

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

In the Matter of

Case No. 6278-1

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

**STIPULATED [PROPOSED] FINDINGS
AND DECISION GRANTING
STIPULATED ORDER FOR ABATEMENT**

Petitioner,

v.

Hearing Date: October 28, 2025
Time: 9:30 am
Place: South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

6753 HOLLYWOOD ASSOCIATES,
LLC, and
AND ASSET MANAGEMENT, INC.

[Facility ID#145994]

Respondents.

FINDINGS AND DECISION OF THE HEARING BOARD

The Stipulated Order for Abatement was heard on the Hearing Board's Consent Calendar on **October 28, 2025**. The following members of the Hearing Board were present: Micah Ali, Chair; Robert Pearman, Vice Chair; Jerry P. Abraham, MD MPH CMQ; Cynthia Verdugo-Peralta; and Mohan Balagopalan. Petitioner, South Coast Air Quality Management District (hereinafter "South Coast AQMD", "District", or "Petitioner"), represented by attorney from the District's General Counsel's Office Nicholas Dwyer, Senior Deputy District Counsel, did not appear. Respondents, 6753 Hollywood Associates, LLC and AND Asset Management, Inc. (together referred to herein as "Respondents"), represented by Respondents' General Counsel attorney Amir Amini, did not appear. The public was given the opportunity to testify and provide comments. The parties filed with the Hearing Board a Stipulation to Place Stipulated Order of Abatement on Consent Calendar, Declaration of Kaesean Brown, Declaration of David Bolour, and the STIPULATED [Proposed] Findings and Decision Granting Stipulated Order for Abatement. All four documents were received

1 as evidence and the case was submitted.

2 FINDINGS OF FACT

3 The Hearing Board finds and decides as follows:

4 1. Petitioner is a body corporate and politic established and existing pursuant to Health
5 and Safety Code sections 40000, *et seq.* and sections 40400, *et seq.*, and is the sole and exclusive
6 local agency with the responsibility for comprehensive air pollution control in the South Coast
7 Basin.

8 2. Respondent, 6753 Hollywood Associates, LLC, was and is a California limited
9 liability corporation qualified to do business in the State of California with its headquarters at 2720 S.
10 La Cienega Blvd, Suite A, Los Angeles, CA 90034.

11 3. Respondent, AND Asset Management, Inc., was and is a California corporation
12 qualified to do business in the State of California with its headquarters at 2720 S. La Cienega Blvd,
13 Suite A, Los Angeles, CA 90034.

14 4. 6753 Hollywood Associates, LLC owns the property at 6753 Hollywood Boulevard,
15 Los Angeles, CA 90028 and AND Asset Management, Inc. manages the property.

16 5. At the commercial building located at 6753 Hollywood Boulevard, Los Angeles, CA
17 90028 ("Facility"), Respondents operate and manage a diesel-fueled engine (hereinafter
18 "Equipment") driving an emergency fire pump without a valid District Permit to Operate within the
19 District's jurisdiction and subject to the District's regulations. The South Coast AQMD ID Number
20 for the Facility is 145994.

21 6. The Equipment is a diesel-fueled internal combustion engine driving an emergency
22 fire pump made by Clarke, model No. VMFP-06HT, serial No. 27B-03739, turbocharged, 6
23 cylinders, 4 cycles, 120 BHP. The Equipment is subject to District Rule 203.

24 7. District Rule 203(a), in relevant part, prohibits the operation of any equipment the use
25 of which may cause or control the issuance of air contaminants into the atmosphere without first
26 obtaining a written permit to operate from the District's Executive Officer.

27 8. Equipment of this sort is subject to Best Available Control Technology ("BACT")
28 requirements if it has potential to emit greater than one (1) pound per day of NOx. Since this

Equipment can produce greater than one (1) pound per day, it must meet BACT requirements.

9. Based on the available information, the earliest the Equipment could have been installed was January 27, 2004.

10. The Equipment was installed after June 30, 2003, and is subject to the following limits:

Tier 2 Standards

NMHC + NO _x (g/BHP-hr)	CO (g/BHP-hr)	PM (g/BHP-hr)
4.9	3.7	0.22

11. Based on specifications on record for other facilities, the Equipment complies with EPA Tier 1 standards:

Tier 1 Standards

NMHC (g/BHP-hr)	NO _x (g/BHP-hr)	CO (g/BHP-hr)	PM (g/BHP-hr)
1.0	6.9	8.5	0.38

12. This Equipment is rated $100 \leq \text{HP} < 175$ and the application was deemed complete after June 30, 2003, which makes it subject to Tier 2 standards in order to satisfy BACT. The Equipment is only subject to Tier 2 standards because BACT for engines of that size at the estimated time of installation were required to meet Tier 2 standards. The Equipment did not meet Tier 2 standards, but did meet Tier 1 standards. Current BACT for a similar sized engine is Tier 3.

13. District cannot permit the Equipment as it does not meet applicable BACT requirements.

14. Respondents use the Equipment on a minimal basis to do monthly testing in case of an emergency.

15. Respondents agree to obtain and install a BACT compliant emergency engine driving a fire pump that can be permitted by the District.

16. The parties filed a Stipulated [Proposed] Findings and Decision Granting Stipulated Order for Abatement with conditions.

CONCLUSIONS

1. The parties have stipulated to the issuance of this Order for Abatement, pursuant to Health and Safety Code Section 42451(b).

2. The operation of the Equipment without a permit violates District Rule 203(a).

3. The issuance of the prayed for Stipulated Order for Abatement is not expected to result in the closing or elimination of an otherwise lawful endeavor, but if it does result in such closure or elimination, it would not be without a corresponding benefit in reducing air contaminants.

4. This Stipulated Order for Abatement is not intended to be nor does it act as a variance.

5. The issuance of this Stipulated Order for Abatement upon a fully noticed hearing will not constitute a taking of property without due process of law.

6. There is good cause to issue this Stipulated Order for Abatement in order to ensure future compliance with Rule 203(a) and allows Respondents, subject to the conditions set forth in this Order, to continue operating the Equipment on a limited basis as they obtain a BACT compliant engine and have it permitted with South Coast AQMD and other relevant public entities with jurisdiction. Pursuant to the Order, Respondents may only operate the equipment for maintenance and testing, absent an emergency. Respondents are required to keep a record of hours of operation to assist in verifying usage.

ORDER

THEREFORE, based on the Findings of Fact and evidence and any testimony presented at the hearing, and good cause appearing, the Hearing Board orders Respondents to abide by the below conditions in the Stipulated Order for Abatement. This Stipulated Order for Abatement does not act as a variance, and Respondents are subject to all rules and regulation of the District, and with all applicable provisions of California law. For potential future violations, nothing herein shall be deemed or construed to limit the authority of the District to issue Notices of Violation, or to seek civil penalties, criminal penalties, or injunctive relief, or to seek further orders for abatement, or other administrative or legal relief. Nothing herein shall limit Respondents from asserting any and all defenses, if the District sought other legal relief.

CONDITIONS

1. By November 25, 2025, Respondents shall submit a complete permit application package, which includes supplemental documentation such as a detailed site map (architectural drawing) and manufacturer-provided engine specifications, and Forms 400-A, 400-CEQA, 400-PS, 400-E-13a, and 400-XPP, for a rule compliant engine driving an emergency fire pump. Respondents shall pay expedited permit application fees when submitting the application to South Coast AQMD and where other applications are needed to permit the equipment or installation thereof, Respondents shall pay expedited processing fees to other public agencies with oversight over the project.

2. Respondents shall respond to Petitioner's requests for additional information related to the permit application within three business days, excluding weekends and Mondays, of any request from the application's assigned District permit engineer.

3. Respondents shall limit the operation of the non-compliant diesel-fueled internal combustion engine driving an emergency fire pump made by Clarke, model No. VMFP-06HT, serial No. 27B-03739, turbocharged, 6 cylinders, 4 cycles, 120 BHP ("120 BHP Clarke"), to emergency usage, operating no more than 30 minutes per week total for maintenance and testing time, unless otherwise required by NFPA 25.

4. Respondents shall maintain a monthly operating log for the 120 BHP Clarke and shall send the monthly records to South Coast AQMD by email to AQ Inspector Daniel Woo (DWoo@aqmd.gov) and AQ Engineer Kaesean Brown, (KBrown1@aqmd.gov) on the first Tuesday of each month beginning, December 2, 2025. The operating log shall list all engine operations in the following areas:

- a. Date and hours of emergency operation, and specify the cause of the emergency;
- b. Date and hours of maintenance and testing operations; and
- c. Date and hours of any other non-emergency operation.

5. When providing monthly usage records as required by Condition 4, Respondents shall provide an update on its progress in procuring and permitting (all permits, including other jurisdictions) a rule compliant engine driving an emergency fire pump. Such update should state where Respondents are in the process and when completion of the following are expected:

- 1 a. Permit applications to other relevant local jurisdictions besides the South Coast AQMD. If
2 there are multiple permit applications, Respondents shall provide an update for each.
- 3 b. Procuring and securing delivery for the rule compliant equipment.
- 4 6. After South Coast AQMD has issued the Permit to Construct/ Permit to Operate and prior to
5 installation of the rule compliant engine driving a fire pump, there will be a demolition period where the 120
6 BHP Clarke will be taken out of service. Respondents shall notify South Coast AQMD by emailing AQ
7 Inspector Daniel Woo (DWoo@aqmd.gov) and AQ Engineer Kaesean Brown (KBrown1@aqmd.gov)
8 within 24 hours of the engine being removed from service. Removal from service means disconnecting the
9 fuel lines.
- 10 7. Final compliance with the Order for Abatement shall be achieved when a rule compliant
11 engine driving a fire pump is permitted by South Coast AQMD, the 120 BHP Clarke is permanently
12 removed, and the Clerk and South Coast AQMD is notified of permitting and removal. Respondents shall
13 notify the Clerk of the Hearing Board (ClerkofBoard@aqmd.gov) and South Coast AQMD counsel
14 (ndwyer@aqmd.gov).
- 15 8. The Order for Abatement shall automatically terminate upon Respondents' notification of
16 final compliance to the Hearing Board.

17
18 BOARD MEMBER: _____

19
20 DATE: _____