

OFFICE OF THE DISTRICT COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
MARY J. REICHERT, SBN 264280
Senior Deputy District Counsel
Email: mreichert@aqmd.gov
21865 Copley Drive
Diamond Bar, California 91765-0940
TEL: 909.396.3400 • FAX: 909.396.2961

Attorneys for Petitioner
South Coast Air Quality Management District

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

In the Matter of

USA Waste of California, Inc. dba El Sobrante
Landfill
[Facility ID No. 113674],

Petitioner,

v.

South Coast Air Quality Management District,

Respondent.

Case No. 5139-8

**DECLARATION OF PETER HOMSEY
REGARDING PETITION FOR
REGULAR VARIANCE**

Hearing Date: October 1, 2026
Time: 9:30 a.m.
Place: South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

I, Peter Homsey, declare as follows:

1. I am an Air Quality Inspector III in Toxics and Waste Management Division of the Office of Compliance and Enforcement of the South Coast Air Quality Management District. I am familiar with El Sobrante Landfill, the facility at issue in this variance. The following statements are made based upon my personal knowledge or information that has been provided to me by my staff or management.

2. From March 1, 2026, to September 17, 2026, the South Coast AQMD has received a total of 122 complaints for odor nuisance alleging El Sobrante Landfill as the source, including three during the month of March, five in April, one in May, nine in June, fifty-one unique

1 complaints in July, thirty-five unique complaints in August, and five unique complaints so far in
2 September. Because the number of complaints received has not met the threshold for a public
3 nuisance under South Coast AQMD Rule 402 or Health and Safety Code section 41700, no notices
4 of violation have been issued during this period for odor nuisance to El Sobrante Landfill.

5 3. Based on the sporadic nature of the odor complaints, and the lack of any issued
6 notices of violation for odor nuisance, El Sobrante Landfill is not currently causing a public
7 nuisance in violation of District Rule 402 or Health and Safety Code section 41700. While it is not
8 possible to predict with certainty, based on the previous operation of the facility under the related
9 variance in case number 5139-3, I do not anticipate the granting of this variance will result in a
10 public nuisance.

11
12 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
13 and correct.

14
15 Dated: September 25, 2026

16 By: 
17 Peter Homsey

18 Executed in Diamond Bar, California