EXHIBIT # 9

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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: July 14, 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

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

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

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

Dated: September 25, 2026

By: P Homsey
Peter Homsey

Executed in Diamond Bar, California