

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

**ACTION SUMMARY MINUTES**

**Wednesday, March 8, 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
Dr. Chang Na – Medical (Primary)	Present
Dr. Robert Moeller – Medical (Alternate)	Absent
Blaine Neptune – Engineer	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, February 8, 2023

10. Emergency Variance Report

11. Next Scheduled Meeting

The next scheduled meeting is on April 12, 2023.

Public Comments: None

Moved: Dr. Na  
Seconded: Dunn  
Ayes: Stovall, Dr. Na, Dunn  
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-23-08S	Short	<b>Chevron Pipeline &amp; Power</b> Sycamore Cogeneration Facility 1546 China Grade Loop Bakersfield, CA 93308
B. S-23-09i	Interim	<b>CXA La Paloma, LLC</b> 1760 W. Skyline Road McKittrick, CA 93251

**S-23-08S**

Petitioner: Tim Braly

Chris Kalashian presented the staff report.

SYCAMORE is requesting a short variance from the applicable requirements of District Rules 2070, 2201, 2520, and 4703 in addition to the applicable conditions of the subject permits. The requested short variance would be for a non-consecutive 20 day period to occur sometime between March 20, 2023, and May 1, 2023, inclusive. If granted, the variance would allow SYCAMORE to operate Unit 2 with excess NOX and CO emissions while the hardware control system function testing is conducted.

Dr. Na asked what monetary loss Sycamore would face if the variance was not approved. Tim Braly shared that a shutdown would cost the facility anywhere from \$50 million to \$70 million per year.

Public Comment: None

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

**Motion unanimously carried to approve Docket No. S-23-08S**

**S-23-09i**

Petitioner: Paul Sumal and Terry Benson

Shannon Moore presented the staff report.

LA PALOMA has requested an interim variance, to be followed by a regular variance, from the applicable requirements of District Rules 1080, 2070, 2201, 2520, 4001 and 4703, in addition to the applicable conditions of the subject permits. The requested variance period will be from March 8, 2023, to June 6, 2023, inclusive, or until the petition on the regular variance can be heard, whichever occurs first. If granted, the variance will allow LA PALOMA to postpone performance testing of Combustion Turbine Unit 1.

Petitioner, Terry Benson shared that the rainfall and snow during this time of year have made it difficult for La Paloma to conduct testing without large fines.

Dr. Na asked where the fines would be coming from and Terry Benson clarified that La Paloma would be liable to pay for any losses resulting from the shutdown of a plant.

Public Comment: None

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

**Motion unanimously carried to approve Docket No. S-23-09i**

5. Public Comments: None.
6. Hearing Board Member Comments: Mr. Stovall announced that AERA Energy, LLC was also approved for an Emergency Variance on March 7, 2023.
7. New Business: None.
8. Adjournment: The Chair adjourned the meeting at 10:16 a.m.