



County of San Diego

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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, March 12, 2015

ADMINISTRATIVE ITEM:

- A. Approval of Minute Orders for February 12, 2015.

ACTION:

ON MOTION of Member Gabrielson, seconded by Member Rappolt, the Air Pollution Control District Hearing Board approved the Minute Orders as amended for February 12, 2015.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

- B. Adoption of proposed standard language for general variance condition.

“Violation of any condition of a Board order may subject the variance to a revocation hearing by the Board, which may ultimately result in penalties as specified in §§ 42400-42403 of the California Health and Safety Code.”

ACTION:

ON MOTION of Vice-Chair Tonner, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board moved to take no action on this item.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

- C. Discussion regarding jurisdiction and determination of a variance revocation and District presentation to provide the Board clarification of their approach to violations of Board Orders.

ACTION:

ON MOTION of Vice-Chair Tonner, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board moved as follows:

- a) This item has been continued for discussion during a regular APCD meeting on April 23, 2015.
- b) The Board will research their limits of jurisdiction from prior training for clarity.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

- D. County Counsel clarification of noticing requirements for a hearing to modify a Board Order pursuant to Health and Safety Code § 42356.

ACTION:

ON MOTION of Vice-Chair Tonner, seconded by Member Rappolt, the Air Pollution Control District Hearing Board moved to accept clarification from County Counsel.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

- E. Discussion and adoption of revised Board order provisions regarding modifications and enforcement.

ACTION:

ON MOTION of Member Rappolt, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board moved to accept changes, as outlined, to the additional enforcement provisions entered into the Board orders.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

Petition No.

- 4434 Sanders Composites:** Requests the Interim portion of an Interim/Regular Variance filed on February 20, 2015 from Permit APCD2001-PTO-976656 Rule 1200 and 21, permit condition 4 to continue use of an adhesive that contains unapproved toxic air contaminant ethyl benzene (0.1-1%) operating at 4075 Ruffin Rd, San Diego, CA 92123 for manufacturing composite structures. **The Regular Portion of the Variance will be heard on April 09, 2015.**

ACTION:

ON MOTION of Vice-Chair Tonner, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board accepted the Petitioner's Supplemental Information in Support of Variance dated March 12, 2015 to be entered into the official record as Exhibit A with good cause.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

ACTION:

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board granted the Interim variance.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

- 4435 Pacira Pharmaceuticals, Inc.:** Requests the Interim portion of an Interim/Regular Variance filed on March 04, 2015 from Permit APCD2012-PTO-001234 Rules 21 and 1200 to increase the daily limit of methylene chloride usage due to patient care and product demand;

pharmaceutical manufacturing operation is at 10450 Science Center Drive, San Diego, CA 92121. **The Regular Portion of the Variance will be heard on April 09, 2015.**

ACTION:

ON MOTION of Member Rappolt, seconded by Member Smith, the Air Pollution Control District Hearing Board accepted the Petitioner's Supplemental Information in Support of Variance dated March 12, 2015 to be entered into the official record as Exhibit A with good cause.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

ACTION:

ON MOTION of Chair Rodriguez, seconded by Member Smith, the Air Pollution Control District Hearing Board granted the Interim variance.

AYES: Tonner, Gabrielson, Rodriguez, Rappolt, Smith

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.)

ACTION: No Speakers

ASSISTANCE FOR THE DISABLED:

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