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11 *B. BRAUN US PHARMACEUTICAL MANUFACTURING LLC*

12 **BEFORE THE HEARING BOARD OF THE SOUTH COAST AIR**
13 **QUALITY MANAGEMENT DISTRICT**

14 In the Matter of
15 B. BRAUN US PHARMACEUTICAL
16 MANUFACTURING LLC,
17
18 Petitioner,
19
20 v.
21
22 SOUTH COAST AIR QUALITY
23 MANAGEMENT DISTRICT,
24
25 Respondent.

CASE NO. 4780-5
FACILITY ID NO. 117290

**DECLARATION OF ANIEKAN UDOBOT IN
SUPPORT OF B. BRAUN US
PHARMACEUTICAL MANUFACTURING
LLC'S PETITION FOR MODIFICATION /
EXTENSION OF A FINAL COMPLIANCE
DATE**

Date: January 30, 2025
Time: 9:30 AM
Location: 21865 Copley Drive
Diamond Bar, CA 91765

1 I, Aniekan Udobot, declare:

2 1. This declaration is made, pursuant to Rule 4 of the SCAQMD Hearing Board Rules
3 and Procedures, in support of B. Braun US Pharmaceutical Manufacturing LLC’s (“Pharma” or the
4 “Company”) second Petition for Modification of an Existing Variance filed with the South Coast Air
5 Quality Management District (“SCAQMD” or the “District”) Hearing Board in Case No. 4870-5 on
6 December 13, 2024.

7 2. As outlined in my prior declarations in Case No. 4780-5, I am a Senior Project Manager
8 II employed at the Company’s manufacturing facility located at 2525 McGaw Avenue in Irvine,
9 California (the “Irvine Facility” or “Facility”). My credentials, work history, and details of my role at
10 the Irvine Facility are outlined in my December 6, 2023, declaration filed as Petitioner’s Exhibit No.
11 7.

12 3. As a Senior Project Manager II, and a member of the Facility’s Project Management
13 Department, I help oversee the project to replace the Facility’s two cogeneration turbines (the
14 “Cogens” or “Turbines”) with two Bloom Energy (“Bloom”) solid oxide fuel cell systems (the “Fuel
15 Cells”). I am also personally involved in coordinating the Fuel Cells project, including regularly
16 interacting with Bloom and other project stakeholders such as Southern California Edison (“SCE”).

17 4. In connection with my job responsibilities, I am also familiar with the Findings and
18 Decision and Orders granted by the Hearing Board in Case No. 4870-5 on December 19, 2023 (the
19 “Variance”) and October 24, 2024 (the “Amended Variance”), including the Conditions required by
20 the District during the Amended Variance period which is currently active through January 31, 2025.

21 **Status of Fuel Cells Project**

22 5. Physical construction of the Fuel Cells project at the Irvine Facility began in the Spring
23 of 2024. The Fuel Cells consist of two “Energy Servers” made up of clusters of Bloom solid oxide
24 fuel cell systems. Once fully operational, each Server will be separately connected to the Irvine
25 Facility via the two switching stations at the Facility: Switchyard A and Switchyard B (together, the
26 “Switchyards”). The Switchyard A Fuel Cells have a design capacity of 5.0 megawatts (“MW”) and
27 the Switchyard B Fuel Cells have a design capacity of 2.8MW, for a combined total design capacity
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1 of 7.8 MW. The electricity generated by the Fuel Cells will allow for (i) the decommissioning and
2 removal of the Turbines (which currently supply the majority of energy for Switchyard A), and (ii)
3 increased onsite power generation to offset the Facility's historical usage of power from the SCE grid.

4 6. As of October 3, 2024, physical on-site construction of the Fuel Cells was materially
5 complete. This is evidenced, for example, in the photographs attached to my October 17, 2024,
6 declaration, filed as a supplement to Petitioner's Exhibit No. 20.

7 7. As outlined in paragraph 5, power generated by the Fuel Cells is routed to the Irvine
8 Facility via the Switchyards. The Switchyards are owned by Pharma. Located adjacent to each
9 Switchyard is an onsite electrical yard owned and operated by SCE. As discussed in my August 29,
10 2024, declaration filed as Petitioner's Exhibit No. 20, SCE has determined that its onsite yard adjacent
11 to Switchyard A requires upgrading before the Switchyard A Fuel Cells can be connected to the SCE
12 electrical grid. Upgrading SCE's onsite yard adjacent to Switchyard A requires, among a number of
13 other elements, shutting power down to the portion of the Facility serviced by the Switchyard.

14 8. As noted above, once operational, the Switchyard A Fuel Cells are expected to provide
15 up to 5.0 MW (or approximately 65 percent) of the Irvine Facility's power needs. Switchyard A
16 services, among other things, the Irvine Facility's intravenous ("IV") solution manufacturing lines.

17 9. The Switchyard B Fuel Cells are configured to provide 2.8 MW (or approximately 35
18 percent) of the Irvine Facility's power needs. In late 2024, SCE issued conditional permission to
19 operate the Switchyard B Fuel Cells. Subsequently, the Fuel Cell commenced full operation, ahead
20 of schedule, on December 23, 2024. This energy is used to power certain manufacturing operations
21 at the Irvine Facility, including manufacturing of Pharma's proprietary IV solution bags. While this
22 energy cannot be used in place of the Cogens to provide power to the IV solution manufacturing lines,
23 which rely on Switchyard A, it does offset power that would otherwise be taken from the SCE grid.

24 10. For discussion of the anticipated emissions reduction benefits associated with the Fuel
25 Cells transition see Petitioner's Exhibit No. 6 (December 7, 2023 Declaration of Tim Hellem) at page
26 two and Petitioner's Exhibit No. 8 (December 6, 2023, Declaration of Michael Davidek) beginning
27 and page five.

1 **Irvine Facility Efforts to Comply With the Amended Variance**

2 11. Twelve Conditions are specified in the Amended Variance allowing for the continued
3 operation of the Turbines. Pharma is in compliance with Condition Nos. 1-3, which require quarterly
4 submission via e-mail of daily nitrogen oxide (“NOx”) emissions, NOx excess emissions in pounds
5 per day, and weekly average power generation, for each of the Turbines, to Air Quality Inspector Paolo
6 Longoni. I have been copied on each of Pharma’s quarterly submissions and am familiar with their
7 contents. Pharma’s first and second quarterly reports contained the information required by Condition
8 Nos. 1-3 and were timely submitted to Mr. Longoni via email on April 5 and July 3, 2024, respectively.
9 Copies of the April 5 and July 3 email reports were previously filed as Petitioner’s Exhibit Nos. 15
10 and 16. Pharma’s third quarterly report similarly complied with the requirements of Condition Nos.
11 1-3 and was timely submitted on October 3, 2024, and filed as Petitioner’s Exhibit No. 24 on December
12 13, 2024. Pharma’s fourth compliant quarterly report was timely submitted on January 3, 2025. A
13 true and accurate copy of Pharma’s fourth quarterly report is attached hereto as **Exhibit A**.

14 12. With a single exception, Pharma has complied with Condition No. 6, which requires
15 Pharma to submit quarterly reports on progress of the Fuel Cells project to SCAQMD, including the
16 status of all design, demolition, and construction activities related to replacement of the Cogens with
17 the Fuel Cells. As outlined in paragraph 10, Pharma has timely submitted all required quarterly reports
18 throughout the term of the Variance and the Amended Variance. These reports have included updates
19 on the status of the Fuel Cells project as required by Condition No. 6, as originally drafted in the
20 Variance. The Amended Variance revised Condition No. 6, in October 2024, to also require a Gantt
21 chart in the Company’s quarterly reports. B. Braun has been unable to comply with this single element
22 when submitting its reports due to issues with delaying completion SCE yard upgrades adjacent to
23 Switchyard A that have arisen due to the request from the U.S. federal government to maximize
24 production of IV solution, and avoid downtime, at the Irvine Facility. Maximizing production of IV
25 solution required Pharma to stop progression of work at SCE’s onsite yard; as a result, a Gantt Chart
26 is unavailable for submission to the District while the schedule for the remainder of the Fuel Cells
27 project is reworked. Although there is minimal on-site physical construction remaining for activating
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1 the final components of the Fuel Cell project, once a schedule for removal of the Cogens from service
2 is approved via a variance extension, Pharma expects to be able to prepare and provide Gantt Charts
3 for submission to the District in future quarterly reports.

4 13. The Irvine Facility is also in compliance with Amended Variance Condition No. 12,
5 with Pharma (and B. Braun Medical Inc., before it) having timely paid excess emissions fees for the
6 first three quarters of 2024 with the fourth quarter payment on track to be submitted by the deadline
7 of January 30, 2025.

8 14. Pharma is actively working towards compliance with Amended Variance Condition
9 Nos. 8, 9, and 10, which are the subject of the present petition, and compliance with Condition No. 11
10 (final compliance notification to the Hearing Board) is anticipated once the Cogens are permanently
11 shut down at the end of September 2025.

12 **Unexpected Project Delays Due to Hurricane Helene**

13 15. Pharma filed a petition to extend the original Variance on August 30, 2024, after
14 learning, in the Spring of 2024, that SCE required unanticipated upgrades to its onsite electrical yard
15 adjacent to the Irvine Facility's Switchyard A before the Switchyard A Fuel Cell can be connected to
16 the SCE electrical grid. These SCE yard upgrades were anticipated to be performed between
17 Thanksgiving and Christmas of 2024, as reflected in the November 28 and December 24 Increments
18 of Progress outlined in Condition No. 8 to the Amended Variance. As originally planned, the yard
19 upgrades were anticipated to require a four-week off-grid period during which Pharma would power
20 Switchyard A using the Fuel Cells and standby generators. The off-grid period would begin with a
21 complete Facility outage, to remove old SCE cabling and equipment from the onsite yard, and end
22 with a Facility outage, to restore Switchyard A back to the electrical grid via the upgraded SCE onsite
23 yard. During off-grid operation, Pharma would require 14 consecutive days to install structures and
24 conduit pathways for SCE, after which SCE would need 9 consecutive days to install new cabling and
25 equipment.

26 16. When the Hearing Board granted the Amended Variance on October 24, 2024, Pharma
27 was reasonably confident that it could complete the Fuel Cells project and achieve compliance with
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1 Rule 1134 by the final compliance deadline of January 31, 2025. Mechanical construction of the Fuel
2 Cells was complete at that point. Remaining work to activate the Fuel Cells largely concerned the
3 SCE yard upgrade work. We were in discussion with SCE to have that work completed, after which
4 the Fuel Cells would be activated, and the Turbines subsequently shutdown permanently. As such, as
5 of October 2024, it appeared that there would be no major impediments to project completion.

6 17. However, as discussed in greater detail in the declaration of Peter Klaes, filed
7 concurrently with this declaration, intervening events outside the Company's anticipation and control
8 – namely an IV solution shortage crisis caused by Hurricane Helene – required Pharma to revisit the
9 completion date for the Fuel Cells project.

10 18. In October 2024, Pharma entered into extensive discussions with SCE about options to
11 modify the electrical upgrade work at SCE's onsite yard, with a particular focus on limiting Facility
12 down-time, and risk of power upsets, so that IV solution production could be maximized.

13 19. In connection with these discussions, on October 22, 2024, I submitted a request to
14 SCE to bifurcate the onsite yard upgrades into two revised phases, such that limited preparatory work
15 could be performed on November 28, with remaining yard upgrade work postponed to a later date
16 (likely in 2025). Under this proposed approach, Pharma hoped that (a) the length of the period required
17 to complete yard upgrade work in 2024 would be reduced, thereby allowing Pharma to maintain the
18 highest level of IV fluid production at the Irvine Facility as requested by ASPR, and (b) Pharma could
19 temporarily connect the Fuel Cells to the SCE grid, and begin their full operation, prior to completion
20 of the SCE yard upgrades.

21 20. On November 14, 2024, SCE representatives responded, stating that completing even
22 the first proposed stage of yard upgrades would require at least four days, sandwiched on either side
23 with a full Facility shutdown (with additional SCE time required to complete phase two). During off-
24 grid operation, the Irvine Facility would only use a single source of power (the Fuel Cells and standby
25 generators, each separately providing power to their segregated portion of the Switchyard A electrical
26 load). Thereafter, Pharma leadership made the decision to postpone SCE yard upgrades, and seek a
27 further extension of the Amended Variance, in order to maximum production of IV solution in the fall
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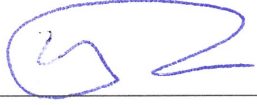
1 of 2024 as requested by ASPR. SCE subsequently indicated that it was not amenable to the proposed
2 two-phase approach.

3 **Continued Efforts to Achieve Compliance with Rule 1134**

4 21. Despite the need for some project delay as a result of Hurricane Helene, Pharma has
5 continued to make progress with other aspects of the Fuel Cell project. As referenced above,
6 mechanical construction of the Fuel Cells was completed during the fourth quarter of 2024, work on
7 Switchyard B is complete, and the Fuel Cell project is already delivering 2.8 MW of power to portions
8 of the Facility via Switchyard B.

9 22. Assuming the Hearing Board grants the present petition, SCE has agreed to delay the
10 work to upgrade its onsite yard at the Irvine Facility until September 2025. It is currently expected
11 that onsite work to prepare SCE’s yard for upgrades will occur by September 2, 2025, with SCE yard
12 upgrades completed by September 30, 2025. The Switchyard A Fuel Cell is also anticipated to be
13 brought online – and the Cogens permanently shut down – by September 30, 2025, thereby bringing
14 the Irvine Facility into compliance with Rule 1134. Final aspects of the Fuel Cells project, including
15 microgrid transfer, will occur after the Cogens are shut down and Rule 1134 compliance is achieved.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct. Executed this 22nd day of January, 2025, at Irvine, California.

18 
19 _____

20 ANIEKAN UDOBOT
21 Senior Project Manager II
22 Pharma

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27
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Exhibit A

From: Jorgensen, Maia <maia.jorgensen@hoganlovells.com>

Sent: Friday, January 3, 2025 4:47 PM

To: plongoni@aqmd.gov; fganser@aqmd.gov

Cc: Pete Klaes <pete.klaes@bbraunusa.com>; Aniekan Udobot <aniekan.udobot@bbraunusa.com>; William Macknight <william.macknight@bbraunusa.com>; Tim Hellem <tim.hellem@bbraunusa.com>; Boer, Tom <tom.boer@hoganlovells.com>; Michael Davidek <mdavidek@yorkeengr.com>; John Furlong <jfurlong@yorkeengr.com>

Subject: Hearing Board Case No. 4780-5 (B. Braun US Pharmaceutical Manufacturing LLC) – Amended Variance | Quarterly Report (Q4 2024)

Dear Mr. Longoni,

This email and attached worksheets are submitted on behalf of B. Braun US Pharmaceutical Manufacturing LLC (SCAQMD Facility ID No. 117290) (Pharma) to satisfy the requirement to provide a quarterly progress report as specified in the amended variance granted by the SCAQMD Hearing Board in Case No. 4780-5 (Amended Variance). The Amended Variance, granted on October 24, 2024, pertains to two gas turbines that operate at Pharma's facility: Gas Turbine No. 1 (Device D28) and Gas Turbine No. 2 (Device D35). Among other things, the Amended Variance requires the submittal of a progress report within five calendar days following the end of each quarter throughout the term of the Variance. This progress report is for the fourth quarter of 2024.

Included with this progress report is the following information, as required by Amended Variance Condition Nos. 1, 2, and 3:

1. daily oxides of nitrogen (NOx) emissions calculations (lbs/day);
2. daily excess NOx emissions calculations (lbs/day);
3. records of daily fuel use;
4. records of average weekly megawatt (MW) output; and
5. NOx excess emissions fee calculations.

In addition, pursuant to Amended Variance Condition No. 6, Pharma provides the following progress report:

- Mechanical construction of the fuel cells at Pharma's facility is complete.
- Southern California Edison (SCE) issued the conditional permission to operate the Switchyard B fuel cells which commenced full operation on December 23, 2024.
- The Switchyard A fuel cells, which will provide power to the facility for critical manufacturing lines including the production of intravenous (IV) solution, have not yet commenced full operation. In the meantime, therefore, Gas Turbines Nos. 1 and 2 continue to provide critical power. As indicated in Pharma's December 3, 2024, Condition No. 8 report, due to exceptional circumstances arising as a result of severe storm activity in North Carolina in late Fall of 2024 (namely, Hurricane Helene), Pharma was unable to complete the Increment of Progress due on November 28, 2024. Since that time, for the same reasons, Pharma has also been unable to complete the Increments of Progress due on December 24 and December 30, 2024. Pharma's inability to complete these Increments of Progress, which are required to commence operation of the Switchyard A fuel cells, is due to the company's ongoing efforts to maximize IV solution

production at the request of the Department of Health and Human Services in an effort to remedy the critical shortage of IV solution in the United States caused by Hurricane Helene.

- Due to the impact of these unexpected circumstances on the facility's ability to commence operation of the Switchyard A fuel cells, Pharma filed a petition for a further extension of the Amended Variance on December 13, 2024. That petition is scheduled to be heard by the SCAQMD Hearing Board on January 30, 2024.

Finally, as stated in prior quarterly reports, note that Rule 222 fuel cell registration was not required for this project because Pharma's fuel cells will not be equipped with supplemental heat equipment.

Thank you,
Maia

Maia Jorgensen

Associate
Pronouns: She, Her, Hers

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12/6/2024	12	6	1,023	1.02	35.63	7.92	748	0.75	26.06	5.79	Operation	47.98	0.02	242.25
12/7/2024	12	7	1,008	1.01	35.10	7.80	757	0.76	26.37	5.86	Operation	47.81	0.02	242.25
12/8/2024	12	8	1,010	1.01	35.18	7.82	752	0.75	26.18	5.82	Operation	47.73	0.02	242.25
12/9/2024	12	9	1,006	1.01	35.06	7.79	752	0.75	26.19	5.82	Operation	47.64	0.02	242.25
12/10/2024	12	10	974	0.97	33.93	7.54	774	0.77	26.96	5.99	Operation	47.35	0.02	242.25
12/11/2024	12	11	972	0.97	33.86	7.52	777	0.78	27.08	6.02	Operation	47.39	0.02	242.25
12/12/2024	12	12	1,014	1.01	35.33	7.85	759	0.76	26.43	5.87	Operation	48.04	0.02	242.25
12/13/2024	12	13	1,022	1.02	35.60	7.91	757	0.76	26.39	5.86	Operation	48.21	0.02	242.25
12/14/2024	12	14	1,027	1.03	35.79	7.95	757	0.76	26.35	5.86	Operation	48.34	0.02	242.25
12/15/2024	12	15	595	0.59	20.72	4.60	920	0.92	32.04	7.12	Operation	41.04	0.02	242.25
12/16/2024	12	16	0	0.00	0.00	0.00	1,132	1.13	39.45	8.77	Operation	30.68	0.02	242.25
12/17/2024	12	17	773	0.77	26.94	5.99	248	0.25	8.63	1.92	Operation	27.66	0.01	242.25
12/18/2024	12	18	981	0.98	34.16	7.59	0	0.00	0.00	0.00	Operation	26.57	0.01	242.25
12/19/2024	12	19	1,021	1.02	35.55	7.90	400	0.40	13.92	3.09	Operation	38.48	0.02	242.25
12/20/2024	12	20	1,026	1.03	35.74	7.94	727	0.73	25.31	5.62	Operation	47.49	0.02	242.25
12/21/2024	12	21	1,034	1.03	36.01	8.00	0	0.00	0.00	0.00	Operation	28.01	0.01	242.25
12/22/2024	12	22	1,005	1.00	35.00	7.78	0	0.00	0.00	0.00	Operation	27.22	0.01	242.25
12/23/2024	12	23	1,003	1.00	34.95	7.77	0	0.00	0.00	0.00	Operation	27.19	0.01	242.25
12/24/2024	12	24	1,016	1.02	35.39	7.86	0	0.00	0.00	0.00	Operation	27.53	0.01	242.25
12/25/2024	12	25	996	1.00	34.69	7.71	0	0.00	0.00	0.00	Operation	26.98	0.01	242.25
12/26/2024	12	26	1,007	1.01	35.10	7.80	0	0.00	0.00	0.00	Operation	27.30	0.01	242.25
12/27/2024	12	27	1,020	1.02	35.53	7.90	0	0.00	0.00	0.00	Operation	27.64	0.01	242.25
12/28/2024	12	28	1,018	1.02	35.46	7.88	0	0.00	0.00	0.00	Operation	27.58	0.01	242.25
12/29/2024	12	29	1,033	1.03	35.97	7.99	0	0.00	0.00	0.00	Operation	27.98	0.01	242.25
12/30/2024	12	30	1,025	1.03	35.72	7.94	12	0.01	0.43	0.10	Operation	28.12	0.01	242.25
12/31/2024	12	31	1,034	1.03	36.03	8.01	0	0.00	0.00	0.00	Operation	28.02	0.01	242.25
Total			88,447	88.45	3,081.22	684.71	61,525.18	61.53	2,143.36	476.30		4,063.56	2.03	22,287.00

Notes:

1. Emissions based on daily fuel throughput as recorded by facility CEMS.
2. Excess emissions use the difference between the current NOx limit of 9 ppm and the future NOx limit of 2 ppm (as set by Rule 1134) in accordance with Variance Condition 2.
3. Per SCAQMD Rule 303 (amended 5/3/24), the excess emission fee remitted, regardless of calculations, will be no less than \$242.25 per day.

NOx Emissions Calculation Parameters				
Parameter		Value	Units	References/Remarks
F-Factor		8.710	dscf/MMBtu	EPA Method 19 (68°F, 20°C)
Molar Volume (68)		385	scf/lbmol	EPA Method 19 (68°F, 20°C)
HHV Natural Gas		1,050	MMBtu/MMSCF	SCAQMD RECLAIM Default
NOx molecular weight		46	lb/lbmol	Constant
Cogen Turbine 1 NOx Permit Limit		9	ppm	Title V permit, Section D D28 description
Rule 1134 NOx limit		2	ppm	Rule 1134 Table 1: natural gas Cogen turbines
Percent O2 in atmosphere		20.9	%	Constant
15% O2		15	%	Permit condition basis
15% O2 Correction Calculation		3.54	unitless	
Cogen Turbine 1/2 NOx Permit Limit EF		34.84	lb/MMScf	$[(\text{NOx ppm})/10^6] \cdot [\text{NOx MW}]/[\text{molar volume}] \cdot [\text{F-factor}] \cdot [\text{O2 correction}] \cdot [\text{HHV}]$
Rule 1134 EF		7.74	lb/MMScf	$[(\text{NOx ppm})/10^6] \cdot [\text{NOx MW}]/[\text{molar volume}] \cdot [\text{F-factor}] \cdot [\text{O2 correction}] \cdot [\text{HHV}]$
Rule 303 Fee Minimum		\$ 242.25		Rule 303(f)
NOx excess emission fee rate		\$ 4,589.18		Rule 303, Table I

B. Braun Cogeneration Turbine Combined Average Weekly Power, October - December 2024

Week	Start Date	End Date	CG1 Average Power (KW)	CG2 Average Power (KW)	Combined Average (MW)	Limit (MW)	In Compliance?
1	10/1/2024	10/7/2024	2,376.01	1,809.63	4.19	4.5	Yes
2	10/8/2024	10/14/2024	2,440.30	1,802.78	4.24	4.5	Yes
3	10/15/2024	10/21/2024	2,451.58	1,732.68	4.18	4.5	Yes
4	10/22/2024	10/28/2024	2,499.56	1,731.44	4.23	4.5	Yes
5	10/29/2024	11/4/2024	2,542.48	1,725.78	4.27	4.5	Yes
6	11/5/2024	11/11/2024	2,449.79	1,760.95	4.21	4.5	Yes
7	11/12/2024	11/18/2024	2,490.89	1,795.17	4.29	4.5	Yes
8	11/19/2024	11/25/2024	2,617.91	1,652.77	4.27	4.5	Yes
9	11/26/2024	12/2/2024	2,582.04	1,622.53	4.20	4.5	Yes
10	12/3/2024	12/9/2024	2,613.72	1,638.63	4.25	4.5	Yes
11	12/10/2024	12/16/2024	2,081.03	1,941.15	4.02	4.5	Yes
12	12/17/2024	12/23/2024	2,542.29	448.41	2.99	4.5	Yes
13	12/24/2024	12/30/2024	2,645.23	14.85	2.66	4.5	Yes
14	12/31/2024	12/31/2024	2,698.62	11.62	2.71	5.5	Yes

Notes:

1. Emissions based on hourly power generation as recorded by facility CEMS.
2. Per Variance Condition 3, petitioner shall not operate the turbines, in combination, to exceed 4.5 MW on an average weekly basis.