1, 2024, inclusive. If granted, the variance would allow KERN to operate Unit3 with excess NOx and CO emissions while the hardware control system function testing is conducted.

Public Comment: None

Moved: Dunn
Seconded: Dr. Na
Ayes: Stovall, Dr. Na, Dunn, Weber
Nays: None

Motion unanimously carried to approve Docket No. S-23-32S

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
B. S-23-39S	Short	Chevron Cogeneration Company PO Box 81438 Bakersfield, CA 93380

Petitioner: Tim Braly

Chris Kalashian presented the staff report.

CHEVRON has requested a short variance from the applicable requirements of District Rules 1080, 2070, 2201, 2520, and 4703, in addition to the applicable conditions of the subject permits. The requested variance will be for a 30 non-consecutive day period to occur sometime between December 13, 2023, and February 1, 2024, inclusive. If granted, the variance will allow CHEVRON to operate without a certified CEMS while the new analyzers and sample lines are installed and the CEMS is certified.

Public Comment: None

Moved: Dr. Na
Seconded: Weber
Ayes: Stovall, Dr. Na, Dunn, Weber
Nays: None

Motion unanimously carried to approve Docket No. S-23-40S

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
C. S-23-40S	Short	Chevron Cogeneration Company PO Box 81438 Bakersfield, CA 93380

Petitioner: Tim Braly

Chris Kalashian presented the staff report.

CHEVRON has requested a short variance from the applicable requirements of District Rules 1080, 2070, 2201, 2520, and 4703, in addition to the applicable conditions of the subject permits. The requested variance will be for a 30 non-consecutive day period to occur sometime between January 1, 2024, and March 1, 2024, inclusive. If granted, the variance will allow CHEVRON to operate without a certified CEMS while the new analyzers and sample lines are installed and the CEMS is certified.

Public Comment: None

Moved: Dr. Na
Seconded: Dunn
Ayes: Stovall, Dr. Na, Dunn, Weber
Nays: None

Motion unanimously carried to approve Docket No. S-23-40S

<u>Docket No.</u>	<u>Type</u>	<u>Company Name</u>
D. S-23-38R	Regular	Kern Energy 7724 E. Panama Lane Bakersfield, CA 93307

Petitioner: Rafael Pinto, Gabe Castro, Melinda Palmer, Thomas Landeros

Esthela Soto presented the staff report.

KERN has requested a regular variance to provide relief from the requirements of District Rules 2010, 2201, 4301, 4306, 4320 and 4351. The requested regular variance period would be effective from January 1, 2024, to May 31, 2024, inclusive. If granted, the variance would allow KERN to continue to operate the Born Heater after December 31, 2023, with NOx emissions higher than those which are allowed in Rule 4306.

Moved: Stovall
Seconded: Dunn
Ayes: Weber, Stovall, Dunn
Abstained: Dr. Na
Nays:

Motion carried to approve Docket No. S-23-38R

5. Public Comments: None
6. Hearing Board Member Comments:
7. New Business: None
8. Adjournment: The Chair adjourned the meeting at 10:54 a.m.