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EXHIBIT 3

Attorneys for Petitioner
USA Waste of California, Inc. dba El Sobrante Landfill

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

In the Matter of

Case No.: 5139-8

USA Waste of California, Inc.
dba El Sobrante Landfill

**[PROPOSED] FINDINGS AND
DECISION AND ORDER GRANTING
INTERIM VARIANCE**

[Facility ID No. 113674]

Section 42350 of the California Health and
Safety Code

Hearing Date: October 1, 2026

FINDINGS AND DECISION OF THE HEARING BOARD

The Petition for Variance (“Petition”) filed on September 16, 2026 by USA Waste of California, Inc. dba El Sobrante Landfill (“Petitioner” or “USA Waste”) was heard on the consent calendar on October 1, 2026. The following members of the Hearing Board were present: Micah Ali, Chair; Robert Pearman, Vice Chair; Jerry P. Abraham, MD, MPH, CMQ; Mohan Balagopalan; and Cynthia Verdugo-Peralta. Petitioner was represented by Malcolm C. Weiss, Esquire, and Respondent South

1 Coast Air Quality Management District (“Respondent” or “SCAQMD”) was
2 represented by Mary Reichert, Senior Deputy District Counsel. Counsel for Petitioner
3 and Respondent did not appear during the Consent Calendar hearing.

4 The matter was submitted for consideration on the Consent Calendar. The
5 public was given the opportunity to testify, and none did. The Declarations of
6 Christian Colline and Peter Homsey were received as evidence, and the [Proposed]
7 Findings and Decision of the Hearing Board and [Proposed] Order Granting Interim
8 Variance was received as an exhibit, and the case submitted. The Parties have agreed
9 by Joint Stipulation to place this matter on the consent calendar and to the issuance of
10 this Order.

11 The Hearing Board finds and declares as follows:

12 **NATURE OF BUSINESS AND LOCATION OF FACILITY**

13 Petitioner’s El Sobrante Landfill (Facility ID No. 113674) (“Facility”) is an
14 essential public service per SCAQMD Rule 1302(m)(7). The Facility is a regional
15 waste disposal facility that provides safe and convenient disposal services for
16 communities, businesses, and industries in Southern California. The Facility is located
17 at 10910 Dawson Canyon Road in Corona, California.

18 **EQUIPMENT THAT IS THE SUBJECT OF THE VARIANCE PETITION**

19 The Petition concerns Flare # 3 and Flare # 4, which operate as emission control
20 devices for landfill gas (“LFG”) generated by waste decomposition at the Facility.
21 These flares (and Flare # 5, which is not a subject of the Petition) are part of an LFG
22 flaring system that is used to control LFG emissions from the Facility and are required
23 by the Facility’s Title V Permit (Rev. 21) (“Permit”) and applicable SCAQMD rules.

24 **SUMMARY**

25 The LFG combusted in Flare # 3 and Flare # 4 is subject to the 150 ppmv daily
26 average sulfur concentration limit in Rule 431.1(c)(2), Table 1. Each flare is also
27 subject to individual sulfur emission limits stated in the Permit.

1 LFG is currently routed through two separate treatment systems at the Facility
2 to remove sulfur compounds using carbon absorption units before it is flared, but
3 these systems are not able to remove DMS in the LFG stream. And there is currently
4 no commercially available treatment system that can reduce DMS in LFG. Petitioner
5 was previously granted variances from the Permit's sulfur limits for Flare # 4 and
6 Flare # 5 (Case Nos. 5139-3 and 5139-7, respectively) because increased DMS
7 concentrations in the Facility's LFG are causing exceedances of the permitted sulfur
8 limits, which the Hearing Board found was beyond Petitioner's reasonable control.

9 Since that time, Petitioner has been complying with the comprehensive variance
10 conditions applicable to Flare # 4 and Flare # 5. These include requirements that
11 Petitioner investigate the underlying cause of sulfur concentration exceedances in
12 LFG being generated at the Facility, as well as potential alternative sulfur compound
13 treatment systems able to address DMS in the Facility's LFG, and that Petitioner
14 report to SCAQMD staff the results of these investigations on a regular basis.

15 Petitioner has also been sampling and analyzing sulfur at all three flare inlets in
16 accordance with the conditions of the Flare # 4 and Flare # 5 variances and the
17 Facility's Rule 431.1 Alternative Monitoring Plan ("AMP") incorporated into the
18 Permit. In accordance with these requirements, Petitioner has been regularly reporting
19 sulfur analytical results to SCAQMD staff.

20 Same-day laboratory analyses of LFG sampled at the Flare # 3 and # 4 inlets
21 began to consistently indicate sulfur levels in excess of the 150 ppmv concentration
22 limit in Rule 431.1 on or about August 26, 2026. Based on these results, Petitioner
23 determined on or about September 10, 2026 that it was in violation of the Rule
24 431.1(c)(2) sulfur concentration limit (150 ppmv) for LFG sampled at the Flare # 3
25 and # 4 inlets. Petitioner also concluded that it is or will be in violation of the
26 Flare # 3 SOx limits in Condition 23 of Permit to Construct/Operate No. R-G64400
27 (incorporated into the Permit), which are 6.41 lbs/hour (as SO₂) and 4,679 lbs/month,

1 and the related Rules and Permit conditions identified in the Petition. It thus filed the
2 Petition requesting both an Interim and Regular Variance on September 16, 2026.

3 **FINDINGS OF FACT AND CONCLUSIONS**

4 **A. Findings Required to Grant Interim Variance**

5 The following facts and conclusions support making the six findings in Health
6 and Safety Code Section 42352(a) required to grant the requested variance. The
7 SCAQMD Executive Officer does not oppose the granting of the variance.

8 **1. Petitioner is, or will be, in violation of Cal. Health & Safety Code**
9 **Section 41701 or of any rule regulation or order of the District.**

10 Petitioner is in violation of District Rule 431.1(c)(2), which prohibits the
11 burning of LFG containing sulfur compounds (calculated as H₂S) in excess of the 150
12 ppmv daily average in Table 1, due to the sulfur concentrations recently measured in
13 LFG samples taken from the inlets of Flare # 3 and Flare # 4. Petitioner is also in
14 violation of Facility-Wide Permit Condition # 4, which prohibits use of LFG
15 containing sulfur compounds (calculated as H₂S) in excess of 150 ppmv averaged
16 daily. Petitioner is or will be in violation of Flare # 3 Permit Condition # 23, which
17 limits SO_x emissions from the Flare # 3 outlet to 6.41 lbs/hour as SO₂ and 4,679
18 lbs/month. And Petitioner is in violation of District Rules 203(b) and 3002(c)(1),
19 which prohibit operation of permitted equipment contrary to the conditions in the
20 applicable Permit or PTO.

21 **2. Due to conditions beyond the reasonable control of the petitioner,**
22 **requiring compliance would result in an arbitrary or unreasonable**
23 **taking of property.**

24 i. Conditions Beyond Reasonable Control. The DMS causing the
25 aforementioned violations is a by-product of LFG generated by the decomposition of
26 waste that Petitioner estimates was landfilled at the Facility prior to 2005. As the
27 Hearing Board stated in its Minute Order granting an interim variance for the Flare # 4
28

1 system, “[t]here is no method to physically reduce the DMS component of SOx
2 emissions and the landfill cannot curtail operations.” *See* Minute Order, Case No.
3 5139-3 (Sept. 5, 2024) at p. 6. Thus, compliance with the Rule 431.1(c)(2) and related
4 Permit sulfur limits is beyond Petitioner’s reasonable control. *See id.* Compliance with
5 Rule 431.1 will be achieved once the sulfur treatment system that Petitioner has
6 proposed to control DMS concentrations in the Facility’s LFG has been permitted by
7 SCAQMD staff, constructed, installed, and is working as anticipated. SCAQMD’s
8 permitting process will take time, however, as will Petitioner’s process to design,
9 equip, install, and begin operating the treatment system. Petitioner has submitted an
10 application to SCAQMD staff to permit the treatment system and is working diligently
11 to provide information to the District needed to permit the system. The timing of
12 SCAQMD issuance of a final permit allowing treatment system construction and
13 operation is, however, beyond Petitioner’s reasonable control.

14 ii. Unreasonable Taking. The Facility is a regional waste disposal facility that
15 provides disposal services for communities, businesses, and industries in Southern
16 California and is an essential public service per SCAQMD Rule 1302(m)(7). Denial of
17 the requested variance would cause an unreasonable taking and burden upon an
18 essential public service. It would also cause significant, unreasonable and unavoidable
19 harm to Petitioner in that Petitioner will be subject to monetary fines and penalties for
20 violation of Rules 431.1(c)(2), 203(b), and 3002(c)(1), as well as the related Facility-
21 Wide and Flare # 3 Permit conditions.

22 **3. The closing or taking would be without a corresponding benefit in**
23 **reducing air contaminants.**

24 Denying the requested variance would result in significant harm to Petitioner,
25 as described above, without a corresponding benefit in reducing air contaminants, as
26 reductions of the DMS causing exceedances of the relevant sulfur limits are not
27 immediately feasible.

4. The applicant for the variance has given consideration to curtailing operations of the source in lieu of obtaining a variance.

Petitioner has considered but cannot achieve compliance by curtailing operations in lieu of obtaining a variance. First, as the Hearing Board acknowledged in the Minute Order issued for the interim Flare # 4 Variance, the Facility is unable to curtail operations without harm to the public as it provides an essential public service. *See* Minute Order, Case No. 5139-3 (Sept. 5, 2024) at p. 6. Second, curtailing operations would have no beneficial impact on the LFG generated by the decomposition of existing waste at the Facility, which is the source of the DMS causing exceedances of the relevant sulfur limits.

5. During the period the variance is in effect, the applicant will reduce excess emissions to the maximum extent feasible.

Petitioner will reduce emissions to the maximum extent feasible during the variance period by complying with the conditions of the variance, as set forth in the [Proposed] Order.

6. During the period the variance is in effect, the applicant will monitor or otherwise quantify emission levels from the source, if requested to do so by the District, and report these emission levels to the district pursuant to a schedule established by the District.

Petitioner has agreed to monitor or otherwise quantify emissions and report them to SCAQMD during the variance period pursuant to the conditions of this variance.

B. Good cause exists to justify granting an interim variance in the absence of notice to the public.

As stated in above, Petitioner is or will be in violation of District Rules 431.1(c)(2), 203(b), and 3002(c)(1), as well as Facility-Wide Condition # 4 and Flare # 3 Condition # 23 in the Permit.

1 The circumstances leading to the violation were discovered shortly before the
2 filing of the Petition and, for the reasons stated in Section A.2.i above, could not
3 reasonably have been avoided nor anticipated.

4 Petitioner exercised diligence in petitioning for a variance as soon as feasible
5 once it confirmed that it was or would be in violation.

6 And as detailed above in Section A.2.ii, denial of the requested Interim Variance
7 would result in an unreasonable and unavoidable adverse impact on Petitioner, and
8 would unreasonably burden an essential public service.

9 **CONCLUSION AND ORDER**

10 THEREFORE, the Hearing Board orders as follows:

11 A. Petitioner is granted an interim variance from SCAQMD Rules
12 431.1(c)(2), 203(b) and 3002(c)(1) (as set forth in Condition # 1, below), and from
13 Facility-Wide Permit Condition # 4 and Flare # 3 Permit Condition # 23, which limits
14 SOx emissions from the Flare # 3 outlet to 6.41 lbs/hour as SO₂ and 4,679 lbs/month,
15 for the period commencing October 1, 2026 and continuing for ninety (90) days or
16 until the regular variance hearing currently scheduled for December 17, 2026,
17 whichever occurs first.

18 B. The interim variance granted herein is subject to the following
19 conditions:

- 20 1. This variance shall only apply to the following SOx and total sulfur limits
21 applicable to Flare No. 3 (Permit to Operate R-G64400, or subsequent
22 application) & Flare No. 4 (Permit to Operate R-G64402, or subsequent
23 application):

- 24 a. Rule 431.1(c)(2) Table 1 limit (landfill gas sulfur content limit prior to
25 combustion of 150 ppmv Total Sulfur as H₂S, averaged daily basis);
26

- b. Title V Permit Facility Wide Condition No. 4 (landfill gas sulfur content limit prior to combustion of 150 ppmv Total Sulfur as H₂S, averaged daily); and
 - c. Flare No. 3 (Permit to Operate R-G4400, or subsequent application) Condition No. 23 SO_x emissions limits (6.41 lbs/hour as SO₂ and 4,679 lbs/month).
2. Petitioner shall not route landfill gas to Flare No. 3 & 4 unless first treated by Landfill Gas Treatment System "A" (A/N 627016, Permit No. G77924 or subsequent), or other treatment system operated in accordance with its valid Permit to Construct or Operate as approved by the South Coast AQMD.
3. In lieu of the colorimetric tube sampling of the SCAQMD Rule 431 .1 Alternative Monitoring Plan incorporated into the Permit, Petitioner shall sample, measure, and record the landfill gas sulfur compounds at the inlet to Flare No. 3& 4 (common line) on a weekly basis using colorimetric tests for hydrogen sulfide (H₂S). 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 Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Garrett Kakishita, Air Quality Analysis and Compliance Supervisor (gkakishita@aqmd.gov) and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No. 15. 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 Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Garrett Kakishita, Air Quality Analysis and Compliance Supervisor (gkakishita@aqmd.gov) and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov), except as allowed by Condition No. 15.

- 1 4. Petitioner shall sample the landfill gas sulfur compounds at the inlet to Flare
2 No. 3 & 4 (common line) at least once every other calendar week (but at a
3 frequency of at least five (5) calendar days between sampling events) , unless
4 more frequent sampling is required by the approved Rule 431.1 Alternative
5 Monitoring Plan [A/N 351821, or subsequent].
- 6 a. Petitioner shall have those samples analyzed by a certified laboratory
7 using South Coast AQMD Method 307-91 and request and pay for
8 expedited processing (with a five-business-day lab analysis reporting
9 turnaround time), if available. The laboratory report shall specify total
10 sulfur compounds as H₂S. Petitioner shall maintain on-site, which may
11 include electronic storage, the South Coast AQMD Method 307-91
12 complete laboratory analysis report, which shall include the time and date
13 each sample collection was conducted, and initialed by the personnel that
14 conducted the sample collection. The complete laboratory analysis report
15 shall be e-mailed within two (2) business days of receiving results to
16 Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Garrett
17 Kakishita, Air Quality Analysis and Compliance Supervisor
18 (gkakishita@aqmd.gov) and Duoduo Bao, Air Quality Engineer
19 (dbao@aqmd.gov), except as allowed by Condition No. 15. Petitioner
20 shall instruct the laboratory that results shall be provided to Petitioner as
21 soon as possible after they are available.
- 22 5. Petitioner shall send current site maps identifying each well head by component
23 number and include visual indicator(s) for the well heads with landfill gas
24 temperature reading(s) that have exceeded 145 degrees Fahrenheit no later than
25 November 7, 2026, and with every monthly report thereafter to Peter Homsey,
26 Air Quality Inspector III (phomsey@aqmd.gov), Garrett Kakishita, Air Quality
27 Analysis and Compliance Supervisor (gkakishita@aqmd.gov) and Duoduo Bao,

1 Air Quality Engineer (dbao@aqmd.gov). If there has been no change in the
2 identified wells that have exceeded 145 degrees Fahrenheit since the previous
3 site map submission, Petitioner shall state in the monthly report for which a
4 new site map would be due that there has been no change, and no updated map
5 shall be required under this condition.

- 6 6. Petitioner shall report the sulfur compound readings and analyses required
7 under Conditions Nos. 3 and 4 to South Coast AQMD as part of the monthly
8 status report, pursuant to Condition No. 12. Petitioner shall comply with the
9 following requirements when conducting the sampling, analyzing, and
10 recording required under Condition Nos. 3 and 4:
- 11 a. Tedlar bags used for Method 307-91 sampling and analysis shall be
12 clean, unused, intact, and free from moisture and debris.
 - 13 b. Colorimetric tube readings shall be conducted by taking a reading from
14 the Method 307-91 Tedlar bag sample using an appropriate colorimetric
15 tube sample collection pump. All sampling shall be performed in
16 accordance with the operational manual for the colorimetric tube sample
17 collection pump.
 - 18 c. Colorimetric tube readings shall use colorimetric tubes of appropriate
19 concentration range and shall be reported as follows:
 - 20 i. Petitioner shall first use the estimated appropriately-ranged
21 colorimetric tube.
 - 22 ii. If the resulting reading reaches the upper concentration of the
23 colorimetric tube concentration range, additional reading(s) shall
24 be taken using a colorimetric tube with a concentration range that
25 has a larger upper concentration threshold until the result is not the
26 upper concentration threshold of the concentration range. Report
27

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.

4. 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.

7. Petitioner shall maintain on site an adequate stock of appropriately ranged colorimetric tubes.
8. Petitioner shall replenish and/or replace spent granular activated carbon (GAC) media in the Landfill Gas Treatment System “A” (A/N 627016, Permit No. G77924 or subsequent), or other treatment system operated in accordance with its valid Permit to Construct or Operate as approved by the South Coast AQMD, at a frequency sufficient to maintain a concentration of total sulfur as hydrogen sulfide at the inlet to Flare No. 3 & 4 (common line), excluding dimethyl sulfide (DMS), below 150 ppmv (averaged daily). Spent GAC media removed from the landfill gas treatment system shall be stored in closed containers prior to disposal.
9. Petitioner shall maintain a record of the following information in an editable spreadsheet and pdf formats with all units labeled and provide such records to the South Coast AQMD pursuant to Condition No. 12:
 - 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. 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);

- c. 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);
 - d. The results of the H₂S and total sulfur readings, sampling, and analyses, with the time and date when each measurement or sample collection was conducted, pursuant to Condition Nos. 3 and 4; and
 - e. Daily excess emissions in pounds (lb) of sulfur oxides (SO_x) per day for Flare No. 3 & 4, calculated pursuant to Condition No. 13, including any assumptions and supporting information. Records shall be cumulative including all dates from the beginning of the variance.
10. 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 the schedule set forth in Increment of Progress # 1 in Case No. 5139-3. 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.
11. With regard to the Application Nos. 670407-670409, submitted to South Coast AQMD on September 3, 2026, for sulfur treatment system and corresponding

Title V Revision, Petitioner shall make itself available to meet once every two calendar months with South Coast AQMD permitting staff (unless mutually agreed otherwise) to address permitting issues, until South Coast AQMD takes final action the permit applications. Petitioner shall provide any additional information reasonably requested by South Coast AQMD related to these permit applications, within the timeframe requested by South Coast AQMD staff, unless a longer period to respond is approved in writing.

12. Petitioner shall submit a written status report to the District no later than the seventh (7th) day of each calendar month of the Variance Period, not later than 5:00 pm PST via email to Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Garrett Kakishita, Air Quality Analysis and Compliance Supervisor (gkakishita@aqmd.gov) and Duoduo Bao, Air Quality Engineer (dbao@aqmd.gov). These monthly status reports may be combined with status reports required to be submitted pursuant to HB Case No. 5139-3 & 5139-7. Each monthly report shall contain at a minimum the following information gathered from the previous calendar month:
 - a. Records identified in Condition No. 9, in an editable spreadsheet format, with all units labeled;
 - i. Readings and corrective action data gathered under Condition No. 9.b and 9.c 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. Daily excess emissions in pounds (lbs) of sulfur oxides (SO_x) per day for Flare No. 5, pursuant to Condition No. 9.e.

The first monthly report prepared under this Condition shall be submitted no later than November 7, 2026 and shall cover the above information gathered in October 2026.

13. Excess emissions from Flares No. 3 & 4 shall be calculated using the following equations based on larger resultant excess emissions of the following equations on a per month basis. All necessary supporting information shall be provided to South Coast AQMD staff pursuant to Condition Nos. 9.e and 12.e. 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.

a. Flare No. 3 (A/N 616852, Permit to Operate R-G64400):

i. Equation No. 1: SO_x Excess Emissions (lb/day) = {[Daily TRS (ppmv) – 150 (ppmv)] x LFG Flow Rate to Flare No. 3 (scf/day) x 1.69 x 10⁻⁷}

ii. Equation No. 2: SO_x Excess Emissions (lb/day) = {[Daily TRS (ppmv) x LFG flow rate to Flare No. 3 (scf/day)] x [1.69 x 10⁻⁷]} – [6.41 (lb/hr) x Actual Daily Operating Hours of Flare No. 3 (hr)]

iii. Equation No. 3: SO_x Excess Emissions (lb/month) = {[Daily TRS (ppmv) x LFG flow rate to Flare No. 3 (scf/month)] x [1.69 x 10⁻⁷]} – [4,679 (lb/month)]

b. Flare No. 4 (A/N 618396, Permit to Operate R-G64402):

- 1 i. Equation No. 1: SO_x Excess Emissions (lb/day) = {[Daily
2 TRS (ppmv) – 150 (ppmv)] x LFG Flow Rate to Flare No. 4
3 (scf/day) x 1.69 x 10⁻⁷}]
- 4 ii. Where:
- 5 1. LFG: landfill gas
- 6 2. Daily Total Sulfur as H₂S: The Total Sulfur as H₂S
7 concentration reflected in the most recent lab result
8 collected and received pursuant to Condition No. 4.
- 9 3. Monthly Average Total Sulfur as H₂S: The average
10 Total Sulfur as H₂S concentration calculated based
11 upon the sum of all samples received pursuant to
12 Condition No. 4 in a calendar month divided by the
13 number of samples analyzed in the calendar month.
- 14 4. lb/scf: pounds per standard cubic foot
- 15 5. lb/day: pounds per day
- 16 6. lb/month: pounds per month
- 17 7. ppmv: parts per million by volume
- 18 8. TRS: total sulfur as H₂S concentration using South
19 Coast AQMD Method 307-91
- 20 9. SO_x: oxides of sulfur expressed as sulfur dioxide
- 21 10.scf/day: standard cubic feet per day
- 22 14. Petitioner shall provide any additional records requested by South Coast
23 AQMD that are reasonably related to the variance scope. The records shall be
24 provided upon request within seven (7) calendar days, or a longer period if
25 approved in writing by South Coast AQMD staff.
- 26 15. Any submittal deadline in these conditions that falls on a weekend or Federal or
27 California holiday shall be extended to the next weekday.
- 28

16. 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.

17. 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. Results of monitoring 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 above 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-2107	EW-2376	EW-2392
EW- 0247	EW-2108	EW-2377	EW-2393
EW- 0248	EW-2109	EW-2378	EW-2394
EW-1002	EW-2110	EW-2379	EW-2429
EW-1107	EW-2111	EW-2380	EW-2430
EW-1554	EW-2196	EW-2381	EW-2431
EW-1795	EW-2197	EW-2382	EW-2432

EW-1796	EW-2198	EW-2383	EW-2433
EW-1929	EW-2199	EW-2384	EW-2434
EW-2100	EW-2235	EW-2385	EW-2435
EW-2101	EW-2251	EW-2386	EW-2436
EW-2102	EW-2257	EW-2387	EW-2437
EW-2103	EW-2270	EW-2388	EW-2438
EW-2104	EW-2271	EW-2389	EW-2442
EW-2105	EW-2374	EW-2390	EW-2443
EW-2106	EW-2375	EW-2391	EW-2446
EW-2447	EW-2453	EW-2470	EW-2441
EW-2448	EW-2454	EW-2471	EW-2444
EW-2449	EW-2455	EW-2427	EW-2445
EW-2450	EW-2456	EW-2428	
EW-2451	EW-2457	EW-2439	
EW-2452	EW-2469	EW-2440	

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).

18. Petitioner shall submit within fourteen (14) calendar days of the granting of the Regular Variance, to Peter Homsey, Air Quality Inspector III (phomsey@aqmd.gov), Garrett Kakishita, Air Quality Analysis and Compliance Supervisor (gkakishita@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.

19. Petitioner shall notify the Clerk of the Board at clerkofboard@aqmd.gov in writing when final compliance has been achieved.
20. 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.

FOR THE BOARD: _____

DATED: _____