

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

PETITIONER: VERIZON WIRELESS

CASE NO:

6139-5

FACILITY ID:

~~G30484~~ 123865

FACILITY ADDRESS: 13910 San Sevaine Road

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

City, State, Zip: Lytle Creek, CA 91784

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).

Paul Santiago, Network Manager

Zach Feingold, Regional Environmental Manager

Verizon Wireless

Verizon Wireless

939 N. Vernon Ave.

18850 Orange Street

Azusa, CA Zip 91702

Bloomington, CA Zip 92316

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Fax ()

Fax ()

E-mail paul.santiago2@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)

Verizon Wireless operates a telecommunications microwave hub at its "San Sevaïne" site at 13910 San Sevaïne Road, in Lytle Creek 91784. Commercial electric power is normally supplied to that site by Southern California Edison (SCE). Verizon operates a propane-fueled emergency electric generator at that site to provide electricity on an emergency basis when commercial electric power is unavailable. That generator is subject to a Permit to Operate issued by the South Coast Air Quality Management District which limits annual operation to 200 hours.

From January through March 4, 2023, Verizon Wireless had operated this generator for a total 245.5 hours YTD, with a large majority of that operational time having accumulated due to early-year utility power disruptions, primarily caused by snow events. A portable generator was connected to the site and the stationary generator was turned off due to limited access from the snow to refuel the propane for the stationary generator at the site.

Verizon requires both an emergency and regular variance from the 200 hour permit limit so that the San Sevaïne cell tower can support the public through the remainder of 2023.

Providing wireless telephone services, including 911 and other emergency wireless services, through the San Sevaïne site is critical to Verizon Wireless and its customers. Service at this location is particularly important because cellular telephone "traffic" from 35 other nearby cell towers that are routed through this site. Thus, if the generator at the San Sevaïne site were unable to operate during utility outages, these 35 other cellular towers would be disabled as well.

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

The Verizon "San Sevaime" cell tower provides cellular telephone services in the Glen Helen Regional Park and the High Desert from Hesperia to the Nevada State Line., including 911 and other emergency services. Those cellular telephone services also include cellular telephone "traffic" from thirty-five other nearby cell towers that are routed through this site. That site also serves as a microwave hub, providing additional telecommunications services that can be further detailed at the hearing.

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)*
Kohler Engine, Model 80RZ82, Internal Combustion Engine, 132 HP, propane fueled	G30484		

*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'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 postponed until power restoration

Describe the maintenance and/or inspection that was performed.

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

Routine, scheduled test operations are currently disabled.

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
Permit Condition 7, SCAQMD Rule 1470	"The 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 [...]"

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.

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 power to this location is dictated by factors outside of Verizon's management. SCE has been able to make repairs to restore power due to the snow conditions at the site.

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).

Internal Verizon Wireless notifications were made on 3/10/2023 after the stationary generator had been shut down that the generator had run more than 200 hours.

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

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, 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 area served by the San Sevaire facility and the 35 other cell towers linked with it would impose substantial costs on Verizon's customers. The inability to use a cellular phone to request or provide community and emergency services would be a major concern.

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

No. The portable generator being used at the site is only a short-term solution caused by fueling issues for the site. Disabling the stationary generator for the rest of the year after the portable generator is required to be removed from the site would also disable the cell tower during utility outages – thus terminating services necessary for 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	10.47	N/A	10.47

CO	13.96	N/A	13.96
VOC	10.47	N/A	10.47

* 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 factors are based upon the limits imposed in the Permit to Operate:

- (1) 1.5 g/bhp-hr of NO_x
- (2) 1.5 g/bhp-hr of VOC
- (3) 2.0 g/bhp of CO

Daily excess emissions are calculated based upon 24 hours/day of operation. However, the emergency generator operates only as needed and for planned maintenance purposes.

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 Wireless will minimize testing and maintenance operations of the stationary generator for the remainder of the year.

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.

The generator at the San Sevaine location will be compliant beginning January 1st, 2024, when the accumulated annual operational hours resets for the calendar year.

24. State the date you are requesting the variance to begin: March 21, 2023; and the date by which you expect to achieve final compliance: January 1, 2024.

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.

_____. Ext. _____
_____. Ext. _____

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 3/21/2023, at Bloomington, California

Signature <u>Zach Feingold</u>	<u>Zach Feingold</u>
	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) [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)

PERMIT TO OPERATE

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

LEGAL OWNER
OR OPERATOR:

VERIZON WIRELESS, SAN SEVAINE
3350 161 AVE
S.E. BELLEVUE, WA 98009

ID 123865

Equipment Location: 13910 SAN SEVAINE RD, SAN BERNARDINO, CA 92401

Equipment Description:

INTERNAL COMBUSTION ENGINE, KOHLER, MODEL 80RZ282, SERIAL NO. 380964, LPG, FOUR CYCLE, RICH BURN, EIGHT CYLINDER, RATED AT 132 B.H.P, WITH A NON SELECTIVE CATALYTIC CONVERTER, DCLI, MODEL DC46, WITH A AIR/FUEL RATIO CONTROLLER, DRIVING AN EMERGENCY STAND-BY 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) THE CATALYTIC CONVERTER SHALL BE INSTALLED AND MAINTAINED PER MANUFACTURERS SPECIFICATIONS.
- 4) AN OPERATIONAL NON RESETTABLE TOTALIZING TIME METER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE ENGINE ELAPSED OPERATING TIME.
- 5) THIS ENGINE SHALL NOT BE OPERATED MORE THAN 200 HOURS IN ANY ONE YEAR.
- 6) AN ENGINE OPERATING LOG LISTING THE DATE OF OPERATION, THE ELAPSED TIME, IN HOURS, AND THE REASON FOR OPERATION SHALL BE KEPT AND MAINTAINED ON FILE FOR A MINIMUM OF TWO YEARS AND MADE AVAILABLE TO DISTRICT PERSONNEL UPON REQUEST.

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR COPY SHALL BE POSTED ON OR WITHIN 8 METERS OF THE EQUIPMENT.



South Coast Air Quality Management District
Certified Copy

FILE COPY

PERMIT TO OPERATE

CONTINUATION OF PERMIT TO OPERATE

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/ro01
9/15/2000



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