

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
CLERK OF THE BOARD
2023 MAR -2 AM 7:51
**PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

PETITIONER: VERIZON WIRELESS _____

CASE NO: 6139-4

FACILITY ID: 152161

FACILITY ADDRESS: 3000 Keller Peak Rd

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

City, State, Zip: Big Bear City, CA, 92314

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).

Andy Mills

Zach Feingold

Verizon Wireless

Verizon Wireless

5351 E. Airport Dr

18850 Orange Street

Ontario, CA Zip 91761

Bloomington, CA Zip 92316

(909) 229-7627 Ext.

(909) 879-2712 Ext.

Fax ()

Fax ()

E-mail andy.mills@verizonwireless.com

E-mail zachary.d.feingold@verizon.com

3. RECLAIM Permit ☐ Yes ☒ No

Title V Permit ☐ Yes ☒ 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]

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)

A snowstorm on 2/24/2023 caused a loss of commercial power to Verizon Wireless' cell tower "Snow Valley". The facility's emergency power generator began operating nonstop since that outage in order to keep the facility functional. The generator, with permit number F94141, has a 200 hour annual operating limit.

Utility company Southern California Edison (SCE) provides estimated dates of power restoration (ETR) to help Verizon forecast for how long the generator will operate and whether the 200 hour total annual operating limit may be threatened. However, the ETR was/is continually postponed to a further date, devaluing any prediction on whether the 200 hour limit would be reached and when.

Since 01/01/2023 until 2/28/2023, the generator had already operated for 111 hours. Due to the quick accumulation of operating hours during ongoing outages and lost confidence in SCE's ETR, an emergency variance petition is being filed now due to the potential to pass 200 hours of operation in only a few days, before a Regular variance can be requested.

Due to public dependence on wireless telecommunications during routine and emergency events, the emergency generator cannot be deactivated.

Even if the applicable generator not pass 200 hours of operation during this single event, the accumulated hours of operation deserve attention. The potential for additional weather-related power outages and PSPS activations still exists, especially since this petition is still being filed in early February.

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

The Verizon "Snow Valley" cell tower provides cellular telephone services throughout [San Bernardino Mountains, Hesperia, Victorville and Baker], including 911 and other emergency services. This is a hub site that carries traffic for 19 sites (including Snow Valley).

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)*
General Motors 75 hp internal combustion engine, Model 4.3L Vortec, propane-fueled	R94141		

*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.

Emergency generators are critical to support the continual operation of Verizon Wireless's cell towers during times of emergency.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes ☒ No ☐
 If yes, how often: Annually _____ Date of last maintenance and/or inspection date of last vendor
PM 8/11/2022

Describe the maintenance and/or inspection that was performed.

The generators are typically tested two to four times a year to verify that they will be operational in the event of an emergency.

Once per year, a third party maintenance vendor will perform a comprehensive analyses of the generators, inspecting the parts, performing diagnostic tests, and making repairs as necessary.

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
PTO Condition 7	"This engine shall not operate more than 200 hours in any one year, which includes no more than 50 hours in any one year for maintenance and testing purposes"

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
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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.

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.

Utility-related power outages are outside of Verizon's control and SCE's ETR is no longer reliable.

A power outage on 2/24/2023, resulting from a snowstorm, has caused Verizon's on-site emergency generator to operate. As of 3/01/2023, power has not yet been restored and Verizon Wireless's emergency generator at this facility must continue to operate.

As the generator already reaches the milestone of 100 hours of emergency operation, there is waning confidence of power restoration before the generator arrives at 200 hours.

The snowstorm also makes the site currently inaccessible.

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).

Confidence in maintained compliance through calendar year 2023 began dwindling when SCE continually delayed commercial power restoration. As of 3/1/2023, the commercial power still has not been restored.

16. List date(s) and action(s) you have taken since that time to achieve compliance.

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N/A

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: \$___Unknown, but significant and incalculable_____

Number of employees laid off (if any):___0_____

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

Economic losses are difficult to calculate, though the interruption of telecommunications service throughout the would impose historic costs on Verizon Wireless's customers. The public's need for cellular communications during emergency services is critical.

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

No. Disabling the generator if it reaches 200 hours of operation would also disable the cell tower during utility outages – thus terminating services necessary for customer communications, contacting 911, and other emergency response agencies.

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)
NOx	5.95	N/A	5.95
CO	7.93	N/A	7.93
VOC	5.95	N/A	5.95

* 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.

Emission are calculated as worst-case scenario according to the upper limits established in the permit:

- VOC – 1.5 g/hp-hr
- NOX – 1.5 g/hp-hr
- CO – 2.0 g/hp-hr

However, these generators will not routinely operate daily. Operations will only be during utility outages and the generator's scheduled, brief test operations

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.

Verizon ensures that its generators are properly operated and maintained consistent with the manufacturer's specifications

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.**

Emergency generator operations will continue to be recorded, with emissions calculated based upon hours of operation and the appropriate emission factors.

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.

Should noncompliance occur, a return to compliance would be achieved on 01/01/2024 when the permissible emergency generator operating hours returns to zero.

The installation of generators not subject to the 200 hour requirements is being considered as well.

24. State the date you are requesting the variance to begin: 3/1/2023; and the date by which you expect to achieve final compliance: January 1, 2024, if necessary.

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.

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

Name	Company	Title
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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 March 1, at Chino Hills, California

Zachary Feingold
Signature

Zach Feingold
Print Name

Title: Regional Environmental Manager

26. SMALL BUSINESS and TABLE III SCHEDULE A FEES: To be eligible for reduced fees for small businesses, individuals, or entities meeting small business gross receipts criterion [see District Rule 303(h)], you must complete the following:

Declaration Re Reduced Fee Eligibility

1. The petitioner is
- a) ☐ an individual, or
 - b) ☐ an officer, partner or owner of the petitioner herein, or a duly authorized agent of the petitioner authorized to make the representations set forth herein.

If you selected 1a, above, skip item 2.

2. The petitioner is
- a) ☐ a business that meets the following definition of Small Business as set forth in District Rule 102:
SMALL BUSINESS means a business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of both concerns shall meet these criteria:
 - (a) the number of employees is 10 or less; **AND**
 - (b) the total gross annual receipts are \$500,000 or less or
 - (iii) the facility is a not-for-profit training center.

-OR-

- b) ☐ an entity with total gross annual receipts of \$500,000 or less.
3. Therefore, I believe the petitioner qualifies for reduced fees for purpose of filing fees and excess emission fee calculations, in accordance with Rule 303(h).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at _____, California

Signature

Print Name

Title _____

ATTACHMENT A

ITEM 1

Type of Variance Requested:

- (a) **SHORT:** If compliance with District rule(s) can be achieved in **90 days or less**, 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 **more than 90 days**, request a regular variance. If the variance request will extend beyond one year, you **must** 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		
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

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)	source test cannot be conducted as required until new ESP is installed

[Condition No. 28-2 of Facility P/O No. 099999]	
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)



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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 Copley Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

Page 1
Permit No
F94141
A/N 469683

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 f) is not received by the expiration date, contact the District

Legal Owner
or Operator

VERIZON WIRELESS
15505 SAND CANYON AVE, BLDG D-104
IRVINE, CA 92618-3114

ID 152161

Equipment Location: 3000 KELLER PEAK RD, BIG BEAR CITY, CA 92314

Equipment Description :

INTERNAL COMBUSTION ENGINE, GENERAL MOTORS, MODEL NO 4 3L VORTEC, SERIAL NO 4 3L-15331, LIQUEFIED PETROLEUM GAS FUELED, FOUR CYCLES, SIX CYLINDERS, NATURALLY ASPIRATED, RATED AT 75 BHP, WITH A NON-SELECTIVE CATALYTIC REDUCTION CONVERTER, DCL INTERNATIONAL, MODEL NO DC46 AND AN AIR/FUEL RATIO CONTROLLER, WOODWARD, MODEL NO L-SERIES, 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
- 3 THIS ENGINE SHALL BE FIRED WITH LIQUEFIED PETROLEUM GAS (LPG) ONLY
- 4 THE ENGINE EMISSIONS SHALL NOT EXCEED THE FOLLOWING LIMITS

VOLATILE ORGANIC COMPOUNDS (VOC)	1.5 GR/BHP-HR
NITROGEN OXIDES (NOX)	1.5 GR/BHP-HR
CARBON MONOXIDE	2.0 GR/BHP-HR
- 5 THIS ENGINE SHALL NOT BE OPERATED UNLESS ITS EXHAUST IS VENTED TO THE NON-SELECTIVE CATALYTIC REDUCTION UNIT WHICH IS IN FULL OPERATION AND WHICH IS IN GOOD OPERATING CONDITION AT ALL TIMES
- 6 THIS ENGINE SHALL NOT BE OPERATED WITHOUT THE USE OF AN AUTOMATIC AIR-TO-FUEL RATIO CONTROLLER WHICH SHALL BE MAINTAINED AND KEPT IN PROPER OPERATING CONDITION AT ALL TIMES
- 7 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 FOR MAINTENANCE AND TESTING PURPOSES



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PERMIT TO OPERATE

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- 8 AN OPERATIONAL NON-RESETTABLE TOTALIZING TIME METER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE ENGINE ELAPSED OPERATING TIME
- 9 THE FACILITY SHALL MAINTAIN ACCURATE MAINTENANCE RECORDS OF THE DATE OF CATALYST CLEANING OR REPLACEMENT, OXYGEN SENSOR REPLACEMENT, THE TOTAL HOUR READING ON THE NON-RESETTABLE TOTALIZING TIME METER TO DETERMINE THE ENGINE ELAPSED OPERATING TIME, AND RECORDS OF ENGINE TUNE-UPS
- 10 AN ENGINE OPERATING LOG SHALL BE MAINTAINED WHICH, ON A MONTHLY BASIS, SHALL LIST ALL ENGINE OPERATIONS IN EACH OF THE FOLLOWING AREAS
 - A EMERGENCY USE HOURS OF OPERATION
 - B MAINTENANCE AND TESTING HOURS
 - C OTHER OPERATING HOURS (DESCRIBE THE REASON FOR THE OPERATION)

IN ADDITION, EACH TIME THE ENGINE IS STARTED MANUALLY, THE LOG SHALL INCLUDE THE DATE OF OPERATION AND THE TIMER READING IN HOURS AT THE BEGINNING AND END OF OPERATION THE LOG SHALL BE KEPT FOR A MINIMUM OF THREE CALENDAR YEARS PRIOR TO THE CURRENT YEAR AND BE MADE AVAILABLE TO DISTRICT PERSONNEL UPON REQUEST THE TOTAL HOURS OF OPERATION FOR THE PREVIOUS CALENDAR YEAR SHALL BE RECORDED SOMETIME DURING THE FIRST 15 DAYS OF JANUARY OF EACH YEAR

- 11 THE OPERATION OF THE ENGINE BEYOND THE 50 HOURS PER YEAR ALLOTTED FOR ENGINE MAINTENANCE AND TESTING SHALL BE ALLOWED ONLY DURING EMERGENCIES RESULTING IN AN INTERRUPTION OF SERVICE OF THE PRIMARY POWER SUPPLY OR DURING STAGE II OR III ELECTRICAL EMERGENCIES DECLARED BY THE ELECTRICAL GRID OPERATOR THIS ENGINE MAY BE USED AS PART OF AN INTERRUPTIBLE ELECTRIC SERVICE PROGRAM



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21865 Copley Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

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Permit No
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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 RULES OF THE AIR QUALITY MANAGEMENT DISTRICT THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF OTHER GOVERNMENT AGENCIES

EXECUTIVE OFFICER

Dorris M Bailey

By Dorris M Bailey/RR08
12/5/2007



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