

1 ELLISON SCHNEIDER HARRIS & DONLAN LLP  
2 CHASE K. MAXWELL, SBN 248023  
3 2600 Capitol Avenue, Suite 400  
4 Sacramento, California 95816  
5 Telephone: (916) 447-2166  
6 Facsimile: (916) 447-3512  
7 Email: [ckm@eslawfirm.com](mailto:ckm@eslawfirm.com)

8  
9 **BEFORE THE HEARING BOARD OF THE**  
10 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
11

12 **In the Matter of**

13 COLTON POWER, LP – CENTURY [Facility ID  
14 No. 182561]

15 Petitioner.

16 vs.

17 SOUTH COAST AIR QUALITY  
18 MANAGEMENT DISTRICT.

19 Respondent.

CASE NO. 6167-4

**STIPULATION TO PLACE  
MATTER ON CONSENT  
CALENDAR**

Hearing Date: March 26, 2024  
Time: 9:30 a.m.  
Place: Hearing Board  
South Coast Air Quality  
Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

20 **STIPULATION**

21 The Parties, the South Coast Air Quality Management District (“South Coast AQMD”) and Colton Power, LP (“Petitioner”), do hereby stipulate and agree as follows:

- 22 1. This matter may be placed on the Hearing Board of the South Coast AQMD’s  
23 (“Hearing Board”) Consent Calendar for Tuesday, March 26, 2024 under Hearing  
24 Board Rule 4.
- 25 2. The Declaration of Joseph Shephard, Plant Manager for the Colton Power, LP –  
26 Century electric power generating facility (“Facility”) (filed concurrently herewith),  
27 is submitted to the Hearing Board to be entered and considered as evidence regarding  
28 this matter.

- 1 3. The Parties agree on the [Proposed] Findings and Decision and Order, which include  
2 proposed conditions, and which are filed concurrently herewith.
- 3 4. South Coast AQMD does not oppose the Petitioner’s request to grant a regular  
4 variance as described in the [Proposed] Order for the Facility.
- 5 5. The Parties request that the Hearing Board decide this matter based upon this  
6 Stipulation, the Declaration of Joseph Shephard, and any other documents submitted  
7 by the Parties. The Parties agree to incorporate all prior evidence as submitted in the  
8 regular variance petition for Unit D15 submitted February 13, 2024.
- 9 6. Neither Party expects the granting of the regular variance requested by Petitioner,  
10 Case No. 6164-4, to result in a violation of California Health and Safety Code section  
11 41700 (nuisance).

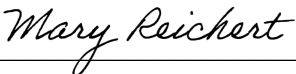
12 So stipulated.

13  
14 DATED: March 15, 2024

By:  \_\_\_\_\_

15 Jon Boyer  
16 Environmental Health & Safety  
17 Colton Power, LP – Drews

18 DATED: March 19, 2024

By:  \_\_\_\_\_

19 Mary Reichert  
20 South Coast Air Quality  
21 Management District  
22 Office of General Counsel  
23  
24  
25  
26  
27  
28