



San Joaquin Valley Air Pollution Control District

Action Summary Minutes for the Northern Region Hearing Board Meeting Wednesday, May 23, 2001 at 10:00 a.m. Louis J. Newman Memorial Building 649 Orestimba Road, Newman, CA.

GOVERNING BOARD

Judith G. Case, Chair
Supervisor, Fresno County

Sam Armentrout, Vice Chair
Mayor, City of Madera

Barbara Patrick
Supervisor, Kern County

Mike Maggard
Councilmember, City of Bakersfield

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Supervisor, Madera County

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Jack A. Sieglock
Supervisor, San Joaquin County

Nick W. Blom
Supervisor, Stanislaus County

Tom Applegate
Councilmember, City of Newman

William Sanders
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

1. **Call Meeting to Order** – The Chairman, Mark A. Kanai, called the meeting to order at 10:10 a.m.
2. **Roll Call was taken and a quorum was present.**

Donald Ohlinger	Engineer
Roger Gohring	Public
Steve Benak, MD	Medical
Alexander Scheflo (Alternate)	Public
Mark A. Kanai, Chairman	Attorney
3. **Approve Minutes of January 24, 2001** – The Chairman asked if there were any corrections or additions to the Minutes. The Board did not have any corrections or additions. The Chairman, declared the Minutes of January 24, 2001 were approved as submitted.
4. **Public Hearing:**

The Chairman requested everyone in attendance to sign the Sign In Sheet.

All persons testifying were sworn in by the Chairman.

Robert J. Kard, Director of Compliance indicated that staff had one amendment to the Staff Report: page 2 just below **RECOMMENDATION** is a statement that no plan or proposal was submitted. Mr. Kard stated that staff has received the following document: *Tartaric's Pond Water Recycling Plan*. Mr. Kard stated that a copy of that plan has also been provided to the Board as well as the public.

A.)
Docket No. N-00-04A2, Permit Appeal, The Tartaric Manufacturing Corporation, 2155 Hills Ferry Road, Newman, CA. 95360. Type of Business: Calcium Tartrate Manufacturing Facility.

Petitioners – Richard Rosenberg and Alex Bonecchi represented The Tartaric Manufacturing Corporation.

The following persons spoke on behalf of The Tartaric Manufacturing Corporation – George Stillman, Stanislaus County Public Works Director and Ray Kablanow, Consultant.

Public Comments – The following individuals spoke in respect to the Tartaric Manufacturing Corporation's petition appealing the San Joaquin Valley Unified Air Pollution Control District's denial of reinstatement of Permit to Operate No. N-3903-1-0 for a 14.725 MMBtu/hr Hurst (model 400 350HPCAL) boiler:

Judith Wardlaw requested a compliance bond.

Don Smith stated that he was willing for Tartaric to receive their permit to operate, but if there are any odors they need to be shut down quickly.

Cleve Morris, City Manager, stated the City Council is cautious and skeptical going into this. Mr. Morris requested that the odor be completely eliminated, the remaining waste water be removed from all the ponds, the site be landscaped and maintained. The City of Newman wants the waste water removed before Tartaric starts production. Mr. Morris noted that the City Council would like to see: (1) a test of the process conducted prior to the issuance of the permit and (2) the possibility of requiring some sort of bond.

Paul Lawson, President, Chamber of Commerce, Newman, stated that if the odors return when the facility starts operating it will be difficult to attract customers to businesses that operate in Newman.

Sid Israels spoke on behalf of the Beltran family farms located in Crows Landing. Mr. Israels stated that his client has concerns with the disposal of Tartaric's waste water in Crows Landing.

Wendy Montgomery spoke in opposition to Tartaric receiving a permit to operate. Ms. Montgomery stated that her company was not opposed to Tartaric receiving a temporary permit to operate. Ms. Montgomery stated that if the Tartaric plant emits any odors that are offensive to anyone they should be closed down immediately.

Dave Reed, Mayor of Newman, asked questions regarding the transportation of disposal of the waste water. Mr. Reed noted that a performance bond should be required of Tartaric.

Nain Hoxsie stated that dumping the waste water any place at all is a mistake. Mr. Hoxsie stated that Tartaric's plan of disposing the waste water could get into the ground water and into the City of Newman's drinking water.

Carol Robertson stated that Tartaric should clean up their existing mess before a permit to operate is issued. Ms. Robertson suggested that additional studies be conducted before the permit is issued.

Wayne Reeves spoke in support of the Permit Appeal.

George Stillman provided additional testimony in respect to Tartaric disposing of their waste water in Crows Landing.

Decision – Mr. Ohlinger made a motion to remand Tartaric's permit issuance to the District. The motion was seconded by Mr. Scheflo and carried unanimously with the following **Roll Call Vote:**

Ayes: **Benak, Ohlinger, Scheflo, Gohring and Kanai.**

Noes: **None.**

Absent: **None.**

Therefore, the Hearing Board Orders that the matter of Permit to Operate re-instatement be remanded to the Air Pollution Control Officer of the San Joaquin Valley Unified Air Pollution Control District with instructions to reconsider issuance of the boiler permit provided the District imposes sufficient conditions to ensure that the facility operates without causing odor nuisances and is operated in compliance with all applicable District regulations.

5. **Public Comments** – No Public Comments.
6. **New Business** – No New Business.
7. **Next Scheduled Meeting** – Wednesday, June 6, 2001 at 10:00 a.m., Northern Region Office, Video Teleconference (VTC) Room, 4230 Kiernan Avenue, #130, Modesto. The meeting will be held in the Northern Region Office with the Central Region Office, 1990 E. Gettysburg Avenue, Fresno included via VTC.
8. **Adjournment** – The Chairman, Mark A. Kanai, adjourned the meeting at 11:19 a.m.