# ORIGINAL

302265 - THE BOARDS
PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE

IV 8/6/24

Heights &A PM 2: 07 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT PETITIONER: SpectraSite Communications, LLC CASE NO: FACILITY ID: 194462 FACILITY ADDRESS: 17047 E Gale Avenue [location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below] City, State, Zip: Hacienda Heights, CA 91745 1. TYPE OF VARIANCE REQUESTED (more than one box may be checked; see Attachment A, Item 1, before selecting) X INTERIM SHORT X REGULAR EMERGENCY EX PARTE EMERGENCY Name, title, company (if different than Petitioner), address, and phone number of persons 2. CONTACT: authorized to receive notices regarding this Petition (no more than two authorized persons). Shawn Lanier - Vice President, Legal Jennifer Mulkern, Sr. HazMat Specialist SpectraSite Communications, LLC SpectraSite Communications, LLC 10 Presidential Way, Attn: HazMat Compliance 10 Presidential Way, Attn: HazMat Compliance Woburn, MA Zip 01801 Woburn, MA Zip 01801 **2** (781) 926-4683 Ext. **2** (781) 926-4683 E-mail hazmat.compliance@americantower.com E-mail\_hazmat.compliance@americantower.com 3. **RECLAIM Permit** X No Yes Title V Permit Yes X No Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.

If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

[ALL DOCUMENTS FILED WITH CLERK'S OFFICE BECOME PUBLIC RECORD]

The generator failed to stop due There was malfunction commun	nication issue with vo	Itage reading or a me	chanical failure with th	e
automatic transfer switch. This r				
02/23/2024. We have an open of diagnose the issue, they will nee				
and complete repairs. The gene				
variance.				
I became aware of the runtime to South Coast AQMD on 03/18				
regarding variance approval.	J			
Ma would like to request on ode	ditional 200 hours of	allowed anomation time	a in addition to the OO	0
We would like to request an add hours this calendar year.	litional 200 hours of	allowed operation tim	e, in addition to the 22	Ü
The same same year.				
		*1		
Briefly describe the type of busine	ess and processes at	your facility.		
Unmanned telecommunications	facility where we pro	ovide back-up power	(Generac SD080	
emergency standby generator) uses.	to our facility and ter	nants for personal, co	mmercial, and emerge	ency
uses.				

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Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Pla Denied (if relevant)*
Internal Combustion Engine, Iveco S.P.A., 4 Cylinder, turbocharged, aftercooled, Model F4GE9485A*J, 131 BHP, Diesel-fueled, driving an emergency electrical generator	G65402		(ii reievanii)
Is there a regular maintenance and/or inspection sch	edule for this equi	pment? Yes [	X No □
If yes, how often: Annually Da	te of last maintena		
	ate of last maintena s performed.	ance and/or inspe	ction08/28/2023

Rule		Explar	ation
203(b) [Condition of Facility P/O No.	OCE ADD	erator operated for an extended peri	
Are the equipment	or activities subjec	ct to this request currently under vari	ance coverage? Yes
Case No.	Date of Action	Final Compliance Date	Explanation
Are any other equir	oment or activities	at this location currently (or within the	ne last six months) under variand
Are any other equip coverage? Yes Case No.	promote promot		ne last six months) under variand Explanation
coverage? Yes	☐ No 🏻		
coverage? Yes	☐ No 🏻	n Final Compliance	
coverage? Yes	☐ No 🏻	n Final Compliance	
coverage? Yes	☐ No 🏻	n Final Compliance	
Case No.  Case No.	Date of Action	n Final Compliance	Explanation
Case No.  Case No.  Were you issued a past year?	Date of Action	Date  Date  Date  Date  Date  Date	Explanation
Case No.  Were you issued a past year?  Yes	Date of Action  No X  Date of Action  No X  No X  No X  Action  Action  Action  No X  Action	plation or Notice(s) to Comply conce	Explanation rning this equipment or activity v

There was malfu automatic transfe 02/23/2024. We diagnose the iss	inction communication in er switch. This resulted have an open dispatch ue, they will need to rur	ssue with voltage reading in 182 hours of malfund ticket with our generator the generator for addit	te commercial power bein ng or a mechanical failure tion runtime between 02/1 or maintenance vendor, bu ional time to confirm the ro 200 hours, so we are req	with the 4/2024 - t in order to oot cause
variance.				
	d you first become awar vide specific event(s) ar		in compliance with the rule(s).	e(s) and/or
I became aware runtime report of	e of the runtime hours en 03/18/2024 and subs	ad date(s) of occurrence  xceeding the permitted equently submitted a se		nal generat
I became aware runtime report of	e of the runtime hours en 03/18/2024 and subs	ad date(s) of occurrence  xceeding the permitted equently submitted a se	e(s).  limit after running an interest form to South	nal generat Coast
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[YOU MAY ATTACH ADDITIONAL PAGES IF NECESSARY]

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	24, our Network Operations Center canceled the scheduled weekly testing and m ff all generator usage.	naintenance
would cause dispatched to	, our generator maintenance vendor Generac inspected the unit and found no iss a 'fail to stop' scenario. They indicated that an industrial technician will need to be complete a full investigation on why the test run will not stop. This will require a we were not able to proceed with diagnostic testing.	e re-
granted?	the harm to your business during <b>and/or after</b> the period of the variance if	ariance wer
granted? Economic losse		ariance wer
granted? Economic losse Number of emp Provide detaile	es: \$ N/A	
granted?  Economic losse Number of emp Provide detaile hardship on cu  The impact w calendar yea power loss a jurisdiction a would not be	es: \$_N/A  ployees laid off (if any): 0  d information regarding economic losses, if any, (anticipated business closure, but	next event of e to air that we
granted?  Economic losse  Number of emp  Provide detaile hardship on cu  The impact w calendar yea power loss a jurisdiction a would not be	d information regarding economic losses, if any, (anticipated business closure, bustomers, layoffs, and/or similar impacts).  will be a hardship on our customers. We have powered off our generator until the fir due to the 200 hour runtime exceedance. Our customers would be off air in the not would need to bring in their own portable generators which is burdensome due and generator maintenance requirements. Additionally, the anticipated hardship is able to provide contractually obligated back-up power to our tenant's telecommunication.	next event of e to air that we
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18.	Can you curtail	or terminate	perations in I	ieu of,	or in addition to,	obtaining a variance?	Please explain.
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We want to immediately resume usage of our backup power generator because the shutdown interferes with the ability of American Tower's customers to transmit 911/emergency response communications.

19. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

	(A)	(B)	(C)*
Pollutant	Total Estimated Excess Emissions (lbs/day)	Reduction Due to Mitigation (lbs/day)	Net Emissions After Mitigation (lbs/day)
со	4.16		4.16
NMHC + NOx	19.55		19.55
PM	0.83		0.83

<sup>\*</sup> Column A minus Column B = Column C

Excess Opacity: %

## Show calculations used to estimate quantities in No. 19, or explain why there will be no excess emissions.

This information is based on engine manufacturer's data for a 2021 Generac SD080 generator:

 $(0.6 \text{ g CO})/(bhp*hr) \times (24 \text{ hr})/day \times lb/(453.592 \text{ g}) \times (131 \text{ bhp}) = (4.15880 \text{ lb CO})/day$ 

 $(2.82 \text{ g NMHC+NOx})/(bhp^*hr) \times (24 \text{ hr})/day \times lb/(453.592 \text{ g}) \times (131 \text{ bhp}) = (19.54638 \text{ lb NMHC +NOx})/day$ 

 $(0.12 \text{ g PM})/(bhp*hr) \times (24 \text{ hr})/day \times lb/(453.592 \text{ g}) \times (131 \text{ bhp}) = (0.83176 \text{ lb PM})/day$ 

w do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variod, and to make such records available to the District? Any proposed monitoring does not relies CLAIM facilities from applicable missing data requirements.  Dur generator engine is remotely monitored by our Network Operations Center 24 hours a day, recurnitime based on testing, maintenance, malfunction, and emergency usage. Therefore, American The manufacturer's emission data sheet and the operational untime data recorded by the Network Operations Center.		e of any unplanned or planr	ned outages that may occi	ur between nov
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All non-emergency usage will be limited to required testing and mainted emissions as much as feasible for the remainder of 2024. All emergence loss and rotating outage for the remainder of 2024.	
State the date you are requesting the variance to begin: which you expect to achieve final compliance:	; and the c
	·
If the regular variance is to extend beyond one year, you <b>must</b> include a specifying dates or time increments for steps needed to achieve compliant	Schedule of Increments of Pronce. See District Rule 102 for d
of Increments of Progress (see Attachment A, Item 24, Example #3).	
List Increments of Progress here:	
N/A	
[ - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	

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			Ext.
Sec.			Ext.
			Ext
	If the petition was comple	ted by someone other than the pet	titioner, please provide their name and title below.
	Name	Company	Title
	The undersigned, under put therein set forth, is true as		bove petition, including attachments and the items
	Executed on	, at	, California
	0	1	Shawn Lanier
	Signature	Pri	int NameVice President - Legal
		Shawn Lanier e President - Legal	2-8-1
	ng:		to be eligible for reduced fees for small businesses, on [see District Rule 303(h)], you must complete the
	ng:  1. The petitioner is a) □ an individual, or b) □ an officer, partne	nall business gross receipts criterion  Declaration Re Reduced	on [see District Rule 303(h)], you must complete the Fee Eligibility  , or a duly authorized agent of the petitioner
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#### ATTACHMENT A

#### ITEM 1

Type of Variance Requested:

- (a) SHORT: If compliance with District rule(s) can be achieved in <u>90 days or less</u>, request a short variance. (Hearing will be held approximately 21 days from date of filing--10-day posted notice required.)
- (b) **REGULAR:** If compliance with District rule(s) will take <u>more than 90 days</u>, request a regular variance. If the variance request will extend beyond one year, you <u>must</u> include a specific detailed schedule of increments of progress [see Page 8, No. 24] under which you will achieve final compliance. (Hearing will be held approximately 45 days from date of filing--30-day published notice required.)
- (c) **EMERGENCY:** If non-compliance is the result of an unforeseen emergency, such as a sudden equipment breakdown, power failure, or accidental fire, you may request an emergency variance. You may request an ex parte emergency variance in addition to an emergency variance. An emergency variance cannot be granted for more than 30 days. (Hearing will be held within 2 working days from the date of filing, whenever possible, excluding Mondays, weekends, and holidays.) If you request an emergency variance, you must answer No. 4 on page 1.
- (d) **EX PARTE EMERGENCY:** If variance coverage is required on a weekend or when the Board is not in session, and you cannot wait until an emergency variance hearing can be held, you may request an *ex parte* emergency variance. An *ex parte* emergency variance will be granted or denied solely on the information contained in the petition and the District's response to the petition. Under most circumstances, an *ex parte* emergency variance will remain in effect only until a hearing can be held. If you request an *ex parte* variance, you must answer No. 4 on page 1.
- (e) INTERIM: If you require immediate relief (other than for emergencies) to cover the time until a short or regular variance hearing can be held, request an interim variance. If you request an interim variance, you must also request a short or a regular variance on the same petition. (Hearing will be held approximately 2 working days from date of filing, whenever possible, excluding Mondays, weekends and holidays.) If you request an interim variance, you must answer No. 4 on page 1.

#### ITEM 4

**GOOD CAUSE:** The Hearing Board is required to provide public notice of variance hearings, as the public has a right to attend and testify at such hearings. In order for the Hearing Board to hold an Interim, *Ex Parte* Emergency or Emergency Variance hearing without the required public notice, a petitioner must present facts which will support a determination by the Board that "good cause" exists to hear a variance without notifying the public about the variance and providing the public with an opportunity to present evidence concerning the variance.

# ITEM 6

#### Example #1:

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied (if relevant)*
Tenter frame		D32	
Chrome-plating tank	M99999		
Bake oven	123456		e Produce octor
Create special effects (fog)	N/A	N/A	N/A
Mfg., sale, distribution, use of non-compliant coating	N/A	N/A	12/10/95

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# ITEM 9

- a) If you are requesting relief from Rule 401 and the *excess* opacity during the variance period will reach or exceed 40%, you should also request relief from California Health and Safety Code Section 41701.
- b) If you are requesting relief from a permit condition(s), you should also request relief from the rule requiring compliance with conditions of the permit: 202(a), (b) or (c) Temporary Permit to Operate; 203(b) Permit to Operate; 2004(f)(1) RECLAIM Permit; 3002(c) Title V Permit.

# Example #2:

Rule	Explanation
404(a)	tenter frame is vented to damaged air pollution control equipment
2004 (f)(1) [Condition No. 28-2 of Facility P/O No. 099999]	source test cannot be conducted as required until new ESP is installed
1113(c)(2)	petitioner manufactures and sells clear wood finishes with VOCs in excess of 350 grams per liter
401(a) & California H&S Code Section 41701	Opacity will exceed 45%.

## **ITEM 24**

# Example #3:

## Sample Schedule of Increments of Progress

- Permit application(s) will be submitted to the District by [date].
- Contracts for the purchase of emission control systems will be awarded by [date].
- On-site construction will be completed by [date].

(Petition for Variance: Revised February 22, 2011)

English	"If you require a language interpreter in order to participate in the hearing, contact the
	Clerk of the Board at least five (5) calendar days before your hearing at 909-396-2500 or
	by e-mail at clerkofboard@aqmd.gov. Specify the case name and number, hearing date,
	and the language for which you are requesting an interpreter."
Farsi	اگر برای شرکت در جلسه استماع به مترجم نیاز دارید, حد اقل پنج (5) روز تقویمی قبل از جلسه استماع, با منشی هینت توسط شماره تلفن
	909-396-2500 یا بوسیله نامه الکترونیکی با نشاتی <u>clerkofboard@aqmd.gov</u> نماس بگیرد. نام پرونده و شماره آن, تاریخ بلسه استماع و زیاتی را که برای آن مترجم درخواست کرده اید, مشخص کنید"
Arabic	المناه التفتاع و رياسي (1 ما يراي ال مسريم مرضو المناه المناه الله الله الله الله الله الله الله ا
nuole	حدد اسم ورقم القضية و تكريخ الاستماع واللغة التي تزيد في 396 <u>clerkofboard@aqmd.gov-</u> 909 أو بالبريد الإلكتروني على تزجم لها."
Armenian	"Ունկնդրության մասնակցելու քամար, եթե թարգմանչի կարիրն ունենար, նախրան ձեր ունկնդրությունը, ամենաբիչն ճինգ (6) օրացույցային օրից առաջ կապվեր քանձնախմբի բարտուղարի հետ, 909–396–2600 նեռախոսանամարով կամ ելեկտ՝ նամակով նետևյալ ճասցեռվ <u>Cierkofboard@agmd.gov</u> ։ Նշեր գործի անունն և քամարն, ունկնդրության թվականը, և լեզուն, որի քամար թարգմանիչ եր ցանկանում՝՝
Vietnames e	"Nếu quý vị cần Thông Dịch Viên cho buổi điều trần, xin vui lòng điện-thoại cho Thư Ký Hội Đồng tại số 909-396-2500 trễ nhất là năm [5] ngày, không tính hai ngày Thứ Bảy và Chủ Nhật, trước buổi điều trần hoặc gửi điện thư đến <u>clerkofboard@aqmd.gov</u> . Nhớ ghi rõ tên và số hồ sơ, ngày điều trần, và ngôn ngữ quý vị cần có người để thông dịch."
Chinese	如果你要求翻譯來協助你參加聽證會,請在你的聽證會前至少提前五天(5個日曆日)打電
	話到909-396-2500或發電子郵件到 <i>clerkofboard@aqmd.gov</i>
	與局裏的辦事人員聯絡。並且明確説明你的案子的名稱和號碼,聽證日期,以及你要求的翻譯的語種。
Japanese	公聴会(ヒアリング)に参加するために通訳が必要な場合、少なくとも5日前まで
	に事務局 (Clerk of the Board) にご連絡ください。電話でのご連絡は
	909-396-2500、 $\varepsilon$ -メールでのご連絡は <u>clerkofboard@aqmd.gov</u> .
	までお願いします。その際、案件名 (case name) と案件番号 (case number)、
	ヒアリングの日付、通訳が必要な言語を特定して下さい。
Korean	"만약 귀하나 귀하의 증인들이 심리에 참여하기 위해 통역사가 필요하시면,
	심리일 5일 전까지 기관부서의 서기에게 909-396-2500으로 연락하시거나,
	clerkofboard@agmd.gov 로 연락 하십시오.
	통역이 필요하신 사건의 이름, 심리날짜, 그리고 언어를 정확하게 말씀해
	주십시오."
Spanish	Si usted requiere un intérprete para poder participar en la audiencia, favor de comunicarse
	con el Secretario de la Junta cuando menos cinco (5) días hábiles antes de su audiencia al
	teléfono (909) 396-2500 ó por correo electrónico al <u>clerkofboard@aqmd.gov</u> . Especifique
	el nombre y el número de su causa, la fecha de la audiencia y el idioma del cual está
	solicitando el intérprete.
Tagalog	"Kung kailangan ninyo nang interpreter sa Pilipino para makasali kayo sa pagdinig sa kaso, tumawag lang po kayo sa Clerk of the Board sa numero 909-396-2500 or kung hindi mag-email kayo sa email clerkofboard@aqmd.gov. Kailangan na tumawag kayo sa loob nang limang araw (5 days) bago ang inyong hearing date at ibigay and inyong pangalan at case number, araw nang inyong pagdinig sa kaso at inyong gusto na may lenguahe na interpreter".
Thai	หากคุณต้องการล่ามในการขึ้นคาล ให้ติคต่อเจ้าหน้าที่ ล่วงหน้าอย่างน้อย 5 วันก่อนวันขึ้นคาล โดยติคต่อที่เบอร์โทร 909-396-2500 หรือโดยe-mailที่
	clerkofboard@aqmd.gov ให้บอกชื่อและหมายเลกของคดี พร้อมทั้งวันเวลาในการขึ้นศาล และระบุภาษาที่คุณต้องการล่าม



# South Coast Air Quality Management District 21865 Copley Drive, Diamond Bar, CA 91765-4178 PERMIT TO OPERATE

Page 1 Permit No. G65402 A/N 628979

ID 194462

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.

If the billing for the annual renewal fee (Rule 301(d)) is not received by the expiration date, contact the District.

Legal Owner or Operator:

SPECTRASITE COMMUNICATIONS, LLC

10 PRESIDENTIAL WAY WOBURN, MA 01801

XX06/03/21

**Equipment Location:** 

17047 E GALE AVE, HACIENDA HEIGHTS, CA 91745

# **Equipment Description:**

Internal Combustion Engine, Iveco S.P.A., 4 Cylinder, Turbocharged, Aftercooled, Model F4GE9485A\*J, 131 BHP, Diesel-Fueled, Driving an Emergency Electrical Generator.

#### Conditions:

- 1. Operation of this equipment shall be conducted in accordance with all data and specifications submitted with the application under which this permit is issued unless otherwise noted below.
- 2. This equipment shall be properly maintained and kept in good operating condition at all times.
- An operational non-resettable totalizing timer shall be installed and maintained to indicate the engine elapsed operating time.
- 4. This engine shall not be operated more than 200 hours in any one year, which includes no more than 50 hours in any one year and no more than 4.2 hours in any one month for maintenance and testing purposes.
- Operating beyond the 50 hours per year allotted for maintenance and testing purposes shall be allowed only in the event of a loss of grid power or up to 30 minutes prior to a rotating outage, provided that the utility distribution company has ordered rotating outages in the control area where the engine is located or has indicated that it expects to issue such an order at a certain time, and the engine is located in a utility service block that is subject to the rotating outage. Engine operation shall be terminated immediately after the utility distribution company advises that a rotating outage is no longer imminent or in effect.
- 6. This engine shall not be used as part of a demand response program using interruptible service contract in which a facility receives a payment or reduced rates in return for reducing its electric load on the grid when requested to so by the utility or the grid operator.
- 7. The operator shall keep a log of engine operations documenting the total time the engine is operated each month and specific reason for operation as:
  - A. Emergency use.
  - Maintenance and testing.
  - C. Other (describe the reason for operating).

**ORIGINAL** 



# South Coast Air Quality Management District 21865 Copley Drive, Diamond Bar, CA 91765-4178 PERMIT TO OPERATE

Page 2 Permit No. G65402 A/N 628979

In addition, each time the engine is manually started, the log shall include the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation

- 8. On or before January 15th of each year, the operator shall record in the engine operating log the following:
  - A. The total hours of operation for the previous calendar year, and
  - B. The total hours of engine operation for maintenance and testing for the previous calendar year.

Engine operating log shall be retained on site for a minimum of three calendar years and shall be made available to the South Coast AQMD representative upon request.

- 9. This engine shall comply with all applicable requirements of Rules 431.2 and 1470.
- 10. This engine shall comply with the following emission limits:

NMHC + NOx: 3.0 g/bhp-hr

CO: 3.7 g/bhp-hr PM: 0.15 g/bhp-hr

11. Sulfur content of diesel fuel supplied to the engine shall not exceed 15 ppm by weight.



# South Coast Air Quality Management District 21865 Copley Drive, Diamond Bar, CA 91765-4178 PERMIT TO OPERATE

Page 3 Permit No. G65402 A/N 628979

#### NOTICE

In accordance with Rule 206, this Permit to Operate or copy shall be posted on or within 8 meters of the equipment.

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the applicable Rules and Regulations of the South Coast Air Quality Management District (SCAQMD). This permit cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other government agencies.

**Executive Officer** 

BY JASON ASPELL/SB07 5/26/2021