

# SUMMARY OF PROCEEDINGS

## BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Regular Meeting  
Thursday, January 13, 2022  
2:00 P.M.

**Location:** Eastern Kern Air Pollution Control District Board Room  
414 W. Tehachapi Blvd., Suite D, Tehachapi, CA 93561

Kern County Administrative Building  
1115 Truxtun Ave., Bakersfield, CA 93301

Ridgecrest City Hall  
100 W. California Ave., Ridgecrest, CA 93555

Zoom Video Conferencing - <https://zoom.us>  
Meeting ID # 826 861 7254

DISTRICT RECONVENED AT 2:05 P.M.

DIRECTORS: Davies, Scrivner, Peters, Blades, and Creighton

ROLL CALL: 5 Present (Davies, Scrivner, Creighton – Tehachapi) (Blades, Peters – Zoom)

SALUTE TO FLAG: Director Scrivner

AIR POLLUTION CONTROL OFFICER: Glen E. Stephens, P.E. (Via Zoom)

AQ ADMINISTRATIVE MANAGER: Gary Ray

LEGAL COUNSEL: Phillip Hall (Via Zoom)

BOARD SECRETARY: Katie Lantz

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. The vote is placed in **bold** below each Board Action. For example, **Scrivner – Peters** denotes Director Scrivner made the motion and Director Peters seconded the motion.

**CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:** All items listed with a (-CA) were considered routine and approved by one motion.

**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

STAFF RECOMMENDATIONS SHOWN IN CAPS AFTER EACH ITEM

- 1) Selection of Chairman.  
SELECTED DIRECTOR DAVIES AS CHAIRMAN.  
**Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

Selection of Vice Chairman.

SELECTED DIRECTOR SCRIVNER AS VICE CHAIRMAN.

**Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

### **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.**

### **HEARINGS**

- 4) Hearing to Consider Adoption of Amendments to Rule 201.1, (Permits to Operate For Sources Subject To Title V of the Federal Clean Air Act (FCAA) Amendments of 1990) - OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; ADOPT AMENDED RULE 201.1, (PERMITS TO OPERATE FOR SOURCES SUBJECT TO TITLE V OF THE FCAA AMENDMENTS OF 1990) AND RESOLUTION NUMBER 2022-001-01. **REMOVED FROM AGENDA TO BE CONSIDERED AT A LATER MEETING.**
- 5) Hearing to Consider Adoption of Amendments to Rule 301, (Permit Fees) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 301, (PERMIT FEES) AND RESOLUTION NUMBER 2022-002-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 6) Hearing to Consider Adoption of Amendments to Rule 302, (Permit Fee Schedules) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 302, (PERMIT FEE SCHEDULES) AND RESOLUTION NUMBER 2022-003-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

- 7) Hearing to Consider Adoption of Amendments to Rule 303, (Miscellaneous Fees) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 303, (MISCELLANEOUS FEES) AND RESOLUTION NUMBER 2022-004-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 8) Hearing to Consider Adoption of Amendments to Rule 402, (Fugitive Dust) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 402, (FUGITIVE DUST) AND RESOLUTION NUMBER 2022-005-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 9) Hearing to Consider Adoption of Amendments to Rule 402.2, (Agricultural Operations) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 402.2, (AGRICULTURAL OPERATIONS) AND RESOLUTION NUMBER 2022-006-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 10) Hearing to Consider Adoption of Amendments to Rule 412, (Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 412, (GASOLINE TRANSFER INTO STATIONARY STORAGE CONTAINERS, DELIVERY VESSELS, AND BULK PLANTS) AND RESOLUTION NUMBER 2022-007-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 11) Hearing to Consider Adoption of Amendments to Rule 412.1, (Transfer of Gasoline to Vehicle Fuel Tanks) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 412.1, (TRANSFER OF GASOLINE TO VEHICLE FUEL TANKS) AND RESOLUTION NUMBER 2022-008-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 12) Hearing to Consider Adoption of Amendments to Rule 422, (New Source Performance Standards (NSPS)) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 422, (NSPS) AND RESOLUTION NUMBER 2022-009-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

- 13) Hearing to Consider Adoption of Amendments to Rule 423, (National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPs)) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 423 (NESHAPS) AND RESOLUTION NUMBER 2022-010-01.  
**Scrivner – Peters: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

#### **DISTRICT REQUESTS**

- 14-CA) Proposed Agreement with Brian A. Cain for tractor replacement utilizing the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Grant Program – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 01-002-2022 WITH BRIAN A. CAIN.  
**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 15-CA) Proposed Amendment No. 2 to Agreement 03-001-2020 with Trillium USA Company, LLC, to extend the life of the contract by six months – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 01-001-2022a WITH TRILLIUM USA, LLC.  
**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

#### **MATTERS FOR EXECUTIVE APPROVAL**

- 16-CA) Summary of Proceedings for Meeting of November 4, 2021 – APPROVED AND FILED.  
**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

#### **DOCUMENTS FOR FILINGS**

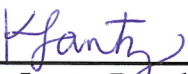
- 17-CA) List of Regulatory Control Measures to be considered for Amendment or Adoption During 2022 - RECEIVED AND FILED.  
**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**
- 18-CA) DISTRICT Notice of Violation's update – RECEIVED AND FILED.  
**Creighton - Scrivner: Roll call vote: Davies – Aye, Scrivner – Aye, Peters – Aye, Blades – Aye, Creighton – Aye; All Ayes**

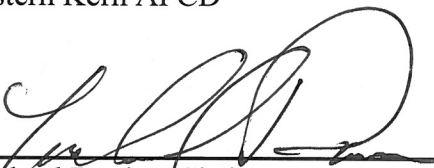
**DISTRICT UPDATES**

- 19) APCO Report (Verbal)  
**NONE**

ADJOURNED TO THURSDAY, MARCH 3, 2022, 2:00 PM, REGULAR BOARD SESSION AT EASTERN KERN AIR POLLUTION CONTROL DISTRICT BOARD ROOM, 414 W. TEHACHAPI BLVD., SUITE D, TEHACHAPI, CA. **Scrivner**

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Katie Lantz, Board Secretary  
Eastern Kern APCD

  
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Michael Davies, Chairman  
Eastern Kern APCD

(District Seal)

