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**PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

PETITIONER: USA WASTE OF CALIFORNIA, El Sobrante Landfill

CASE NO: 5139-3

FACILITY ID: 113674

FACILITY ADDRESS: 10910 Dawson Canyon Road, Corona, CA 92883

[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]

City, State, Zip: See above

1. TYPE OF VARIANCE REQUESTED (more than one box may be checked; see Attachment A, Item 1, before selecting)

INTERIM SHORT REGULAR EMERGENCY EX PARTE EMERGENCY

2. CONTACT: Name, title, company (if different than Petitioner), address, and phone number of persons authorized to receive notices regarding this Petition (no more than two authorized persons).

Malcolm Weiss, Esq.

Timothy Miller, Esq.

Hunton Andrews Kurth LLP

Waste Management

550 S. Hope Street, 20th floor

800 S. Temescal St.

Los Angeles, CA Zip 90025

Corona, CA Zip 92879

(213) 532-2130 Ext.

(832) 707-1466 Ext.

Fax ()

Fax ()

E-mail Mweiss@hunton.com

E-mail Tmille32@wm.com

3. RECLAIM Permit Yes No

Title V Permit Yes No

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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]

4. **GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice. (Required only for Emergency and Interim Variances; see Attachment A, Item 4)

By way of background, Flare # 4 is an enclosed flare that operates as an abatement device for landfill gas (LFG) generated by waste decomposition at the El Sobrante Landfill. Flare # 4 is currently subject to a 60 ppmv (monthly average) SOx/total sulfur permit limit. See Facility ID 113674 Facility Permit to Operate/PTO (hereinafter, the "Permit"), Condition # 26 for Flare # 4 (hereinafter, "Condition # 26"). SOx emissions from Flare # 4 are comprised of more than a dozen sulfur-containing compounds, most of which are controlled by Petitioner's carbon absorption unit. However, one of these compounds, Dimethyl Sulfide (DMS), is not susceptible to removal through the carbon absorption filter system. In recent testing, the DMS by itself accounted for 59.9 ppmv SOx. The remaining group of SOx compounds accounted for slightly less than 9 ppmv after treatment through the absorption system.

The first indication of a concern with meeting the 60 ppmv (monthly average) SOx/total sulfur limit in Condition # 26 was on July 1, 2024 when Petitioner received lab results from a June 28, 2024 test reflecting a total sulfur concentration just above 70 ppmv. By itself, the lab-reported level does not indicate an exceedance of the 60 ppmv monthly average SOx limit, so Petitioner did not identify the need to file for a variance at that time. Prior to June 28, the reported average SOx levels were generally in the 40 to 50 ppmv range. However, operating temperatures have led to an increase in concentrations of DMS and other sulfur compounds.

Once Petitioner received the June 28 test report, Petitioner conducted an additional test on July 8, 2024, for which results were received on July 9, 2024. That test reported SOx at just above 65 ppmv. The results of the June 28 and July 8 tests caused Petitioner to suspect that the 60 ppmv SOx monthly average in Condition # 26 was being exceeded. On July 10, 2024 Petitioner retested for SOx from Flare #4. The result, which was received on July 10, confirmed the July 8 test result and that Petitioner could not comply with Condition # 26.

There is no method to physically reduce the DMS component of SOx emissions and the landfill cannot curtail operations. Therefore, Petitioner will seek a permit modification to increase the SOx/total sulfur limit in Condition # 26. But, as your Board knows, that will take time. Hence, the need for this variance.

In short, Petitioner has diligently sought to assess and redress this situation. Petitioner respectfully submits that good cause exists and can be found here because it just recently learned of the exceedance and hurriedly sought variance coverage. And, unfortunately, there is nothing Petitioner can do to control DMS and reduce total SOx emissions to ensure compliance with the 60 ppmv monthly average limit in Condition # 26. Further, because the landfill is an essential public service, Petitioner is not able to curtail operations nor reduce the amount of existing waste at the facility that is the source of the DMS at issue. If this interim variance request is not granted, Petitioner will be out of compliance through no fault of its own and subject to substantial enforcement liability for a substantial period (at least until a regular variance hearing can be held).

5. Briefly describe the type of business and processes at your facility.

El Sobrante Landfill, an essential public service per SCAQMD Rule 1302(m)(7), is a regional facility that provides safe and convenient disposal services for communities, businesses and industries in Southern California. Its footprint is 1,322 acres, of which 688 acres are wildlife preserve. The facility opened in 1986.

Flare # 4 is part of a flaring system used to control LFG emissions generated by the waste decomposition process. The system also includes an automatic air damper, propane pilot, and a 250 HP combustion air blower.

6. List the equipment and/or activity(s) that are the subject of this petition (see Attachment A, Item 6, Example #1). **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment. For RECLAIM or Title V facilities, attach *only* the relevant sections of the Facility Permit showing the equipment or process and conditions that are subject to this petition. You must bring the entire Facility Permit to the hearing.**

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied (if relevant)*
Flare No. 4 (John Zink)	618396 / R-G64402 (see Attachment A)	N/A	N/A

*Attach copy of denial letter

7. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

The equipment at issue is a LFG flaring system that is used to control LFG emissions generated by the waste decomposition processes. Generally speaking, the system involves LFG piping, blowers to move the gas, and flares to control emissions. At present, as shown on **Attachment B** ("H2S Treatment Process Diagram"), the landfill operates two flares (Flare #3 and Flare #4). The flares are required by Petitioner's permit and applicable rules.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes No

If yes, how often: Weekly Date of last maintenance and/or inspection 7/16/2024

Describe the maintenance and/or inspection that was performed.

<p>Flare maintenance and inspections activities include:</p> <ul style="list-style-type: none"> • Weekly inspections with a checklist. • Quarterly interior inspection. • Quarterly blower inspections. • Annual flare cleaning and inspection.

9. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief (if requesting variance from Rule 401 or permit condition, see Attachment A). Briefly explain how you are or will be in violation of each rule or condition (see Attachment A, Item 9, Example #2).

Rule	Explanation
Rule 203(b)	Rule 203(b) says equipment cannot be operated contrary to conditions in the applicable permit to operate. Petitioner cannot operate Flare # 4 in accordance with Condition # 26.
Tit. V Rule 3002(c)(1)	Rule 3002(c)(1) provides that all equipment located at a Title V facility must be operated at all times in compliance with all terms, requirements, and conditions of the Permit. Petitioner cannot operate Flare # 4 in accordance with Condition # 26.
Permit Condition # 26	Under Condition # 26 of the Permit, SOx emissions are limited to 60 ppmv (averaged monthly). Petitioner, through on-site testing has determined it cannot comply with that limit.

10. Are the equipment or activities subject to this request currently under variance coverage? Yes No

Case No.	Date of Action	Final Compliance Date	Explanation

11. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage? Yes No

Case No.	Date of Action	Final Compliance Date	Explanation

12. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year? Yes No

If yes, you must attach a copy of each notice.

See **Attachment C** for NOVs issued to the facility within the past year. No NOVs have been issued for exceedances of the SOx/total sulfur limit in Condition # 26.

13. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months? Yes No

If yes, you should be prepared to present details at the hearing.

14. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

See response to Question 4 above.

It is beyond Petitioner's reasonable control to comply with Condition # 26 because there are no known controls for DMS, because Petitioner is not able to reduce the amount of existing waste at the facility that is the source of the DMS at issue, and because the facility provides an essential public service.

15. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

See response to Question 4 above.

Relevant events and dates are as follows:

- June 28, 2024 test (reported on July 1, 2024) indicated high SOx levels (~70+ ppmv)
- July 8, 2024 test (reported on July 9, 2024) indicated high SOx levels (~65+ ppmv)
- July 10, 2024 (reported on July 10, 2024) indicated high SOx levels (~65+ ppmv)

16. List date(s) and action(s) you have taken since that time to achieve compliance. That the Petition Form HB-V, and any related instructions, include requirement that the Petitioner include a timeline in suitable, chronological format to address the events, dates, and actions called for by Questions 15 and 16, including the dates of communication with the South Coast AQMD to notify them of the occurrence(s) giving rise to the requested variance.

On June 13, 2024 Petitioner met District staff concerning this issue and the potential for future non-compliance with the 60 ppmv SOx limit and began discussing possibly seeking a permit modification to increase the 60 ppmv SOx limit in Condition # 26. As noted, Petitioner assessed a possible violation of its permit on July 8 and confirmed it was in violation on July 10, 2024. Since that time, Petitioner has focused on preparing a permit modification application and filing this petition.

Attachment D is a timeline that includes the key events called for by Questions 15 and 16.

17. What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: \$ _____ See below _____

Number of employees laid off (if any): _____

Provide detailed information regarding economic losses, if any, (anticipated business closure, breach of contracts, hardship on customers, layoffs, and/or similar impacts).

If the requested variance is not granted, harm to the business identified so far would include penalties imposed by SCAQMD for violations of Condition # 26. Because it is an essential public service, the facility must continue operating to meet obligations for managing public waste.

18. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

No. DMS is simply a by-product of LFG generated by waste that Petitioner estimates was landfilled prior to 2005. There are no known controls for DMS according to Petitioner's research, as confirmed in conversations with District staff. Because Petitioner manages municipal solid waste, the facility provides a week n essential public service and cannot curtail or terminate operations (such curtailment of operations would not, in any event, mitigate the emissions at issue, as they are a product of the decomposition of existing waste at the landfill).

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.

Pollutant	(A)	(B)	(C)*
	Total Estimated Excess Emissions (lbs/day)	Reduction Due to Mitigation (lbs/day)	Net Emissions After Mitigation (lbs/day)
SOx	~ 8.22 lbs/day (average)	0	~ 8.22 lbs/day (average)

* Column A minus Column B = Column C

Excess Opacity: _____ N/A %

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

Actual daily LFG flow was multiplied by the total sulfur concentration from the most recent total sulfur lab result. This results in estimated daily SOx emissions rate for each day of non-compliance. These daily rates were then subtracted from the allowed emissions rates that were calculated based on the same daily flow at the currently permitted emission rate of 60 ppmv. The differences between estimated and allowed daily emissions rates for each day of this period were then averaged to arrive at an estimated average daily excess emissions volume.

21. Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

See responses to questions 4, 14, 16, and 18 above. Reductions are not feasible because: (1) DMS is a by-product of LFG generated by existing waste already present in a now-closed cell of the landfill; and (2) there is no way to physically reduce the DMS component of SOx emissions, even through the facility's carbon absorption filter system.

22. How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District? **Any proposed monitoring does not relieve RECLAIM facilities from applicable missing data requirements.**

Petitioner will continue testing emissions in compliance with District Rules and permit conditions. Additionally, Petitioner will test Flare # 4 DMS emissions on a monthly basis. Petitioner will also estimate emission levels using actual daily LFG flow rates and multiply that by the total sulfur concentration reported in the most recent total sulfur laboratory test result.

23. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

Petitioner is actively engaged in developing the materials and documentation necessary to file an application to amend Condition # 26. Petitioner anticipates filing the permit modification application on or about August 2, 2024. However, compliance will not be achieved until the District revises Condition # 26 and issues a revised permit.

24. State the date you are requesting the variance to begin: June 28; and the date by which you expect to achieve final compliance: Within one (1) year of being granted this variance.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance. See District Rule 102 for definition of Increments of Progress (see Attachment A, Item 24, Example #3).

List Increments of Progress here: N/A

25. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

Jason Aspell, Asst. Dep. E.O. Ext. 2491
Marilyn Potter, Sr. AQ Eng. Ext. 2376
Angela Shibata, Sup. AQ Eng. Ext. 2737
Karin Manwaring, District Counsel Ext. 2236

If the petition was completed by someone other than the petitioner, please provide their name and title below.

Malcolm C. Weiss Hunton Andrews Kurth LLC Attorney
Name Company Title

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on July 19, 2024, at Corona, California

[Signature] David Meyer
Signature Print Name

Title: Sr. District Manager

ATTACHMENT A



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

Title Page	
Facility ID:	113674
Revision #:	17
Date:	April 27, 2021

FACILITY PERMIT TO OPERATE

**USA WASTE OF CAL (EL SOBRANTE LANDFILL)
10910 DAWSON CANYON RD
CORONA, CA 92883**

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR A COPY THEREOF MUST BE KEPT AT THE LOCATION FOR WHICH IT IS ISSUED.

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 RULES OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT SHALL NOT BE CONSTRUED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCIES.

Wayne Natri
Executive Officer

By *Thomas G. Lippel*
Jason Aspell
Acting Deputy Executive Officer
Engineering and Permitting



**FACILITY PERMIT TO OPERATE
USA WASTE OF CAL (EL SOBRANTE LANDFILL)**

SECTION A: FACILITY INFORMATION

LEGAL OWNER &/OR OPERATOR: USA WASTE OF CAL (EL SOBRANTE LANDFILL)
LEGAL OPERATOR (if different than owner):
EQUIPMENT LOCATION: 10910 DAWSON CANYON RD
CORONA, CA 92883
MAILING ADDRESS: 10910 DAWSON CANYON RD
CORONA, CA 92883
RESPONSIBLE OFFICIAL: JOSEPH WALSTROM
TITLE: SENIOR DISTRICT MANAGER
TELEPHONE NUMBER: (951) 277-5103
CONTACT PERSON: STEPHEN DOWALIBY
TITLE: EP SPECIALIST
TELEPHONE NUMBER: (949) 358-4555
TITLE V PERMIT ISSUED: November 28, 2017
TITLE V PERMIT EXPIRATION DATE: November 27, 2022

TITLE V	RECLAIM
YES	NOx: NO SOx: NO CYCLE: 0 ZONE: INLAND



**FACILITY PERMIT TO OPERATE
USA WASTE OF CAL (EL SOBRANTE LANDFILL)**

PERMIT TO CONSTRUCT/OPERATE

**Permit No. R-G64402
A/N 618396**

Equipment Description:

Landfill Gas Flaring System consisting of:

1. Knockout vessel/gas filter with mist eliminator.
2. Autoblock shutoff valves.
3. Actuated valve to control LFG flow between flares.
4. Gas blower skid with up to three (3) LFG Blowers, each 300 HP 5,500 SCFM variable frequency drive, common to Flare No. 3.
5. Flare (No. 4), John Zink, Model 13' X 60' Zule LF, 167.15 MMBtu/hr (HHV), 12'-8" ID. by 60'-0" H., automatic air damper, propane pilot, 250 HP combustion air blower, four source test ports.

Conditions:

1. Construction and 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.
[Rule 204]
2. This equipment shall be properly maintained and kept in good operating condition at all times.
[Rule 204]
3. This equipment shall be operated and maintained by personnel properly trained in its operation.
[Rule 204]
4. A set of four sampling ports shall be provided in the flare stack at least five feet upstream of the flare outlet. Each sampling port shall consist of a four inch coupling. All ports shall be properly centered. An equivalent method of emission sampling may be used upon approval of the Executive Officer, adequate and safe access to all test ports shall be provided.
[Rule 217]
5. A sampling port shall be maintained at the inlet gas line to the flare to allow the collection of landfill gas samples.
[Rule 217, Rule 431.1, Rule 1150.1]
6. The flare shall be equipped with a temperature indicator and recorder which measures and records the gas temperature in the flare stack. The temperature indicator and recorder shall operate whenever the flare is in operation. The temperature shall be measured at a location above the flame zone at least 0.6 seconds downstream of the burner and not less than five feet from the top of the stack.
[Rule 1303(a)(1)-BACT]



FACILITY PERMIT TO OPERATE USA WASTE OF CAL (EL SOBRANTE LANDFILL)

7. Whenever the flare is in operation, a temperature of not less than 1400 degrees Fahrenheit, 15 minute average, as measured by the temperature indicator and recorder, shall be maintained except during periods of startup and shutdown. Startup is defined as the period from flare ignition to the time when 1400 degrees Fahrenheit is achieved, not to exceed 30 minutes. Shutdown is the period beginning when the gas valve begins to close and ending when the gas valve completely shuts off, not to exceed 30 minutes.
[Rule 1303(a)(1)-BACT]
8. The operator shall operate and maintain this equipment according to the following requirements:
- The exhaust temperature for the flare shall be maintained at a minimum 1400 degrees Fahrenheit whenever the equipment is in operation.
- The continuous exhaust temperature monitoring and recording system shall be pursuant to the operating and maintenance requirements specified in the 40 CFR Part 64.7. Such a system shall have an accuracy of within +/- 1% of the temperature being monitored and shall be inspected, maintained, and calibrated on an annual basis in accordance with the manufacturer's specifications using an applicable South Coast AQMD approved method.
- For the purpose of this condition, a deviation shall be defined as when a temperature of less than 1400 degrees Fahrenheit occurs during normal operation except during startups and shutdowns, not to exceed 30 minutes per event. Exhaust temperature shall be averaged over a 15 minute period, and hourly average shall be computed from such data points. The operator shall review the records of temperature on a daily basis to determine if a deviation has occurred or shall install an alarm system to alert the operator when a deviation occurs.
- For each semi-annual reporting period specified in condition No. 23 in Section K, whenever a deviation occurs from 1400 degrees Fahrenheit, the operator shall take immediate corrective action and keep records of the duration and cause (including unknown cause, if applicable) of the deviation and the corrective action taken.
- All deviations shall be reported to the South Coast AQMD on a semi-annual basis pursuant to the requirements specified in 40 CFR Part 64.9 and Condition Nos. 22 and 23 in Section K of this permit.
- The operator shall submit an application with a Quality Improvement Plan (QIP) in accordance with 40 CFR Part 64.8 to the South Coast AQMD if an accumulation of deviations exceeds five percent duration of this equipment's total operating time for any semi-annual reporting period specified in Condition No. 23 in Section K of this permit. The required QIP shall be submitted to the South Coast AQMD within 90 calendar days after the due date for the semi-annual monitoring report.
- The operator shall keep adequate records in a format that is acceptable to the South Coast AQMD to demonstrate compliance with all applicable requirements specified in this condition and 40 CFR Part 64.9 for a minimum of five years.
[40 CFR 64]



FACILITY PERMIT TO OPERATE USA WASTE OF CAL (EL SOBRANTE LANDFILL)

9. The flare shall be equipped with an automatic shut down system with a failure alarm, which has been approved by South Coast AQMD, to automatically isolate the flare from the landfill gas supply line, shut off the blowers and immediately notify a responsible party of the shut down.
[Rule 1303(a)(1)-BACT]
10. The automatic shutdown safety system shall be tested at least annually for proper operation and the results recorded.
[Rule 1303(a)(1)-BACT]
11. A flow indicating and recording device shall be installed in the landfill gas supply line to the flare to measure and record the quantity of landfill gas in standard cubic feet per minute (scfm) being burned in the flare.
[Rule 1303(b)(2)-Offset]
12. The volume of landfill gas burned in Flare No. 4 shall not exceed 6,325 scfm.
[Rule 1303(b)(2)-Offset]
13. The heat input through Flare No. 4 shall not exceed 167.15 million BTU per hour (HHV).
[Rule 1303(b)(1)-Modeling, Rule 1303(b)(2)-Offset]
14. Weekly readings of the methane content of the gas at the inlet to the flare shall be taken using an instrument approved by South Coast AQMD. All results shall be recorded.
[Rule 1303(b)(2)-Offset]
15. All recording devices shall be synchronized with respect to the time of day.
[Rule 1303(b)(2)-Offset]
16. The flare shall be equipped with a sufficient number of view ports to allow visual inspection of the flame height within the flare at all times. The view ports shall be located at the elevation of the temperature sensor locations. Safe and adequate access shall be provided for all view ports upon request by South Coast AQMD personnel.
[Rule 217, Rule 1303(a)(1)-BACT]
17. The flare shall be operated so that the flame in the flare remains below the height of the flare's operating thermocouple at all times.
[Rule 1303(a)(1)-BACT]
18. The maximum flare skin temperature at any location shall not exceed 250 degrees Fahrenheit.
[Rule 217]
19. The operation of this equipment shall not result in the release of raw landfill gas into the atmosphere. Any breakdowns or malfunctions which results in emissions of raw landfill gas shall be reported to the South Coast AQMD within one hour after occurrence, and immediate remedial measure shall be undertaken to correct the problem and prevent further emissions into the atmosphere.
[Rule 402, Rule 430, Rule 1150.1]



FACILITY PERMIT TO OPERATE USA WASTE OF CAL (EL SOBRANTE LANDFILL)

20. The operator shall conduct an initial source test of the flare within 60 days after the flare is completely operational but not later than 180 days after initial startup and shall conduct subsequent annual source tests, in accordance with South Coast AQMD approved source test procedures and South Coast AQMD Rule 1150.1 requirements, unless otherwise approved by South Coast AQMD. A source test protocol shall be submitted to South Coast AQMD for approval at least 30 days prior to the scheduled initial source test. All source testing shall be conducted in accordance with a valid South Coast AQMD approved source test protocol and approved test procedures. Written notification of the scheduled test date shall be provided to South Coast AQMD at least seven (7) days prior to the date of testing so that the testing may be observed by South Coast AQMD personnel. The owner or operator shall furnish to the South Coast AQMD the written results of such performance tests in accordance with South Coast AQMD Rule 1150.1 requirements and no later than 45 days of the completion of the source test.

The source tests shall be conducted at the maximum flow rates allowed by this permit, or the maximum flow rates achievable, and shall include, but may not be limited to, a test of the inlet gas to the flare and the flare exhaust for:

- A. Methane.
- B. Total non-methane organics.
- C. Oxides of nitrogen (exhaust only).
- D. Carbon monoxide (exhaust only).
- E. Total particulates (exhaust only).
- F. Hydrogen sulfide (inlet only).
- G. C1 through C3 sulfur compounds (speciated, inlet only).
- H. Carbon dioxide.
- I. Rule 1150.1 Table 1 compounds.
- J. Oxygen.
- K. Nitrogen.
- L. Moisture content.
- M. Temperature.
- N. Flowrate.
- O. NMOC destruction efficiency.

[Rule 1150.1, Rule 1303(a)(1)-BACT, Rule 1303(b)(2)-Offset, Rule 1401, 40 CFR 60 Subpart WWW, 40 CFR 63 Subpart AAAA]

21. The source test report, for the flare shall include, but not be limited to:
- A. Emissions of CO, NO_x, TNMOC, methane, and total PM (PM₁₀), reported in units of lbs/hr and ppmv (except particulates/PM₁₀ which shall be in lbs/hr and gr/scf), overall TNMOC & methane destruction efficiency (wt%), speciated organic emissions (lbs/hr and ppmv), oxygen and carbon dioxide (volume%), total sulfur compounds as H₂S (lbs/hr and ppmv), and TNMOC emissions (ppmv dry basis as hexane at 3% oxygen).
 - B. The test shall be performed by a testing laboratory certified to meet the criteria in South Coast AQMD Rule 304(k) (No Conflict of Interest).
 - C. Sampling facilities shall comply with South Coast AQMD "Guidelines for Construction of Sampling and Testing Facilities" pursuant to Rule 217.

[Rule 204, Rule 217, Rule 1150.1, Rule 1303(b)(1)-Modeling, Rule 1303(b)(2)-Offset, Rule 1401, 40 CFR 60 Subpart WWW]



**FACILITY PERMIT TO OPERATE
USA WASTE OF CAL (EL SOBRANTE LANDFILL)**

22. This equipment shall be operated in compliance with all the applicable requirements of Rule 1118.1.
[Rule 1118.1]
23. All collected landfill gas shall be directed to the flare for combustion or to an adequately sized treatment system which has a valid Permit to Operate or does not require a written permit per South Coast AQMD Rule 219.
[Rule 1150.1, Rule 1303(a)(1)-BACT]
24. This permit shall expire if construction of this equipment is not complete within one year from the date of issuance of this permit unless an extension is granted by the Executive Officer.
[Rule 205]
25. All records required to demonstrate compliance shall be kept and maintained for a period of at least five years and shall be made available to South Coast AQMD upon request.
[Rule 204, Rule 1118.1, Rule 1150.1, 40 CFR 60 Subpart WWW, 40 CFR 63 Subpart AAAA]

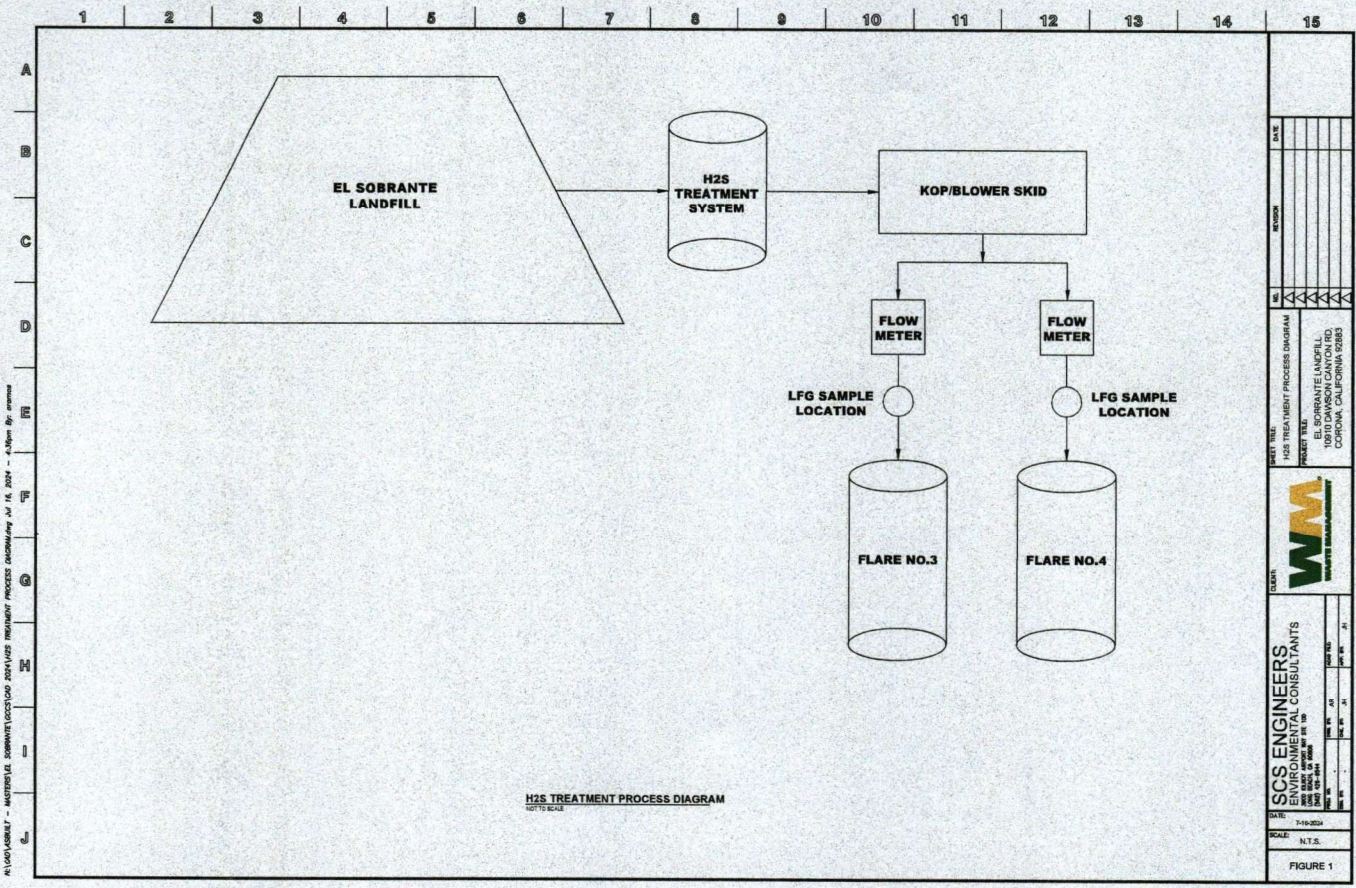
Emissions and Requirements:

26. **This equipment is subject to the applicable requirements of the following Rules and Regulations:**

CO:	2000 ppmv, Rule 407
CO:	0.06 lb/MMBTU, Rule 1118.1, Rule 1303(a)(1)-BACT/LAER
CO:	10.03 lb/hr, Rule 1303(b)(2)-Offsets
CO:	7321.8 lb/month, Rule 1313(g)
NOx:	0.025 lb/MMBTU, Rule 1303(a)(1)-BACT/LAER Rule 1118.1
NOx:	4.18 lb/hr, Rule 1303(b)(2)-Offsets
NOx:	3051.3 lb/month, Rule 1313(g)
PM:	Rule 404, see Appendix B for limits
PM:	0.1 gr/scf, Rule 409
PM10:	5 lbs/MMscf, Rule 1303(a)(1)-BACT/LAER
PM10:	1.90 lb/hr, Rule 1303(b)(2)-Offsets
PM10:	1386.9 lb/month, Rule 1313(g)
NMOC:	20 ppmv or 98% weight reduction, Rule 1150.1, 40 CFR 60 Subpart WWW, 40 CFR 63 Subpart AAAA
VOC:	0.006 lb/MMBTU, Rule 1303(a)(1)-BACT/LAER
VOC:	1.00 lb/hr, Rule 1303(b)(2)-Offsets
VOC:	729.9 lb/month, Rule 1313(g)
SOx:	60 ppmv (averaged monthly) and 85 ppm (averaged daily) in inlet, total sulfur as H ₂ S, Rule 1303(a)(1)-BACT/LAER
SOx:	3.85 lb/hr, Rule 1303(b)(2)-Offsets
SOx:	2810.4 lb/month, Rule 1313(g)

This Permit to Construct/Operate R-G64402 supersedes Permit to Construct/Operate G64402 issued February 19, 2021.

ATTACHMENT B



H2S TREATMENT PROCESS DIAGRAM
1:100 SCALE

PROJECT TITLE: H2S TREATMENT PROCESS DIAGRAM
 PROJECT NO.: EL SOBRANTE LANDFILL
 PROJECT LOCATION: EL SOBRANTE LANDFILL, 10000 S. GARDEN AVENUE, GARDEN, CALIFORNIA 92505
 DATE: 7/16/2024
 BY: [Signature]

DATE	
SCALE	N.T.S.
FIGURE 1	
SCS ENGINEERS CONSULTANTS 10000 S. GARDEN AVENUE GARDEN, CALIFORNIA 92505 PHONE: (951) 941-1111 FAX: (951) 941-1112 WWW: www.wmengineers.com	

ATTACHMENT C



South Coast Air Quality Management District
21865 COPLEY DRIVE, DIAMOND BAR, CA 91765-4178

P 75754

NOTICE OF VIOLATION

DATE OF VIOLATION		
Month:	Day:	Year:
3	28	2024

Facility Name: USA Waste of Cal (El Sobrante Landfill)		Facility ID#: 113674	Sector: EO
Location Address: 10910 Dawson Canyon Road		City: Corona	Zip: 92883
Mailing Address: 10910 Dawson Canyon Road		City: Corona	Zip: 92883

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

DESCRIPTION OF VIOLATIONS

#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation
1	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(C)(1)	Title V Permit, Section D, Facility wide condition	4(K)	Failing to operate the gas collection and control system at all times for landfills with active collection systems.
2	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(r)(1)	642750	25	Gases collected by this system shall be vented to a combustion or processing facility which is in full use.
3	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(r)(1)	Title V Permit, Section E	2	Failing to maintain all equipment, specifically Flow #s 3 and 4, in such a manner that ensures proper operation of the equipment.
4	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(r)(1)	Title V Permit, Section E	4	Utilizing equipment identified in this facility permit as being connected to air pollution control equipment while Flow #s 3 and 4 were not in full use.
5	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(r)(1)	Title V Permit, Section K	8	The operator shall comply with all regulatory requirements, and all permit terms and conditions.

Served To: Dave Meyer	Phone: 213.814.9684	Served By: Alexandra Solomon	Date Notice Served: 3-28-2024
Title: Senior District Manager	Email: dmeyer9@wm.com	Phone No: <input checked="" type="checkbox"/> 909-396-3256 <input type="checkbox"/> 310-233-	Email: asolomon @aqmd.gov

*Key to Authority Abbreviations: SCAQMD - South Coast Air Quality Management District CH&SC - California Health and Safety Code CCR - California Code of Regulations	Method of Service: <input checked="" type="checkbox"/> In Person <input type="checkbox"/> Certified Mail
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VIOLATOR'S COPY



NOTICE OF VIOLATION

DATE OF VIOLATION		
Month:	Day:	Year:
1	4	2023

Facility Name: USA Waste of Cal (El Sobrante Landfill)		Facility ID#: 113674	Sector: EO
Location Address: 10910 Dawson Canyon Road	City: Corona	Zip: 92883	
Mailing Address: 10910 Dawson Canyon Road	City: Corona	Zip: 92833	

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

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DESCRIPTION OF VIOLATIONS

#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation
1	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)	G42750	27	Failure to notify South Coast AQMD at least one (1) week in advance prior to the installation of at least 29 new wells in the 2023 calendar year (6/8/2023 – 12/29/2023).
2	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)	G42750	30	Failure to comply with the applicable requirements of 40 CFR 60 Subpart WWS and 40 CFR 63 Subpart AAAA.
3	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)	G61424	17	Failure to notify South Coast AQMD at least one (1) week in advance prior to the installation of additional lines or piping to at least 29 new wells in the 2023 calendar year (6/8/2023 – 12/29/2023).
4	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)	G61424	21	Failure to properly seal or close all connections, valves, and openings so as to prevent organic vapors from entering into the atmosphere (4/12/2024).
5	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (4)(L)	Failure to operate all wellheads so the gauge pressure is under constant vacuum (1/4/2023 - 12/29/2023).
6	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (5)(B)(1)	Failure to include 4 instances of wellhead positive pressure (5/24/2023, 5/28/2023) in efforts to prevent a fire within the annual submitted report as provided in 40 CFR 60.757(f)(1).
7	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (5)(C)	Failure to operate each wellhead with a temperature less than 131 degrees Fahrenheit and failed to show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens (1/19/2023 – 12/29/2023).

8	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)	Failure to comply with alternative temperature limit requirements for wellheads of 131 degrees Fahrenheit or higher.
9	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)(C)(1)	Failure to monitor the CO concentration in the landfill gas at the wellheads ELSW1107 and ELS1557D on a weekly basis (2/25/2023 – 9/8/2023).
10	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)(C)(1)	Failure to monitor other fire indicators on a weekly basis until the CO concentration drops to 500 ppmv or less at wellheads ELSW1107, ELS1557D (1/6/2023 – 12/29/2023).
11	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)(C)(2)	Failure to monitor other fire indicators on a semi-monthly basis until the CO concentration drops to 100 ppmv or less at wellhead ELSW1107 (3/17/2023 – 10/17/2023).
12	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)(C)(3)	Failure to monitor the CO concentration in the landfill gas at the wellhead ELS1542D on a monthly basis (7/2023 – 12/2023).
13	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section D Condition (6)(D)	Failure to record the results of all monitoring events in a logbook, specifically searching for fire indicators in the well head and landfill area near wellhead (1/19/2023 – 12/14/2023).
14	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section E Condition (6)	Failure to maintain records to demonstrate compliance with rules or permit conditions.
15	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section K Condition (8)	Failure to comply with all regulatory requirements, and all permit terms and conditions
16	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section K Condition (21)	Failure to keep all records of monitoring data required by this Permit.
17	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section K Condition (22)(D)	Failure to report all other deviations with a monitoring report.
18	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section J Condition (1)	Failure to comply with all applicable requirements of 40 CFR 63, Subpart AAAA.
19	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3002(c)(1)		Section J Condition (2)	Failure to comply with all applicable requirements of 40 CFR 60, Subpart WWW.

20	<input checked="" type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR	3004(a)(4)(F)			Failure to submit reports of all deviations from permit requirements.
21	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
22	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
23	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
24	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
25	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
26	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
27	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
28	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				
29	<input type="checkbox"/> SCAQMD <input type="checkbox"/> CH&SC <input type="checkbox"/> CCR <input type="checkbox"/> CFR				

Served To: David Meyer		Phone: 951-277-5109	Served By: Peter Homsey	Date Notice Served: 7/18/2024
Title: Senior District Manager	Email: DMeyer9@WM.com	Phone No.: <input checked="" type="checkbox"/> 909-396-3084	Email: PHomsey@AQMD.gov	

*Key to Authority Abbreviations:

SCAQMD – South Coast Air Quality Management District	CH&SC – California Health and Safety Code	Method of Service:
CCR – California Code of Regulations	CFR – Code of Federal Regulations	<input type="checkbox"/> In Person <input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Electronic Mail

FILE COPY (Pink)

FACILITY COPY (Gold)

What is a Notice of Violation?

A Notice of Violation is issued by an SCAQMD Air Quality Inspector to inform a business that a failure to comply with one or more applicable federal, state, and/or local (SCAQMD) air pollution rules and regulations or legal requirements is being alleged.

What happens when I receive a Notice of Violation?

If you are operating in violation of one or more applicable federal, state, and/or local (SCAQMD) air pollution rules and regulations or legal requirements, each day or part of a day that you operate in violation is considered a separate violation even if only one Notice of Violation has been issued. Continuing to operate in violation may subject you to substantial civil or criminal penalties. **It is in your best interest to resolve any compliance problem immediately before you resume operation.**

What if I need to continue to operate the equipment named in the Notice of Violation?

If continued operation of equipment cited in the Notice of Violation is necessary, you may be able to obtain a variance from SCAQMD's Hearing Board. A **variance** is an administrative order that allows a company to continue operating without penalties while it takes appropriate steps to meet air pollution control requirements. Proof of specific legal circumstances must be provided before a variance can be granted. Timeliness in seeking such relief will be considered by the Hearing Board. Additional information concerning variances can be found in California Health & Safety Code §§ 42350-42359.5 and at <http://www.aqmd.gov/home/about/hearing-board>.

During a hearing for a variance, you may be represented either by yourself or by your attorney or consultant. You will have the opportunity to present evidence and testimony, and to cross-examine any SCAQMD witness.

If you fail to comply with any order of the Hearing Board, you may be subject to additional civil or criminal penalties set forth in California Health & Safety Code §§ 42400 *et seq.* and 42402 *et seq.*

How are Notices of Violation resolved?

The SCAQMD General Counsel's office reviews each alleged violation and, based on the facts, determines how best to resolve the allegation. Options available to the General Counsel's office include:

- **Minor Source Penalty Assessment Program**

Certain Notices of Violation may be eligible for resolution through SCAQMD's Minor Source Penalty Assessment Program if they are issued to a minor source or for violations other than emitting air toxics or creating a

public nuisance involving injury or property damage.

If your case is handled by this program, you will receive a letter or phone call from an investigator in the SCAQMD General Counsel's office offering to settle your violation. Settlement terms usually call for a penalty payment and written proof of current compliance. The investigator's name and telephone number are included in the initial settlement letter in the event you would like to discuss the case.

Be prepared to describe any facts about the violation that you believe SCAQMD should know in considering your case. Sharing your knowledge of the facts, possible causes for the violation and plans to avoid future violations will help the investigator arrive at an appropriate disposition.

Be sure to respond by the date indicated in the letter to avoid further legal action.

If the Minor Source Penalty Assessment Program fails to result in a settlement, your Notice of Violation may be referred to an SCAQMD attorney and handled under the procedures for Civil Prosecution or resolved through a Small Claims Court.

- **Civil Prosecution**

If your case is handled as a civil matter, it will be reviewed by an attorney from the SCAQMD General Counsel's office, who will typically make first contact with you through a letter that asks for information about your case. If the allegations in the Notice of Violation cannot be informally resolved, the SCAQMD is authorized to file a civil lawsuit in court to recover civil penalties. In cases involving serious harm or danger, however, SCAQMD may immediately commence a legal action for civil penalties and a court-ordered injunction. A **mandatory injunction** is a court order compelling a person and/or company to take specific action. A **prohibitory injunction** is a court order compelling a person and/or company to refrain from taking a specific action. Injunctions, which may even lead to shutting down a business, may be sought by SCAQMD to prevent continuing or serious violations or damages from occurring.

- **Criminal Prosecution**

If SCAQMD determines that criminal prosecution is appropriate, the case will be referred to the appropriate state or federal law enforcement agency. That agency will determine if criminal prosecution is warranted.

Civil and Criminal Penalties

Penalties are determined by California Health & Safety Code §§ 42400 *et seq.* and 42402 *et seq.*

Available Resources

You can obtain SCAQMD Rules, permit application forms, and detailed information about SCAQMD and the Hearing Board using the resources provided below:

Contact Numbers	Useful Links
General Information: SCAQMD Headquarters General Number (909) 396-2218 General Counsel's Office (909) 396-3400	About SCAQMD Enforcement Authority http://www.aqmd.gov/home/about Compliance Notices http://www.aqmd.gov/home/about/authority/enforcement SCAQMD Rules http://www.aqmd.gov/home/regulations/compliance/compliance-notices http://www.aqmd.gov/home/regulations/rules
Obtaining Permit or Billing Information: Small Business Assistance (800) 388-2121 Permit Information (909) 396-2468 Billing Services (866) 888-8838 (909) 396-2900	Getting Permits http://www.aqmd.gov/home/permits Permit Forms http://www.aqmd.gov/home/permits/permit-application-forms Permitting Fees http://www.aqmd.gov/home/permits/fees
Variances: Clerk of the Hearing Board (909) 396-2500	The Hearing Board http://www.aqmd.gov/home/about/hearing-board

ATTACHMENT D

ATTACHMENT D

Petition for Variance Before the SCAQMD Hearing Board
USA Waste of California – El Sobrante Landfill

Timeline of Events, Dates, and Actions Called for by Questions 15 and 16

