



# County of San Diego

THOMAS J. PASTUSZKA, CMC, CCB  
EXECUTIVE OFFICER/CLERK

AIR POLLUTION CONTROL DISTRICT HEARING BOARD  
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**STATEMENT OF PROCEEDINGS  
SAN DIEGO COUNTY  
AIR POLLUTION CONTROL DISTRICT HEARING BOARD  
Regular Meeting, Thursday, June 26, 2014**

**ADMINISTRATIVE ITEM:**

**A.** Approval of Minute Orders for June 12, 2014.

1) Administrative Item A

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board approved the Minute Order for Administrative Item A.

AYES: Tonner, Gabrielson, Smith

ABSTAIN: Rappolt

ABSENT: Rodriguez

2) Minute Order for Petition No. 4405

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board approved the Minute Orders for Petition 4405.

AYES: Tonner, Gabrielson, Smith

ABSTAIN: Rappolt

ABSENT: Rodriguez

3) Minute Order for Petition No. 4415

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Vice-Chair Tonner, the Air Pollution Control District Hearing Board approved the Minute Orders for Petition 4415.

AYES: Tonner, Rappolt, Gabrielson, Smith

ABSENT: Rodriguez

4) Minute Order for Petition No. 4417

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board approved the Minute Orders for Petition 4417.

AYES: Tonner, Rappolt, Gabrielson, Smith

ABSENT: Rodriguez

**Petition No.**

**4413 AIR PRODUCTS AND CHEMICALS, INC.:** Requests the Regular portion of an Interim/Regular Variance from District Rule 21 –Startup Authorization APCD2012-APP-002308 Conditions 3 (8-day limits on alpha-terpinene (ATRP) and isopropyl alcohol (IPA) usage), Conditions 9 & 10 (change out requirements for ATRP and IPA carbon adsorbers), Condition 11 (recording weight), Condition 13 (cold trap temperature limit), Condition 15 (recordkeeping), Condition 18 (expiration date) for ATRP purification and packaging process located at 1969 Palomar Oaks Way, Carlsbad, CA 92011. Petitioner requests 1 year to operate according to the Authority to Construct conditions instead of Startup Authorization conditions.

**ACTION:**

ON MOTION of Chair Rodriguez, seconded by Vice-Chair Tonner, the Air Pollution Control District Hearing Board granted the Petitioner's request to withdraw petition No. 4413.

AYES: Tonner, Rappolt, Gabrielson, Smith

ABSENT: Rodriguez

**4418 AIR POLLUTION CONTROL DISTRICT, COUNTY OF SAN DIEGO:** Requests Abatement Order against Respondent JEFF PHELPS, an individual and DBA CONTINENTAL DRY CLEANERS & LAUNDRY, INC. The District alleges operation of petroleum dry cleaning equipment without a valid District permit and seeks an Abatement Order, not intended to act as a variance, prohibiting Respondent from 1) continuing to operate the petroleum dry cleaning equipment at 1001 Broadway, San Diego or anywhere in San Diego County until the District grants written permission to operate, and 2) violating any provision of District Rule 10.

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Tonner, the Air Pollution Control District Hearing Board accepted the District's request for an Abatement Order for petition no. 4418.

AYES: Tonner, Rappolt, Gabrielson, Smith

ABSENT: Rodriguez

**4419 NEO San Diego LLC:** Requests a permit appeal of Title V Operating Permit Renewal APCD2009-PTO-974746 (issued April 29, 2014), objecting to requirements from 17 CCR Subarticle 6 (AB 32): Conditions 44 (instantaneous and integrated landfill surface emissions standards), 52 (requirement for quarterly instantaneous and integrated surface monitoring), 53 (corrective actions if instantaneous surface monitoring standards exceeded), 54 (corrective actions if integrated surface monitoring standards exceeded) and 55 (inactive landfill area monitoring) for landfill gas collection system operating at Miramar Landfill (5244/5344 Convoy Street, San Diego, CA 92111).

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Tonner, the Air Pollution Control District Hearing Board accepted the Petitioner's request for a continuance and for petition to be heard on August 28, 2014.

AYES: Tonner, Gabrielson, Smith

ABSENT: Rodriguez

RECUSED: Rappolt

**PUBLIC COMMUNICATION:**

Opportunity for members of the Public to speak to the Board on any subject matter within the Board's jurisdiction, but not on an item on today's Agenda. (Five minutes total will be allocated; each speaker's presentation may not exceed one minute and may not relate to pending litigation.)

**ASSISTANCE FOR THE DISABLED:**

Agendas and records are available in alternative formats upon request. Contact the Clerk's office at **(619) 531-5434 (voice) or (619) 531-4803 (TTY)**. Assistive Listening Devices (ALDs) are available from the Clerk of the Board in Room 402 prior to the meeting, and are to be returned at the end of the meeting. Individuals requiring sign language interpreters should contact the Americans with Disabilities Coordinator at **(858) 505-6521**, in advance of the meeting so that arrangements may be made. An area in the front of the chamber is designated for individuals requiring the use of wheelchair or other accessible devices.