

SUMMARY OF PROCEEDINGS
BOARD OF DIRECTORS
EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Location: Golden Hills Community Services District
21415 Reeves St, Tehachapi, CA

Thursday, January 12, 2012
1:00 P.M.

DISTRICT RECONVENED

DIRECTORS: Grimes (Chairman) Holloway (Vice-Chairman), McQuiston, Scrivner and Bohannon

ROLL CALL: 4 Present, 1 Absent – Bohannon

SALUTE TO FLAG: Led by Director Holloway

AIR POLLUTION CONTROL OFFICER: David L. Jones

SECRETARY OF THE BOARD: Debra Mullins

COUNSEL: Kirk Perkins

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. NOTE: The vote is placed in **bold** below each item. For example, **Grimes - Holloway** denotes Director Grimes made the motion and Director Holloway seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: all items listed with a (-CA) are consent items and considered routine and noncontroversial by district staff and were approved by one motion - ITEMS: 5, 7, 8, 9, 10 and 11 WERE VOTED AS CONSENT ITEMS.

Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon

BOARD OF DIRECTORS

- 1) Board of Directors reorganization – SELECTED DIRECTOR ED GRIMES AS 2012 CHAIRMAN
Holloway – McQuiston: 4 Ayes; 1 Absent – Bohannon
SELECTED DIRECTOR CHIP HOLLOWAY AS 2012 VICE CHAIRMAN.
McQuiston - Scrivner: 4 Ayes; 1 Absent – Bohannon

PUBLIC PRESENTATIONS

- 2) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask questions for clarification; make referrals to staff for information or request staff to report to the Board at a later meeting. In addition, the Board may take action to direct staff to place a matter of business on a future agenda - NO ONE HEARD.

BOARD MEMBER PRESENTATIONS OR ANNOUNCEMENTS

- 3) On their own initiative, Board members may make brief announcements or brief reports on their own activities. They may ask questions for clarification make referrals to staff or take action to have staff place a matter of business on a future agenda [Gov. Code Sec. 54954.2(a)] - NO ONE HEARD.

DISTRICT REQUESTS

- 4) Proposed Response to Grand Jury Report Entitled “Eastern Kern Air Pollution Control District” – STEVE MIMEN, BILL MASON, JENNIFER KEEP, JIM SIMMONS, DR. WALLACE KLECK, AND RENEE WESTA-LUSK HEARD; BOARD DIRECTED STAFF TO PREPARE A RESPONSE FOR PRESENTATION AT THE NEXT BOARD MEETING IN TEHACHAPI REGARDING AIR QUALITY CONCERNS ALONG BOUNDRIES WITH SJVAPCD AT BEAR VALLEY SPRINGS AND STALLION SPRINGS; APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN THE RESPONSE LETTER TO THE FINDINGS, COMMENTS AND RECOMMENDATIONS OF THE 2011-2012 GRAND JURY IN ITS REPORT ENTITLED, “EASTERN KERN AIR POLLUTION CONTROL DISTRICT” TO THE PRESIDING JUDGE OF THE SUPERIOR COURT; DOCUMENTS RECEIVED AND FILED.

Scrivner – Holloway: 4 Ayes; 1 Absent - Bohannon

- 5-CA) Environmental Protection Agency’s Proposed Designation of Eastern Kern Air Pollution Control District as Nonattainment of the 2008 8-hour National Ambient Air Quality Standard – Information Only - RECEIVED AND FILED.

Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon

HEARINGS

- 6) Hearing to consider Adoption of Amendments to four Rules: Rule 201.1, Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act Amendments of 1990; Rule 201.2, Synthetic Minor Source; 201.3, Federally Enforceable Limits on Potential to Emit; Rule 210.4, Prevention of Significant Deterioration; and Adoption to proposed Rule 301.4, Greenhouse Gas Fee - OPENED HEARING; RECEIVED PUBLIC COMMENT, NONE; CLOSED HEARING; ADOPTED AMENDED RULE 201.1, PERMITS TO OPERATE FOR SOURCES SUBJECT TO TITLE V OF THE FEDERAL CLEAN AIR ACT AMENDMENTS OF 1990, AND RESOLUTION NO. 2012-001-01; ADOPTED AMENDED RULE 201.2, SYNTHETIC MINOR SOURCE, AND RESOLUTION NO. 2012-002-01; ADOPTED AMENDED RULE 201.3, FEDERALLY ENFORCEABLE LIMITS ON POTENTIAL TO EMIT, AND RESOLUTION NO. 2012-003-01; ADOPTED AMENDED RULE 210.4, PREVENTION OF SIGNIFICANT DETERIORATION, AND RESOLUTION NO. 2012-004-01; AND ADOPTED RULE 301.4, GREENHOUSE GAS FEE, AND RESOLUTION NO. 2012-005-01.

Scrivner – McQuiston: 4 Ayes; 1 Absent – Bohannon

MATTERS FOR EXECUTIVE APPROVAL

- 7-CA) Summary of Proceedings for Meeting of November 10, 2011 - APPROVED AND FILED.
Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon
- 8-CA) Schedule of EKAPCD Governing Board Meetings additions/changes of rotating locations - APPROVED AND FILED.
Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon

DOCUMENTS FOR FILING

- 9-CA) EKAPCD Notice of Violation's update - RECEIVED AND FILED.
Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon
- 10-CA) List of Regulatory Control Measures to be Considered for Amendment or Adoption During 2012 - RECEIVED AND FILED.
Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon
- 11-CA) Shinault Baker & Company's Audit Report of EKAPCD's Financial Controls and Financial Statements for Fiscal Year Ending June 30, 2011 - RECEIVED AND FILED.
Holloway - Scrivner: 4 Ayes; 1 Absent – Bohannon

DISTRICT UPDATE

- 12) APCO Report (Verbal)
- a) An Air Quality Specialist resigned. Due to the 2011-2012 Budget deficiencies, the position will not be filled at this time.
 - b) California Portland Cement's EPA fine and upgrade requirements reported.

ADJOURN TO THURSDAY, MARCH 8, 2012, 1:00 P.M. REGULAR BOARD SESSION AT RIDGECREST CITY HALL, 100 WEST CALIFORNIA AVE, RIDGECREST, CA

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(District Seal)

/s/
Debra Mullins
Secretary of the Board

/s/

/s/
Ed Grimes
Chairman