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BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

SOUTH COAST AQMD
CLERK OF THE BOARD
2025 JUL -8 PM 3:51

In the Matter of

WALNUT CREEK ENERGY LLC
[Facility ID No. 146536],

Petitioner,

v.

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT.

Respondent.

Case No. 6230-2

**STIPULATION TO PLACE PETITION
FOR MODIFICATION OF AN EXISTING
REGULAR VARIANCE ON CONSENT
CALENDAR**

Hearing Date: July 10, 2025
Time: 9:30 a.m.
Place: South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

The undersigned parties, Petitioner Walnut Creek Energy LLC, ("Walnut Creek Energy"), and Respondent South Coast Air Quality Management District, ("District"), hereby agree and stipulate as follows:

1. This matter may be placed on the Hearing Board's Consent Calendar for Thursday, July 10, 2025, pursuant to Hearing Board Rule 4(a)(4).

2. The Petitioner is requesting an extension to the final compliance date of Regular Variance, which provides relief from District Rules 2005, 2004(f)(1), 202(b), and 3002(c), and Conditions A195.7 of Facility Permit No. 146536 (Rev. 9) (Permit) as applicable to Device Nos. D1, D7, D13, D19, and D25.

3. The Petitioner is unable to comply with the final compliance date of July 15, 2025, as stated in the subject case. The Petitioner is waiting for the updated permit condition for the NOx start-up limit to be granted, as requested in Application Nos. 653918 – 653922, submitted on June 28, 2024. Compliance is dependent on the issuance of the Petitioner's Title V Facility Permit modification to include the requested NOx start-up mass emissions increase.

PETITIONER: CASE NO. 6230-2
Exhibit No. 4 Consisting of 3 of
Identification 7/10/25 Evidence

1 4. The Petitioner does not anticipate visible emissions during the variance and is not
2 seeking relief from District Rule 401.

3 5. The Walnut Creek Energy Declaration of George Piantka (filed concurrently as
4 Exhibit 5¹ to this Stipulation) and the South Coast AQMD Declaration of Chris Perri (filed
5 concurrently as Exhibit B² to this Stipulation) are submitted to the Hearing Board in support of
6 Petitioner's request for an extension to the final compliance date of the Regular variance.

7 6. The parties have agreed on a (Proposed) Findings and Decision Order (filed
8 concurrently as Exhibit 6 with this Stipulation).

9 7. The parties hereby request that the Hearing Board decide the matter based on this
10 Stipulation, Declarations, Findings and Decision, and other documents submitted by the parties.


11 8. Operation under the proposed Order is not expected to result in a violation of Health
12 and Safety Code Section 41700 (nuisance).

13 9. Based on all the evidence in this case, the District does not oppose consideration of
14 the extension to the final compliance date of the variance on the Consent Calendar for July 10,
15 2025, or as soon thereafter as the matter may be heard.

16 SO STIPULATED

17
18 Dated: July 2, 2025

FOR PETITIONER

19
20 By: 
21 Gregory S. Wolffe
22 Principal Scientist
23 Yorke Engineering, LLC
24 Representing Walnut Creek Energy
25


26 ¹ Case No. 6230-2 currently has Exhibit 1: Stipulation to Place Matter on Consent Calendar, Exhibit
27 2: Declaration of George Piantka, and Exhibit 3: Proposed Findings and Decision. Parties assume this
28 new stipulation will be marked Exhibit 4, George Piantka's second declaration will be marked Exhibit
5, and Exhibit 6 will be the new proposed findings and decision.

² Exhibit A is Declaration of Chris Perri, thus this new declaration will likely be Exhibit B.

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Dated: July 2, 2025

FOR RESPONDENT
SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT

By: 

Nicholas Dwyer, Esq.
Senior Deputy District Counsel
SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT