EXHIBIT # ___

FLARE NO. 5 EXTENDED VARIANCE CONDITIONS
USA Waste of California, Inc. dba El Sobrante Landfill
Case No. 5139-7*

1. This variance shall only apply to the following SOx and total sulfur limits applicable to Flare No. 5 under Permit to Construct (A/N 647970, Permit Condition No. 35):

   Sulfur as H_2S: 60 ppmv, inlet LFG averaged monthly
   Sulfur as H_2S: 85 ppmv, inlet LFG averaged daily
   SOx: ~~———~~5.45 lb/hr
   SOx: ~~———~~2,810.00 lb/month

~~2. Petitioner shall, to the maximum extent feasible during the variance period, limit the use of Flare Nos. 4 and 5 and prioritize and maximize the use of the facility's other Flare (No. 3) [Permit to Operate R-G64400], and/or route landfill gas to other combustion and/or control equipment operated with valid South Coast AQMD Permit(s).~~

~~3.~~2. Petitioner shall not route landfill gas to Flare No. 5 unless first treated by Landfill Gas Treatment System "B" (A/N 647971, or subsequent), or other treatment system operated in accordance with its valid Permit to Construct or Operate as approved by the South Coast AQMD.

~~4. Upon start-up of Flare No. 5, Petitioner shall sample, measure, and record the landfill gas sulfur compounds at the inlet to Flare No. 5 on a weekly basis using colorimetric tests for hydrogen sulfide (H_2S). Records of the date and time of the test, the test results, and name of personnel conducting the test shall be maintained on-site and e-mailed within three (3) weekdays of conducting the measurement to Eva Lopez, Air Quality Inspector I, (elopez@aqmd.gov), Alisha Lewis, Supervising Air Quality Inspector (alewis@aqmd.gov) and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No. 16.~~

~~5.~~3. ~~Upon start-up of Flare No. 5,~~ Petitioner shall sample the landfill gas sulfur compounds at the inlet to Flare No. 5 at least once every other calendar week (but at a frequency of at least five (5) calendar days between sampling events), unless more frequent sampling is required by the approved Rule 431.1 Alternative Monitoring Plan [A/N 351821, or subsequent].

   a. Petitioner shall have those samples analyzed by a certified laboratory using South Coast AQMD Method 307-91 and request and pay for expedited processing (with a five business day lab analysis reporting turnaround time), if available. The laboratory report shall specify total sulfur compounds as H_2S. Petitioner shall maintain on-site, which may include electronic storage, the South Coast AQMD Method 307-91

* The changes tracked in this document are revisions to the existing variance conditions that the Parties have agreed to as conditions for the extended variance in Case No. 5139-7, if granted.

complete laboratory analysis report, which shall include the time and date each sample collection was conducted, and initialed by the personnel that conducted the sample collection. The complete laboratory analysis report shall be e-mailed within two (2) business days of receiving results to Peter Homsey~~Eva Lopez~~, Air Quality Inspector III (~~elopez~~phomsey@aqmd.gov), Alemayehu Solomon~~Alisha Lewis~~, WOC Supervising Air Quality Inspector (~~alewis~~asolomon@aqmd.gov), and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No. ~~16~~11. Petitioner shall instruct the laboratory that results shall be provided to Petitioner as soon as possible after they are available.

~~6.~~4. Petitioner shall send updated, current site maps identifying each well head by component number and include visual indicator(s) for the well heads with landfill gas temperature reading(s) that have exceeded 131 degrees Fahrenheit with every monthly report to Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov)~~Eva Lopez, Air Quality Inspector I (elopez@aqmd.gov)~~, Alemayehu Solomon~~Alisha Lewis~~, WOC Supervising Air Quality Inspector (~~alewis@aqmd.gov~~asolomon@aqmd.gov), and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov)~~, commencing with the first monthly report due December 8, 2025~~. ~~Thereafter, i~~If there has been no change in the identified wells that have exceeded 131 degrees Fahrenheit since the previous site map submission, Petitioner shall state in the monthly report for which a new site map would be due that there has been no change, and no updated map shall be required under this condition.

~~7.~~ Petitioner shall report the sulfur compound readings and analyses required under the above Conditions No~~s~~. ~~4 and 5~~3 to South Coast AQMD as part of the monthly status report, pursuant to Condition No. ~~13~~8. ~~Petitioner shall comply with the following requirements w~~When conducting the sampling, analyzing, and recording required under Condition No~~s~~. ~~4 and 5~~3, Petitioner shall ensure that~~:~~

5. Tedlar bags used for Method 307-91 sampling and analysis ~~shall be~~are clean, unused, intact, and free from moisture and debris.

~~a.~~

~~b. Colorimetric tube readings shall be conducted by taking a reading from the Method 307-91 Tedlar bag sample using an appropriate colorimetric tube sample collection pump. All sampling shall be performed in accordance with the operational manual for the colorimetric tube sample collection pump.~~

~~c. Colorimetric tube readings shall use colorimetric tubes of appropriate concentration range and shall be reported as follows:~~

~~i. Petitioner shall first use the estimated appropriately-ranged colorimetric tube.~~

~~ii. If the resulting reading reaches the upper concentration of the colorimetric tube concentration range, additional reading(s) shall be taken using a colorimetric tube with a concentration range that has a larger upper concentration threshold until the result is not the upper concentration threshold of the concentration range. Report the tube concentration range and tube concentration result for each reading.~~

~~iii. If the reading results in the lowest concentration of the colorimetric tube concentration range or does not register a result, additional reading(s) shall~~

~~be taken using a colorimetric tube with a concentration range that has a smaller lowest concentration threshold, if available, until the colorimetric tubes available to the facility result in:~~

~~1. A reading that is within the concentration range of the tube;~~

~~2. A reading is the lowest concentration of the colorimetric tube concentration range with the lowest concentration threshold; or~~

~~3. The colorimetric tubes do not register a result.~~

~~When the result is the lowest concentration of the colorimetric tube concentration range or does not register a result, the lowest concentration of the colorimetric tube concentration shall be considered the concentration result. Report the tube concentration range and tube concentration result for each reading. If a lower range colorimetric tube is not used and the tube concentration result is below the lower range of the colorimetric tube used, Petitioner shall document and report the result as "less than" or "<" the lower range value of the tube. Notwithstanding the forgoing, Petitioner shall ensure that the colorimetric tube result is below the upper range of the colorimetric tube used and shall report the precise result of all results above the lowest range of the colorimetric tube used.~~

~~8. Petitioner shall maintain on site an adequate stock of appropriately ranged colorimetric tubes.~~

~~9.~~6. Petitioner shall replenish and/or replace spent granular activated carbon (GAC) media in the Landfill Gas Treatment System "B" (under A/N 647971, or subsequent) at a frequency sufficient to maintain a concentration of total sulfur as hydrogen sulfide at the inlet to Flare No. 5, excluding dimethyl sulfide (DMS), below 60 ppmv (averaged monthly) and 85 ppm (averaged daily). Spent media removed from the landfill gas treatment system shall be stored in closed containers not vented to atmosphere prior to disposal.

~~10.~~7. Petitioner shall maintain a record of the following information in an editable spreadsheet and pdf formats (with all units labeled) and include such records in the monthly status report submitted to the South Coast AQMD pursuant to Condition No. ~~13~~8:

a. The hourly flow of landfill gas combusted, in standard cubic feet per hour (scfm data averaged hourly) and the daily flow of landfill gas in standard cubic feet per day:
   i. Combusted by Flare No. 3;
   ii. Combusted by Flare No. 4;
   iii. Combusted by Flare No. 5;
   iv. Combusted in other combustion and/or control equipment operated valid South Coast AQMD Permit(s) (if applicable); and
   v. Totaled for the facility.

b. Documentation of any time Flare No. 3, 4 or 5 are offline, including:
   i. Reason Flare(s) is/was offline;
   ii. Detailed information on what needs to be repaired/changed to bring the Flare(s) back online; and
   iii. Increments of progress towards and estimated time of when it will return to service.

c. Temperature readings, in Fahrenheit, for all wellheads (including all temperature readings from the previous month and at minimum one temperature reading for each wellhead, contained in a single spreadsheet);
d. Carbon monoxide (CO) concentration readings, in parts per million by volume (ppmv), and corrective actions relating to CO readings greater than 500 ppmv, for all wellheads (including all CO readings from the previous month and at minimum one reading for each wellhead, contained in a single spreadsheet);
e. The results of the H_2S and total sulfur readings, sampling, and analyses, with the time and date when each measurement or sample collection was conducted, pursuant to Condition No~~s~~. 3 ~~and 4~~; and
f. Daily excess emissions in pounds (lbs.) of sulfur oxides (SOx) per day for Flare No. 5, calculated pursuant to Condition No. ~~14~~9, including any assumptions and supporting information. Records shall be cumulative including all dates from the beginning of the variance.

~~11. Petitioner shall continue to investigate and, to the extent feasible, determine the underlying cause of total sulfur concentration exceedances. Details of this investigation, information discovered, and conclusions, if any, shall be included in summary reports to be submitted pursuant to Condition # 15, below. The report shall explain the specific steps undertaken by Petitioner (e.g., literature review, data analysis, outreach to industry and/or academic experts) to investigate the underlying cause of the total sulfur concentration exceedances, information received or discovered, any conclusions reached, and any other details that may be relevant to this issue. The investigation and subsequent reports shall include relevant site-specific operational parameters, including but not limited to, long-term temperature trends, vacuum system performance, leachate management, and waste acceptance records.~~

~~12. 12. Petitioner shall further investigate throughout the modified variance period the availability, viability, and utilization, including pilot testing if needed, of an alternative sulfur compound treatment system that controls, treats, or removes dimethyl sulfide and other sulfur compounds.~~

~~13. Petitioner shall report to SCAQMD staff (Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov); Travis Rohde, Senior Air Quality Engineer (trohde@aqmd.gov); Peter Homsey (phomsey@aqmd.gov), Alisha Lewis (alewis@aqmd.gov), Eva Lopez (elopez@aqmd.gov), and Mary Reichert (mreichert@aqmd.gov)) the information detailed in Condition Nos. 10 & 11 set forth in the Minute Order for the modified Flare # 4 Variance (Case No. 5139-3), and any conclusions reached, every four months during the variance period, with the first report due December 5, 2025.~~

~~14. Petitioner shall submit an application to modify the sulfur emission limits of Flare No. 5 Permit to Construct A/N 647970, Permit Condition No. 35, on or before December 2, 2025 (or later date agreed to by SCAQMD), and shall provide as part of the submitted application sufficient information for South Coast AQMD to evaluate modification of the proposed revised sulfur limits. Petitioner shall make itself available to meet once each calendar quarter with South Coast AQMD permitting staff (unless mutually agreed otherwise) to~~

~~address permitting issues for the treatment system, until South Coast AQMD takes final action on the application.~~

~~15.~~8. Petitioner shall submit a written status report to the District no later than the seventh (7^{th}) day of each calendar month of the Regular Period, not later than 5:00 pm PST via email to Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Alemayehu Solomon~~Eva Lopez Air Quality Inspector I (elopez@aqmd.gov), Alisha Lewis~~, WOC Supervising Air Quality Inspector (~~alewis@aqmd.gov~~asolomon@aqmd.gov), and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No. ~~16~~11. Petitioner may choose to submit this monthly status report as a combined status report with the monthly status report required under Condition No. 13 of the Flare No. 4 Minute Order (Case No. 5139-3, dated Aug. 13, 2025). Each monthly report shall contain at a minimum the following information gathered from the previous calendar month:

a. Records identified in Condition No. ~~10~~7, in an editable spreadsheet format, with all units labeled;
   i. Readings and corrective action data gathered under Condition No. ~~10c~~ 7.c and ~~10d~~ 7.d shall be submitted with every other monthly report.
b. Records of each instance of GAC replenishment or change-out within the previous month, specifically the date, time, and the GAC that was replenished;
c. Estimated schedule for any upcoming replacement of the GAC in the Landfill Gas Treatment System;
~~d. Specifications of the equipment and materials used for the weekly colorimetric tests (only if there is a change from the previously provided specifications of the colorimetric instrumentation or method used);~~
~~e.~~d. Daily excess emissions in pounds (lbs.) of sulfur oxides (SOx) per day for Flare No. 5, pursuant to Condition No. ~~10~~7.~~f~~f.

~~The first monthly report prepared under this Condition shall be submitted no later than December 8, 2025 and shall cover the above information gathered in November 2025.~~

~~16.~~9. Excess emissions from Flare No. 5 shall be calculated using the following equations based on larger resultant excess emissions of the four following equations on a per month basis. All necessary supporting information shall be provided to South Coast AQMD staff pursuant to Condition Nos. ~~10~~7.f and ~~13e~~8.d. Any feedback or requested changes to this methodology provided to Petitioner in writing by South Coast AQMD staff shall be incorporated and utilized in subsequent excess emission calculations.

Equation No. 1: SOx Excess Emissions (lb/day) = {[Daily TRS (ppmv) – 85 (ppmv)] x LFG Flow Rate to Flare No. 5 (scf/day) x 1.69×10^{-7}]}

Equation No. 2: SOx Excess Emissions (lb/day) = {[Daily TRS (ppmv) x LFG flow rate to Flare No. 5 (scf/day)] x [1.69×10^{-7}]} – [3.85 (lb/hr) x Actual Operating Hours of Flare No. 5 (hr)]

Equation No. 3: SOx Excess Emissions (lb/month) = {[Monthly Average TRS (ppmv) – 60 (ppmv)] x LFG Flow Rate to Flare No. 5 (scf/month) x 1.69×10^{-7}]}

Equation No. 4: SOx Excess Emissions (lb/month) = {[Monthly Average TRS (ppmv) x LFG flow rate to Flare No. 5 (scf/month)] x [1.69 x 10^{-7}]} – [2810.4 (lb/month)]

Where:
LFG: landfill gas
Daily Total Sulfur as H_2S: The Total Sulfur as H_2S concentration reflected in the most recent lab result collected and received pursuant to Condition No. ~~5~~3.

Monthly Average Total Sulfur as H_2S: The average Total Sulfur as H_2S concentration calculated based upon the sum of all samples received pursuant to Condition No. 5 in a calendar month divided by the number of samples analyzed in the calendar month.

lb/scf: pounds per standard cubic foot
lb/day: pounds per day
lb/month: pounds per month
ppmv: parts per million by volume
TRS: total sulfur as H_2S concentration using South Coast AQMD Method 307-91
SOx: oxides of sulfur expressed as sulfur dioxide
scf/day: standard cubic feet per day

~~17.~~10. Petitioner shall provide any additional records requested by South Coast AQMD that are reasonably related to the variance scope. The records shall be provided upon request within seven (7) calendar days, or a longer period if approved in writing by South Coast AQMD staff.

~~18.~~11. Any submittal deadline in these conditions that falls on a weekend or Federal or California holiday shall be extended to the next weekday.

~~19.~~12. Petitioner shall pay all applicable fees to the Clerk of the Hearing Board, or the variance shall be invalidated pursuant to Rule 303(k), except for excess emissions fees, which shall be paid within fifteen (15) days of notification in writing that the fees are due, unless otherwise ordered by the Hearing Board.

~~20.~~13. In the Area of Concern, the Facility shall conduct instantaneous surface emission monitoring as outlined in Rule 1150.1 (e)(3) at least once each calendar month. Records of these monitoring events shall be recorded and any exceedances documented including the person conducting the monitoring, location of exceedance, concentration of exceedance, and remediation actions. The monthly instantaneous surface emission monitoring conducted pursuant to this Condition shall include monitoring with a portable FID at the surface around each wellhead casing in the Area of Concern. Monitoring shall also include visual observation of any leaking wellheads within the Area of Concern. Results of

monitoring and visual observations at the wellhead casings shall also be recorded and all readings shall be documented, including the person conducting the monitoring, wellhead monitored, date/time of reading, concentration of exceedance, and any remediation actions taken (which shall be in accordance with Rule 1150.1(e)(3)). To the extent that additional wellheads are identified as having wellhead temperatures over 131 F, those wellheads shall be added to the list below and will be subject to monthly monitoring of the surface around each wellhead casing under this Condition.

For purposes of this Condition, the following wellheads shall be deemed to delineate the "Area of Concern" at the Facility:

EW-0245	EW-2197	EW-2388	EW-2449
EW- 0247	EW-2198	EW-2389	EW-2450
EW- 0248	EW-2199	EW-2390	EW-2451
EW-1002	EW-2235	EW-2391	EW-2452
EW-1107	EW-2251	EW-2392	EW-2453
EW-1554	EW-2257	EW-2393	EW-2454
EW-1795	EW-2270	EW-2394	EW-2455
EW-1796	EW-2271	EW-2429	EW-2456
EW-1929	EW-2374	EW-2430	EW-2457
EW-2100	EW-2375	EW-2431	EW-2469
EW-2101	EW-2376	EW-2432	EW-2470
EW-2102	EW-2377	EW-2433	EW-2471
EW-2103	EW-2378	EW-2434	EW-2427
EW-2104	EW-2379	EW-2435	EW-2428
EW-2105	EW-2380	EW-2436	EW-2439
EW-2106	EW-2381	EW-2437	EW-2440
EW-2107	EW-2382	EW-2438	EW-2441
EW-2108	EW-2383	EW-2442	EW-2444
EW-2109	EW-2384	EW-2443	EW-2445
EW-2110	EW-2385	EW-2446	
EW-2111	EW-2386	EW-2447	
EW-2196	EW-2387	EW-2448	

Records generated in accordance with this Condition shall be compiled in a complete and legible format. In the event that the District determines the format is not complete or not legible and provides written notice to the Facility, thereafter (starting the following calendar month after notice), such records shall be electronically entered and maintained for the monitoring performed each month under this Condition, to be made available upon request by the District.

The Facility shall continue to comply with the quarterly monitoring requirements in SCAQMD Rule 1150.1(e)(3) for areas outside the Area of Concern.

~~22. Petitioner shall submit within fourteen (14) calendar days of the granting of this Regular Variance, to Eva Lopez, Air Quality Inspector I (elopez@aqmd.gov), Alisha Lewis, Supervising Air Quality Inspector (alewis@aqmd.gov), and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), a Piping and Instrumentation Diagram (P&ID) which provides the connections and configuration of the existing leachate/condensate/landfill liquids collection system, including liquid collection pipelines, and all collection and storage tanks. The P&ID shall label the type of liquid conveyed/stored at each location/tank/connection.~~

~~21.~~14. Petitioner shall notify the Clerk of the Board at clerkofboard@aqmd.gov in writing when final compliance has been achieved.

15. This variance shall terminate upon notification by the Petitioner to the Clerk of the Board that operation of all equipment for which a variance is granted is operating in compliance.

INCREMENTS OF PROGRESS

Petitioner shall continue to make itself available to meet approximately once each calendar quarter with SCAQMD permitting staff (unless mutually agreed otherwise) to address permitting issues until SCAQMD takes final action on the modifications requested in Application Nos. 664666 and 664667 for Flare No. 5 Condition # 35 sulfur/SOx limits.