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

15 In the Matter of

Case No.: 5139-3

16 USA Waste of California, Inc.
17 dba El Sobrante Landfill

**[PROPOSED] FINDINGS AND
DECISION AND ORDER GRANTING
A REGULAR VARIANCE**

18 [Facility ID No. 113674]

Section 42350 of the California Health and
Safety Code

Hearing Date: October 3, 2024

19
20 **FINDINGS AND DECISION OF THE HEARING BOARD**

21 The Petition for a Regular Variance (the “Petition”), filed on July 19, 2024 by
22 USA Waste of California, Inc. dba El Sobrante Landfill (“Petitioner” or “USA
23 Waste”) was heard on the consent calendar on October 3, 2024 pursuant to notice and
24 in accordance with the provisions of South Coast Air Quality Management District
25 (“SCAQMD”) Rule 510. The matter was placed on the Consent Calendar pursuant to
26 the Stipulation to Place Petition for Regular Variance on Consent Calendar. The
27 following members of the Hearing Board were present: Micah Ali, Chair; Robert
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1 Pearman, Vice Chair; Jerry Abraham, MD, MPH, CMQ; Mohan Balagopalan; and
2 Cynthia Verdugo-Peralta. Petitioner, represented by Malcolm C. Weiss, Esquire, did
3 not appear. Respondent SCAQMD, represented by Mary Reichert, Senior Deputy
4 District Counsel, did not appear.

5 The matter was submitted for consideration on the Consent Calendar. The
6 public was given the opportunity to testify, and none did. The Declarations (including
7 attachments) of Christian Colline and David Meyer were received into evidence by the
8 Hearing Board. The [Proposed] Findings and Decision of the Hearing Board was
9 received, and the case submitted. The Parties have agreed by Joint Stipulation to place
10 this matter on the Consent Calendar and to the issuance of this Order. The Joint
11 Stipulation incorporates by reference all evidence and testimony offered in support of
12 Petitioner’s request for an Interim Variance (including all evidence and testimony
13 presented at the August 6, 2024 hearing on the Interim Variance).

14 The Hearing Board finds and declares as follows:

15 **NATURE OF BUSINESS AND LOCATION OF FACILITY**

16 Petitioner’s El Sobrante Landfill (Facility ID No. 113674) (the “Facility”) is an
17 essential public service per SCAQMD Rule 1302(m)(7). The Facility is a regional
18 waste disposal facility that provides safe and convenient disposal services for
19 communities, businesses, and industries in Southern California. The Facility is located
20 at 10910 Dawson Canyon Road in Corona, California.

21 **EQUIPMENT THAT IS THE SUBJECT OF THE**
22 **REGULAR VARIANCE PETITION**

23 The equipment that is the subject of the Petition is the landfill gas (“LFG”)
24 flaring system # 4 (the “Flare # 4 system”), that operates as abatement equipment for
25 LFG generated by waste decomposition at the Facility. The Flare # 4 system is
26 operated pursuant to Permit to Construct/Operate (“PTC/PTO”) No. R-G64402, which
27 is incorporated into the Facility’s Title V Permit (Rev. 17) dated April 26, 2021 (the
28 “Permit”).

1 **SUMMARY**

2 Among other things, the Permit establishes a 60 ppmv (monthly average) total
3 sulfur limit for the Flare # 4 system. *See* PTO/PTC No. R-G64402, Condition # 26
4 (hereinafter, “Condition # 26”). Condition # 26 also establishes an 85 ppmv (average
5 daily) limit applicable to LFG at the Flare # 4 system inlet and mass SOx emission
6 limits of 3.85 lb/hr and 2,810.4 lb/month. Total sulfur emissions from the Flare # 4
7 system are comprised of more than a dozen sulfur-containing compounds, most of
8 which are controlled by Petitioner’s carbon absorption unit. However, one of these
9 compounds, Dimethyl Sulfide (DMS), is not susceptible to removal through the
10 Facility’s carbon absorption filter system.

11 Petitioner became aware through recent sampling and test results that the 60
12 ppmv total sulfur monthly average limit for the Flare # 4 system is being exceeded
13 due to DMS concentrations in LFG from a discrete area of the Facility (referred to as
14 the “area of concern”). Due to these exceedances, Petitioner is or will also be in
15 violation of the related total sulfur/SOx limits in Condition # 26 referenced above. The
16 increase in total sulfur levels is attributable to increased temperatures unique to the
17 area of concern, and Petitioner is investigating appropriate ways to address the SOx
18 issue. There is no method to physically reduce the DMS component of SOx emissions,
19 and the landfill cannot curtail operations.

20 As a result, Petitioner is and will be in violation of District Rules 203(b) and
21 3002(c)(1), and certain SOx limits in Condition # 26. On August 6, 2024, the Hearing
22 Board voted unanimously to grant Petitioner’s request for an Interim Variance, subject
23 to conditions that were mutually agreed upon by the Parties. Petitioner has satisfied all
24 conditions of the Interim Variance, including timely submittal of all items requested to
25 be submitted to SCAQMD during the Interim Variance period.

26 **FINDINGS OF FACT AND CONCLUSIONS**

27 The following facts and conclusions support the Hearing Board making the
28 findings in Health and Safety Code Section 42352 in support of a Regular Variance.

1 The SCAQMD Executive Officer does not oppose the granting of the Regular
2 Variance.

3 **A. The petitioner for a variance is, or will be, in violation of Section 41701**
4 **or of any rule regulation or order of the District.**

5 Petitioner is in violation of District Rules 203(b) and 3002(c)(1), which require
6 compliance with permit conditions, because Petitioner is not operating in compliance
7 with Condition # 26.

8 **B. Non-compliance with District Rules is due to conditions beyond the**
9 **petitioner’s reasonable control.**

10 The DMS that is causing exceedances of the total sulfur limits in Condition
11 # 26 is a by-product of LFG generated by the decomposition of waste that Petitioner
12 estimates was landfilled at the Facility prior to 2005. There are no known controls for
13 DMS, as confirmed in conversations with District staff and acknowledged in the
14 Hearing Board’s September 4, 2024 Minute Order granting an Interim Variance in this
15 matter (the “Minute Order”). Because Petitioner manages municipal solid waste, the
16 Facility provides an essential public service and cannot curtail or terminate operations.
17 Therefore, it is currently beyond Petitioner’s reasonable control to comply with the
18 above-referenced District Rules and SOx limits in Condition # 26.

19 Nonetheless, Petitioner is investigating the problem and is in the process of
20 procuring the equipment and services needed to remove gas and liquids from the
21 reaction area of concern. Other facilities that have experienced elevated temperature
22 events have removed the gas and liquids from the reaction area, and this has reduced
23 the internal landfill cell area temperatures. Petitioner has planned these and other
24 activities (*e.g.*, increasing well density) to address the temperature and DMS issues in
25 the reaction area. These anticipated actions are not, however, intended as a
26 compliance schedule or increments of progress, as the requested variance extends for
27 one year or less. Petitioner has also submitted an application to modify the total
28 sulfur/SOx limits in Condition # 26 and has requested new limits for the Flare # 4

1 system. The requested mass-based limits (lb/hr and lb/month SO_x) are slightly more
2 stringent than the currently permitted limits for the other flare system (the Flare # 3
3 system) at the Facility.

4 Further, Petitioner has applied for permits to install and operate a new Flare # 5
5 system at the Facility, and is awaiting SCAQMD action on its application. Once the
6 Flare # 5 system is permitted and becomes operational, it will increase the Facility's
7 ability to collect and combust gas. This will reduce operating pressure, which is
8 expected to reduce DMS levels. The timeline for obtaining a permit for the Flare # 5
9 system is beyond Petitioner's reasonable control.

10 **C. Requiring compliance would result in either (1) an arbitrary or**
11 **unreasonable taking of property, or (2) the practical closing and**
12 **elimination of a lawful business.**

13 Denial of the Regular Variance would cause an unreasonable burden upon an
14 essential public service. It would also cause significant, unreasonable and unavoidable
15 harm to Petitioner in that Petitioner will be subject to monetary fines and penalties for
16 violation of its Permit, as well as Rules 203(b) and 3002(c)(1).

17 **D. The closing or taking would be without a corresponding benefit in**
18 **reducing air contaminants.**

19 In the Petition, excess emissions from the Flare # 4 system were estimated to be
20 approximately 8.22 pounds per day (on average) during the variance period. Average
21 daily excess emissions during the Interim Variance period have ranged from
22 approximately 5 to 24 pounds per day. Actual excess emissions during the Regular
23 Variance period will continue to be calculated with SCAQMD staff in accordance
24 with the conditions included herein. Denying a Regular Variance would result in
25 significant harm to Petitioner, as described above, without a corresponding benefit in
26 reducing air contaminants, as reductions of the DMS contributing to total sulfur
27 exceedances are not immediately feasible.
28

1 **E. The applicant for the variance has given consideration to curtailing**
2 **operations of the source in lieu of obtaining a variance.**

3 Petitioner has considered but cannot achieve compliance by curtailing
4 operations in lieu of obtaining a variance. Curtailing operations would have no
5 beneficial impact on the LFG generated by the decomposition of existing waste in the
6 area of concern that is the source of the DMS causing exceedances of the SOx limits
7 in Condition # 26. Further, as the Hearing Board acknowledged in the Minute Order,
8 the Facility is unable to curtail operations without harm to the public as it provides an
9 essential public service.

10 **F. During the period the variance is in effect, the applicant will reduce**
11 **excess emissions to the maximum extent feasible.**

12 Petitioner will reduce emissions to the maximum extent feasible during the
13 variance period by complying with the conditions of this variance. However, the
14 reduction of SOx emissions associated the Flare # 4 system is not immediately
15 feasible because the DMS contributing to exceedances of the monthly average limit in
16 Condition # 26 is a by-product of LFG generated by existing waste already present at
17 the Facility. There is no way to physically reduce the DMS component of these SOx
18 emissions, even via the Facility's carbon absorption filter system. As mentioned
19 above, however, Petitioner is assessing the issue and is seeking appropriate ways to
20 address it.

21 **G. During the period the variance is in effect, the applicant will monitor**
22 **or otherwise quantify emission levels from the source, if requested to**
23 **do so by the District, and report these emission levels to the district**
24 **pursuant to a schedule established by the District.**

25 Petitioner has agreed to monitor and report emissions to SCAQMD during the
26 variance period pursuant to the conditions of this variance.
27
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1 **CONCLUSION AND ORDER**

2 THEREFORE, the Hearing Board orders as follows:

3 A. Petitioner is granted a Regular Variance from SCAQMD Rules 203(b)
4 and 3002(c) and from the SOx limits stated in Permit Condition # 26 of PTC/PTO No.
5 R-G64402 for the Flare # 4 system for the period commencing August 6, 2024 and
6 continuing for one year until August 5, 2025.

7 B. The variance granted herein is subject to the following conditions:

- 8
- 9 1. This variance shall only apply to the SOx and total sulfur limits applicable to
10 Flare No. 4 under Permit to Operate (R-G64402, A/N 618396, Permit
11 Condition 26).
 - 12 2. Petitioner shall, to the maximum extent feasible during the variance period,
13 limit the use of Flare No. 4 and prioritize and maximize the use of the
14 facility's other Flare (No. 3) [Permit to Operate R-G64400], and/or route
15 landfill gas to other combustion and/or control equipment operated valid
16 South Coast AQMD Permit(s).
 - 17 3. Petitioner shall sample, measure, and record the landfill gas sulfur compounds
18 at the inlet to Flare No. 4 on a weekly basis using colorimetric tests for
19 hydrogen sulfide (H2S). Records of the date and time of the test, the test
20 results, and name of personnel conducting the test shall be maintained on-site
21 and e-mailed within three (3) weekdays of conducting the measurement to
22 Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Alisha Lewis,
23 Supervising Air Quality Inspector (alewis@aqmd.gov) and Duoduo Bao, Air
24 Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No 19.
 - 25 4. Petitioner shall sample and analyze the landfill gas sulfur compounds at the
26 inlet to Flare No. 4 by August 13, 2024, using laboratory analysis for total
27 sulfur compounds as H2S using South Coast AQMD Method 307-91 and at
28 least once within every 14 calendar days thereafter, and no less frequent than

1 required under the approved Rule 431.1 Alternative Monitoring Plan under
2 A/N 351821. Petitioner shall maintain on-site, which may include electronic
3 storage, the South Coast AQMD Method 307-91 complete laboratory analysis
4 report, which shall include the time and date each sample collection was
5 conducted, and initialed by the personnel that conducted the sample
6 collection. The complete laboratory analysis report shall be e-mailed within
7 three (3) weekdays of receiving results to Peter Homsey
8 (phomsey@aqmd.gov), Alisha Lewis, Supervising Air Quality Inspector
9 (alewis@aqmd.gov), and Duoduo Bao (dbao@aqmd.gov), except as allowed
10 by Condition No 19.

11 5. Petitioner shall provide a site map no later than August 16, 2024, not later than
12 5:00 pm PST, to Peter Homsey, Air Quality Inspector III
13 (phomsey@aqmd.gov), Alisha Lewis, Supervising Air Quality Inspector
14 (alewis@aqmd.gov), Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov),
15 and Travis Rohde, Senior Air Quality Engineer (trohde@aqmd.gov) indicating
16 the facility boundary, site identifying features, and all well heads located at the
17 facility. The map shall identify each well head by component number and
18 include visual indicator(s) for the well heads with landfill gas temperature
19 reading(s) that have exceeded 145 degrees Fahrenheit within calendar year
20 2024. Petitioner has met the initial August 16, 2024, deadline. Petitioner shall
21 either:

- 22 a. Send updated, current site maps identifying each well head by component
23 number and include visual indicator(s) for the well heads with landfill
24 gas temperature reading(s) that have exceeded 145 degrees Fahrenheit
25 within calendar year 2024 with every other bi-weekly report to the same
26 South Coast AQMD contacts listed in this condition, commencing with
27 the bi-weekly report due on October 25, 2024; or
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- b. If there has been no change in the identified wells that have exceeded 145 degrees Fahrenheit since the previous site map submission, Petitioner shall state that in the bi-weekly report for which a new site map would be due, and no updated map shall be required under this condition.
- 6. Petitioner shall report the sulfur compound readings and analyses required under Conditions Nos. 3 and 4 to South Coast AQMD as part of the bi-weekly status report, pursuant to Condition No. 13. Petitioner shall comply with the following requirements when conducting the sampling, analyzing, and recording required under Condition Nos. 3 and 4:
 - a. Tedlar bags used for Method 307-91 sampling and analysis shall be clean, unused, intact, and free from moisture and debris.
 - b. Colorimetric tube readings shall be conducted by taking a reading from the Method 307-91 Tedlar bag sample using an appropriate colorimetric tube sample collection pump. All sampling shall be performed in accordance with the operational manual for the colorimetric tube sample collection pump.
 - c. Colorimetric tube readings shall use colorimetric tubes of appropriate concentration range and shall be reported as follows:
 - i. Petitioner shall first use the estimated appropriately-ranged colorimetric tube.
 - ii. If the resulting reading reaches the upper concentration of the colorimetric tube concentration range, additional reading(s) shall be taken using a colorimetric tube with a concentration range that has a larger upper concentration threshold until the result is not the upper concentration threshold of the concentration range. Report the tube concentration range and tube concentration result for each reading.

1 iii. If the reading results in the lowest concentration of the colorimetric
2 tube concentration range or does not register a result, additional
3 reading(s) shall be taken using a colorimetric tube with a
4 concentration range that has a smaller lowest concentration
5 threshold, if available, until the colorimetric tubes available to the
6 facility result in:

- 7 1. A reading that is within the concentration range of the tube;
- 8 2. A reading is the lowest concentration of the colorimetric
9 tube concentration range with the lowest concentration
10 threshold; or
- 11 3. The colorimetric tubes do not register a result.

12 When the result is the lowest concentration of the colorimetric tube
13 concentration range or does not register a result, the lowest
14 concentration of the colorimetric tube concentration shall be
15 considered the concentration result. Report the tube concentration
16 range and tube concentration result for each reading. If a lower
17 range colorimetric tube is not used and the tube concentration
18 result is below the lower range of the colorimetric tube used,
19 Petitioner shall document and report the result as “less than” or “<”
20 the lower range value of the tube. Notwithstanding the forgoing,
21 Petitioner shall ensure that the colorimetric tube result is below the
22 upper range of the colorimetric tube used and shall report the
23 precise result of all results above the lowest range of the
24 colorimetric tube used.

- 25 7. Petitioner shall maintain an adequate stock of appropriately ranged
26 colorimetric tubes.
- 27 8. Petitioner shall replenish and/or replace spent granular activated carbon
28 (GAC) media in the Landfill Gas Treatment System (under AN 627016) at a

1 frequency sufficient to maintain a concentration of total sulfur as hydrogen
2 sulfide at the inlet to Flare No. 4, excluding dimethyl sulfide (DMS), below 60
3 ppmv (averaged monthly) and 85 ppm (averaged daily). Spent media removed
4 from the landfill gas treatment system shall be stored in closed containers
5 prior to disposal.

6 9. Petitioner shall maintain a record of the following information in an editable
7 spreadsheet and pdf formats with all units labeled and provide such records to
8 the South Coast AQMD pursuant to Condition No. 13:

- 9 a. The hourly flow of landfill gas combusted, in standard cubic feet per hour
10 (scfm data averaged hourly) and the daily flow of landfill gas in standard
11 cubic feet per day:
- 12 i. Combusted by Flare No. 3;
 - 13 ii. Combusted by Flare No. 4;
 - 14 iii. Combusted in other combustion and/or control equipment operated
15 valid South Coast AQMD Permit(s) (if applicable); and
 - 16 iv. Totaled for the facility.
- 17 b. Temperature readings, in Fahrenheit, for all wellheads (including all
18 temperature readings from the previous month and at minimum one
19 temperature reading for each wellhead, contained in a single spreadsheet);
- 20 c. Carbon monoxide (CO) concentration readings, in parts per million by
21 volume (ppmv), and corrective actions relating to CO readings greater than
22 500 ppmv, for all wellheads (including all CO readings from the previous
23 month and at minimum one reading for each wellhead, contained in a single
24 spreadsheet);
- 25 d. The results of the H₂S and total sulfur readings, sampling, and analyses,
26 with the time and date when each measurement or sample collection was
27 conducted, pursuant to Condition Nos. 3 and 4; and
28

- 1 e. Daily excess emissions in pounds (lb) of sulfur oxides (SOx) per day for
2 Flare No. 4, pursuant to Condition No. 17, including any assumptions and
3 supporting information. Records shall be cumulative including all dates from
4 the beginning of the variance.
- 5 10. Petitioner shall investigate and, to the extent feasible, determine the
6 underlying cause of total sulfur concentration exceedances. Details of this
7 investigation, information discovered, and conclusions, if any, shall be
8 included in a summary report to be submitted no later than January 6, 2026.
9 The report shall explain the specific steps undertaken by Petitioner (*e.g.*,
10 literature review, data analysis, outreach to industry and/or academic experts)
11 to investigate the underlying cause of the total sulfur concentration
12 exceedances, information received or discovered, any conclusions reached,
13 and any other details that may be relevant to this issue. Petitioner shall submit
14 this report to Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov); Travis
15 Rohde, Senior Air Quality Engineer (trohde@aqmd.gov); Peter Homsey
16 (phomsey@aqmd.gov), Alisha Lewis (alewis@aqmd.gov), and Mary Reichert
17 (mreichert@aqmd.gov).
- 18 11. Petitioner shall investigate the availability, viability, and utilization, including
19 pilot testing if needed, of an alternative sulfur compound treatment system
20 that controls, treats, or removes dimethyl sulfide and other sulfur compounds.
21 Concurrent with the summary report submitted pursuant to Condition 10,
22 Petitioner shall submit a report of the findings from this investigation.
- 23 12. Petitioner shall submit a complete permit application and request expedited
24 application review with associated fees pursuant to South Coast AQMD Rule
25 301 to South Coast AQMD for the alteration/modification of Flare No.4 under
26 Permit to Operate (R-G64402, A/N 618396), as described in Item No. 23 of
27 the Variance Petition, as soon as possible but no later than Wednesday, August
28 28, 2024, not later than 5:00 pm PST via email to

1 permitservicesonline@aqmd.gov. Petitioner shall carbon copy or provide
2 record of this submittal to Duoduo Bao, Air Quality Engineer
3 (dbao@aqmd.gov); Travis Rohde, Senior Air Quality Engineer
4 (trohde@aqmd.gov); Peter Homsey (phomsey@aqmd.gov), and Alisha Lewis
5 (alewis@aqmd.gov). Petitioner shall respond in a timely manner to written
6 requests for additional information related to this permit application submittal,
7 and shall provide requested information via email to Duoduo Bao, Air Quality
8 Engineer (dbao@aqmd.gov) within the deadline(s) provided as part of the
9 written request, unless an extension is requested and approved in writing by
10 South Coast AQMD.

- 11 13. Starting October 11, 2024, Petitioner shall submit a written status report to the
12 District every other Friday of the Regular Variance Period, not later than 5:00
13 pm PST via email to Peter Homsey, Air Quality Inspector III
14 (phomsey@aqmd.gov), Alisha Lewis, Supervising Air Quality Inspector
15 (alewis@aqmd.gov), Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov),
16 and Travis Rohde, Senior Air Quality Engineer (trohde@aqmd.gov). Each bi-
17 weekly report shall contain at a minimum the following information:
- 18 a. Records identified in Condition No. 9, in an editable spreadsheet format,
19 with all units labeled;
 - 20 i. Readings and corrective action data gathered under Condition No. 9b
21 and 9c shall be submitted with every other bi-weekly report,
22 commencing with the bi-weekly report due on October 25, 2024.
 - 23 b. Records of each instance of GAC replenishment or change-out within the
24 previous month, specifically the date, time, and the GAC that was
25 replenished;
 - 26 c. Estimated schedule for any upcoming replacement of the GAC in the
27 Landfill Gas Treatment System;
- 28

- 1 d. Specifications of the equipment and materials used for the weekly
- 2 colorimetric tests (only if there is a change from the previously provided
- 3 specifications of the colorimetric instrumentation or method used);
- 4 e. Daily excess emissions in pounds (lb) of sulfur oxides (SOx) per day for
- 5 Flare No. 4, pursuant to Condition No. 9e.

6 14. Petitioner shall submit a source test protocol consistent with this paragraph, by
7 August 20, 2024, with expedited review requested, for the review and
8 approval of South Coast AQMD, via email to sourcetesting@aqmd.gov, Peter
9 Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Alisha Lewis,
10 Supervising Air Quality Inspector (alewis@aqmd.gov), Duoduo Bao, Air
11 Quality Engineer (dbao@aqmd.gov), and Travis Rohde, Senior Air Quality
12 Engineer (trohde@aqmd.gov). The source test protocol shall include, at a
13 minimum, procedures for testing total sulfur compounds as H2S and speciated
14 sulfur compounds pursuant to South Coast AQMD Method 307-91, and for
15 speciated organic compounds pursuant to U.S. EPA Method TO-15, at both
16 the inlet to Flare No. 4, and in the vapors in the headspace of at least one
17 leachate tank, pursuant to Condition 15 below. Petitioner has fulfilled the
18 initial submission deadline of August 20, 2024. Petitioner shall respond in a
19 timely manner to written requests from South Coast AQMD related to review
20 of the submitted source test protocol within the deadline provided in the
21 written request, unless an extension is requested and approved in writing by
22 South Coast AQMD.

23 15. Petitioner shall, within 45 calendar days of the approval of the submitted
24 source test protocol (STID 24289), unless otherwise approved in writing by
25 South Coast AQMD, conduct sampling and analysis of vapors in the
26 headspace of at least one of leachate tank (No. T-104a, T-104b, or T-104c)
27 under (Permit to Operate G61424, A/N 615966) and within the landfill gas
28 combusted in Flare No. 4 under Permit to Operate (R-G64402, A/N 618396).

- 1 a. The sampled leachate storage tank(s) shall be filled at least 2/3 full of
2 leachate. Tank(s) to be sampled shall be preferentially selected to be
3 those not connected/vented to the landfill gas collection system and/or
4 landfill gas control systems.
- 5 b. Vapor sampling and analysis for both the leachate tank vapor headspace,
6 and the landfill gas combusted in Flare No. 4 shall be conducted for total
7 sulfur compounds as H₂S and speciated sulfur compounds pursuant to
8 South Coast AQMD Method 307-91, and for speciated organic
9 compounds pursuant to U.S. EPA Method TO-15.
- 10 c. Sampling and analysis shall be performed by a South Coast AQMD
11 Laboratory Approval Program (LAP) approved laboratory(ies), capable
12 of sampling and analysis per South Coast AQMD Method 307-91 and
13 U.S. EPA Method TO-15.
- 14 16. The final results of the source test required in Conditions 14 and 15 shall be
15 submitted via email in a source test report(s) format to
16 sourcetesting@aqmd.gov, Peter Homsey, Air Quality Inspector III
17 (p_homsey@aqmd.gov) Alisha Lewis, Supervising Air Quality Inspector
18 (a_lewis@aqmd.gov), Duoduo Bao, Air Quality Engineer (d_bao@aqmd.gov),
19 and Travis Rohde, Senior Air Quality Engineer (t_rohde@aqmd.gov) within 3
20 weekdays of receipt of the final source test report(s), unless otherwise
21 approved in writing by South Coast AQMD. Petitioner shall request and pay
22 for expedited review of the final source test report.
- 23 17. Excess emissions from Flare No. 4 shall be calculated using the following
24 equations based on larger resultant excess emissions of the four following
25 equations on a per month basis. All necessary supporting information shall be
26 provided to South Coast AQMD staff pursuant to Condition Nos. 9e and 13e.
27 Any feedback or requested changes to this methodology provided to Petitioner
28

1 in writing by South Coast AQMD staff shall be incorporated and utilized in
2 subsequent excess emission calculations.

3
4 Equation No. 1: SO_x Excess Emissions (lb/day) = {[Daily TRS
5 (ppmv) – 85 (ppmv)] x LFG Flow Rate to Flare No. 4 (scf/day) x
6 1.69×10^{-7} }

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8 Equation No. 2: SO_x Excess Emissions (lb/day) = {[Daily TRS
9 (ppmv) x LFG flow rate to Flare No. 4 (scf/day)] x [1.69×10^{-7}]} –
10 [3.85 (lb/hr) x Actual Operating Hours of Flare No. 4 (hr)]

11
12 Equation No. 3: SO_x Excess Emissions (lb/month) = {[Monthly
13 Average TRS (ppmv) – 60 (ppmv)] x LFG Flow Rate to Flare No.
14 4 (scf/month) x 1.69×10^{-7} }

15
16 Equation No. 4: SO_x Excess Emissions (lb/month) = {[Monthly
17 Average TRS (ppmv) x LFG flow rate to Flare No. 4 (scf/month)]
18 x [1.69×10^{-7}]} – [2810.4 (lb/month)]

19
20 Where:

21 LFG: landfill gas

22 Daily Total Sulfur as H₂S: The Total Sulfur as H₂S concentration
23 reflected in the most recent lab result collected and received
24 pursuant to Condition No. 4.

25 Monthly Average Total Sulfur as H₂S: The average Total Sulfur as
26 H₂S concentration calculated based upon the sum of all samples
27 received pursuant to Condition No. 4 in a calendar month divided
28 by the number of samples analyzed in the calendar month.

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lb/scf: pounds per standard cubic foot

lb/day: pounds per day

lb/month: pounds per month

ppmv: parts per million by volume

TRS: total sulfur as H₂S concentration using South Coast AQMD

Method 307-91

SO_x: oxides of sulfur expressed as sulfur dioxide

scf/day: standard cubic feet per day

18. Petitioner shall provide any additional records requested by South Coast AQMD that are reasonably related to the variance scope. The records shall be provided upon request within seven (7) calendar days, or a longer period if approved in writing by South Coast AQMD staff.
19. Any submittal deadline in these conditions that falls on a weekend or Federal or California holiday shall be extended to the next weekday.
20. Petitioner shall pay all applicable fees to the Clerk of the Hearing Board, or the variance shall be invalidated pursuant to Rule 303(k), except for excess emissions fees, which shall be paid within fifteen (15) days of notification in writing that the fees are due, unless otherwise ordered by the Hearing Board.
21. Petitioner shall notify the Clerk of the Board at clerkofboard@aqmd.gov in writing when final compliance has been achieved.
22. This variance shall terminate upon notification by the Petitioner to the Clerk of the Board that operation of all equipment for which a variance is granted is operating in compliance.

Hunton Andrews Kurth LLP
550 South Hope Street, Suite 2000
Los Angeles, California 90071-2627

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FOR THE BOARD: _____

DATED: _____