

SOUTH COAST AQMD
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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

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

In The Matter Of

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

vs.

LINEAGE LOGISTICS PFS, LLC,

[Facility ID No. 202700]

Respondent.

Case No. 6293-1

**[PROPOSED] FINDINGS AND
DECISION FOR AN ORDER FOR
ABATEMENT (STIPULATED)**

Date: August 5, 2026
Time: 9:30 a.m.
Place: Hearing Board Room
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

[PROPOSED] FINDINGS AND DECISION OF THE HEARING BOARD

This Petition for an Order for Abatement was heard on August 5, 2026, pursuant to notice in accordance with the provisions of California Health and Safety Code sections 40823 and 42451(a). The following members of the Hearing Board were present: Robert Pearman, Vice-Chair; Cynthia Verdugo Peralta; Mohan Balagopalan; Dr. Jerry P. Abraham, MD, MPH, CMQ; and Steven Samaniego. Petitioner South Coast Air Quality Management District ("Petitioner" or "South Coast AQMD") was represented by Josephine Lee, Principal Deputy District Counsel, and Grace LeBlanc,

1 Deputy District Counsel I. Respondent Lineage Logistics PFS, LLC (“Respondent” or “Lineage”)
2 was represented by Kevin Poloncarz, Esq. of Covington & Burling LLP. The public was given the
3 opportunity to testify, evidence was received, and the matter was submitted. The Hearing Board finds
4 and decides as follows:

5 **FINDINGS OF FACT**

6 1. Petitioner is a body corporate and politic established and existing pursuant to
7 California Health and Safety Code (“HSC”) section 40000, *et seq.* and section 40400, *et seq.*, and is
8 the sole and exclusive local agency with the responsibility for comprehensive air pollution control in
9 the South Coast Basin.

10 2. Respondent operates a cold storage food warehouse facility (Facility ID No. 202700)
11 located at 1400 S. Los Palos Street, Los Angeles, CA 90023 (“Facility”), within and subject to the
12 jurisdiction of the South Coast AQMD.

13 3. The Facility is a 500,000 square foot warehouse located in the Boyle Heights
14 neighborhood in the city of Los Angeles. The warehouse building is within 100 feet of a residential
15 neighborhood, which is located just north of the Facility.

16 4. The Facility is divided into two sections: Freezer 1 and Freezer 2. Freezer 1 makes up
17 the western half of the Facility and Freezer 2 makes up the eastern half of the Facility. A Facility
18 map with the freezer designations is attached as Exhibit 1 to the Joint Stipulation as to Proposed
19 Hearing Documents.

20 **Los Palos Fire Incident**

21 5. On June 17, 2026, Los Angeles Fire Department (“LAFD”) crews responded to a large
22 fire on the roof of the Facility in Boyle Heights, referred to as the “Los Palos Fire”.¹

23 6. As a part of the emergency response, the refrigeration systems in the Facility were
24 shut down.

25
26
27 ¹ See Los Angeles Fire Department, Boyle Heights Commercial Structure Fire - “Los Palos IC”, available at
28 <https://lafd.org/news/boyle-heights-commercial-structure-fire-los-palos-ic>, accessed on July 28, 2026.

1 7. LAFD declared the fire was under control on June 25, 2026.²

2 8. As a result of the Los Palos fire, a large portion of the Facility was burned.
3 Specifically, Freezer 2 and the stored contents, mainly frozen foods and storage racks, were burned.

4 9. Since the fire was put out and after regaining access to the Facility, Respondent has
5 been in the process of removing approximately 88 million pounds of spoiled and decomposing food
6 product, as well as other debris, as part of its demolition and cleanup efforts.

7 **NOVs Issued to Respondent for Odor Nuisance Violations**

8 10. District Rule 402 and HSC section 41700 prohibit the “discharge from any source
9 whatsoever such quantities of air contaminants or other material which cause injury, detriment,
10 nuisance, or annoyance to any considerable number of persons or to the public, or which endanger
11 the comfort, repose, health or safety of any such persons or the public, or which cause, or have a
12 natural tendency to cause, injury or damage to business or property.”

13 11. On or around July 12, 2026, the District began receiving complaints from the public
14 describing rotten food and garbage-type odors coming from the Facility.

15 12. Since July 12, 2026, the District has received nearly 4,000 odor complaints. District
16 inspectors have verified the odors and traced these odors back to the Facility as the source.

17 13. The District alleges that Respondent is in violation and has been in violation of Rule
18 402 and California Health and Safety Code (HSC) section 41700.

19 14. From July 12 through July 30, 2026, District compliance staff has issued 19 Notices
20 of Violation (“NOVs”) to Respondent for violations of District Rule 402 and HSC section 41700
21 alleging public nuisance relating to the odors.

22 15. The District issued NOV P82956 to Respondent on or about July 12, 2026, alleging
23 violations of District Rule 402 and HSC section 41700.

24 16. The District issued NOV P82955 to Respondent on or about July 13, 2026, alleging
25 violations of District Rule 402 and HSC section 41700.

26 17. The District issued NOV P75935 to Respondent on or about July 14, 2026, alleging

27 _____
28 ² *Ibid.*

1 violations of District Rule 402 and HSC section 41700.

2 18. The District issued NOV P68083 to Respondent on or about July 15, 2026, alleging
3 violations of District Rule 402 and HSC section 41700.

4 19. The District issued NOV P81976 to Respondent on or about July 16, 2026, alleging
5 violations of District Rule 402 and HSC section 41700.

6 20. The District issued NOV P81664 to Respondent on or about July 17, 2026, alleging
7 violations of District Rule 402 and HSC section 41700.

8 21. The District issued NOV P69340 to Respondent on or about July 18, 2026, alleging
9 violations of District Rule 402 and HSC section 41700.

10 22. The District issued NOV P82921 to Respondent on or about July 19, 2026, alleging
11 violations of District Rule 402 and HSC section 41700.

12 23. The District issued NOV P81327 to Respondent on or about July 20, 2026, alleging
13 violations of District Rule 402 and HSC section 41700.

14 24. The District issued NOV P82417 to Respondent on or about July 21, 2026, alleging
15 violations of District Rule 402 and HSC section 41700.

16 25. The District issued NOV P68084 to Respondent on or about July 22, 2026, alleging
17 violations of District Rule 402 and HSC section 41700.

18 26. The District issued NOV P81977 to Respondent on or about July 23, 2026, alleging
19 violations of District Rule 402 and HSC section 41700.

20 27. The District issued NOV P81665 to Respondent on or about July 24, 2026, alleging
21 violations of District Rule 402 and HSC section 41700.

22 28. The District issued NOV P82959 to Respondent on or about July 25, 2026, alleging
23 violations of District Rule 402 and HSC section 41700.

24 29. The District issued NOV P75936 to Respondent on or about July 26, 2026, alleging
25 violations of District Rule 402 and HSC section 41700.

26 30. The District issued NOV P81925 to Respondent on or about July 27, 2026, alleging
27 violations of District Rule 402 and HSC section 41700.

28 31. The District issued NOV P82960 to Respondent on or about July 28, 2026, alleging

1 violations of District Rule 402 and HSC section 41700.

2 32. The District issued NOV P81666 to Respondent on or about July 29, 2026, alleging
3 violations of District Rule 402 and HSC section 41700.

4 33. The District issued NOV P81667 to Respondent on or about July 30, 2026, alleging
5 violations of District Rule 402 and HSC section 41700.

6 34. The Parties have stipulated to submitting the NOVs issued by South Coast AQMD to
7 Respondent from July 12, 2026 through July 30, 2026 as exhibits and entering them into evidence.
8 The NOVs are included as Exhibit 4 to the Joint Stipulation as to Proposed Hearing Documents.

9 **Odor Mitigation Measures Implemented at the Facility**

10 35. Prior to this Hearing, Respondent has taken measures to mitigate odors during the
11 cleanup process and adopted an Odor Management Plan, included as Exhibit 2 to the Joint Stipulation
12 as to Proposed Hearing Documents.

13 36. Following issuance of numerous consecutive NOVs citing public nuisance for odors,
14 South Coast AQMD sent a demand letter, dated July 17, 2026, requiring Respondent to implement
15 additional odor reduction measures. The July 17 Demand Letter is included as Exhibit 3 to the Joint
16 Stipulation as to Proposed Hearing Documents.

17 37. On July 21, 2026, South Coast AQMD filed a Petition for an Order for Abatement
18 with this Hearing Board.

19 38. The Parties have filed a Stipulated Proposed Findings & Decision and Order,
20 including over 80 conditions imposed on Respondent.

21 39. South Coast AQMD continues to receive public complaints of odors and issue Notices
22 of Violation.

23 **CONCLUSION**

24 40. This Order for Abatement is not intended to be, nor will it act as, a variance. Nothing
25 herein, however, shall be deemed or construed to limit the authority of the District to issue Notices
26 of Violation, to seek civil penalties or injunctive relief, or to other administrative or legal relief for
27 violation of District rules. The Findings of Fact are based on evidence presented by Petitioner and
28 Respondent as of the date hereof.

41. The issuance of the 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, the District contends that it would not be without a corresponding benefit in reducing air contaminants.

42. Issuance of this Order for Abatement, upon a fully noticed hearing, will not constitute a taking of property without due process of law.

ORDER

Therefore, in reliance on the evidence presented, the aforesaid statements and good cause appearing, Respondent is hereby ordered to comply with the following conditions:

Control of Odorous Waste

1. Respondent shall not transport or store material from Freezer 1 on or through the Freezer 2 Concrete Pad area, and shall not load Freezer 1 material on Indiana Street.

2. Respondent shall remove and transport out waste from the site as expeditiously and safely as feasible. Respondent shall remove no less than the equivalent of ten (10) percent of the initial 88 million pounds of estimated food waste from the site each calendar week (Monday through Sunday). Food waste shall include comingled paper and plastic waste, but shall not include shelving or structural materials.

3. Respondent shall report to South Coast AQMD by email to Daniel Woo (dwoo@aqmd.gov), Jason Aspell (jaspell@aqmd.gov), and Angela Shibata (ashibata@aqmd.gov), the following information at the specified frequency:

- a. Amount of food waste removed from Freezer 1 each calendar day reported by 4:00 PM of the subsequent day;
- b. Amount of food waste removed from the site each calendar week reported by 4:00 PM each Monday for the prior calendar week; and,
- c. Amount of structural or other non-food waste removed from Freezer 1 each calendar week reported by 4:00 PM each Monday for the prior calendar week.

Daily reports for Friday and Saturday shall be due by 4:00 PM on Monday. If the Monday falls on a holiday, then any report due on Monday will be due the following business day.

1 4. Once all food waste has been removed from Freezer 1 and South Coast AQMD
2 confirms that Respondent has satisfied the requirements of Condition 27 to power wash, clean, and
3 disinfect the interior of the Freezer 1 Enclosure as defined by Condition 23, steel shelving and
4 other structural materials may be removed from the site through other means than the loading dock,
5 including along Indiana Street.

6 5. Respondent shall immediately apply odor encapsulant material via appropriate spray
7 or hydroseeding equipment to all waste that is moved out of Freezer 1 and is not actively
8 undergoing movement, separation, and/or loading.

9 6. Prior to or via the odor encapsulant material application described in Condition 5,
10 Respondent shall apply odor neutralizer to the odorous waste material to ensure that odors are
11 neutralized while they are encapsulated to further reduce odor migration.

12 7. Respondent shall incorporate routine odor surveillance and visual inspection of
13 the encapsulant material at least once per day to determine the condition of the
14 encapsulant material. If cracks, separation, or other degradation of the encapsulant material
15 is identified, additional encapsulant material or other vapor barrier material shall be applied to
16 the degraded areas of encapsulant material as soon as possible, but no later than one (1) hour after
17 identification of degradation to mitigate odor migration.

18 8. As encapsulated waste material is excavated for removal, Respondent shall
19 encapsulate material on top of the remaining exposed waste material when excavation or removal
20 has ceased for the day.

21 9. Respondent shall maintain a supply of odor encapsulant material and appropriate
22 application equipment on-site to readily apply odor encapsulant material as required by these
23 conditions.

24 10. Respondent shall maintain a log of odor encapsulant or vapor barrier material
25 application and inspections. The log shall be made available to South Coast AQMD personnel upon
26 request.

27 ///

28 ///

1 *Loading of Roll-Off Bins and Trucks*

2 11. Food waste from Freezer 1 shall be loaded into roll-off bins and trucks through the
3 south loading dock.

4 12. Respondent shall continue to maximize live loading of waste trucks to reduce odor
5 generation at the waste staging area in accordance with the Odor Management Plan V1.2, dated
6 July 12, 2026 ("OMP").

7 13. Respondent shall continue to line roll-off bins to prevent spillage onto pads and
8 streets in accordance with the OMP.

9 14. Respondent shall apply odor neutralizer prior to and during waste loading, including
10 during excavation of waste material.

11 15. Respondent shall minimize drop height of waste material from the loader bucket to
12 the truck or roll-off bins. Respondent shall ensure that drop height is no higher than three (3) feet.

13 16. Respondent shall load trucks and roll-off bins as close to the loading dock or waste
14 staging area as safely and reasonably as feasible.

15 17. Respondent shall cover with a solid cover and seal any loaded truck that will be
16 sitting at or near the property for eight (8) or more hours.

17 18. Once food waste from Freezer 1 is loaded into a roll-off bin, Respondent shall
18 immediately seal the container in accordance with the hazmat requirements of the Department of
19 Transportation and the National Transportation Safety Board. Roll-off bins shall also be sealed if
20 there is any pause in loading activities for more than thirty (30) minutes.

21 19. All burned debris and any waste material from Freezer 2 loaded into trucks shall be
22 covered with a minimum of 2-inch foam barrier and tarping.

23 20. All loaded trucks must be covered with the foam barrier within five (5) minutes of
24 completed loading.

25 21. All loaded roll-off bins shall be tightly covered with no leaks within thirty (30)
26 minutes of completed loading.

27 22. No loaded truck shall remain idle on the premises for more than twelve (12)
28 consecutive hours before it is transported to the proper disposal site.

1 *Measures Specific to Freezer 1 Enclosure*

2 23. Respondent shall immediately install plastic sheeting from the north to the south
3 along the demising wall to provide a barrier that will improve collection efficiency of odors
4 utilizing air pollution control equipment and mitigate the migration of odors through the openings
5 on the east side from Freezer 1, provided such installation can be accomplished without
6 compromising safety or the structural integrity of the building (the "Freezer 1 Enclosure").

7 24. Respondent shall only transport materials from Freezer 1 through the openings for
8 ingress and egress of personnel and vehicles to the south loading dock. If the openings are
9 expanded, Respondent shall notify South Coast AQMD by email to Daniel Woo
10 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) as soon as practicable.

11 25. Respondent shall immediately install additional granular activated carbon ("GAC")
12 units on Freezer 1 Enclosure and any additional air pollution control equipment to maintain
13 negative pressure on the south side of Freezer 1.

14 26. After the plastic sheeting is installed along the demising wall in accordance with
15 Condition 23 to form part of the Freezer 1 Enclosure, Respondent shall:

- 16 a. Inspect at least daily the plastic sheeting or any damage or wear and tear; and
17 b. Repair and/or replace any damage or wear and tear within 72 hours of
18 discovery.

19 27. Negative pressure shall be maintained in Freezer 1 until all food waste is removed and
20 Respondent power washes, cleans, and disinfects the interior of the Freezer 1 Enclosure. Respondent
21 shall notify South Coast AQMD via email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata
22 (ashibata@aqmd.gov) once all solid waste from Freezer 1 has been removed and Freezer 1 Enclosure
23 has been washed and disinfected.

24 28. Respondent shall install and maintain differential pressure gauges, on at least three
25 different walls, to continuously monitor and record the differential pressure. Except for areas of
26 ingress and egress, areas of positive differential pressure shall be sealed to the maximum extent
27 safely possible, provided such work does not interfere with safe and efficient waste removal.

1 Respondent shall monitor and record the differential pressure readings at a frequency of no less
2 than twice daily.

3 29. Except during passage of vehicles and personnel, Respondent shall maintain inward
4 air flow into Freezer 1 at openings used for ingress and egress.

5 30. Respondent shall conduct smoke tests during daytime high temperatures within
6 fourteen (14) calendar days of this Hearing. Respondent shall notify at least seven (7) calendar days
7 prior to the scheduled smoke test by email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata
8 (ashibata@aqmd.gov) to allow South Coast AQMD personnel to observe the test. Video recording
9 of the smoke tests shall be conducted and shall be submitted to Daniel Woo (dwoo@aqmd.gov)
10 and Angela Shibata (ashibata@aqmd.gov) within four (4) calendar days of the test completion. Any
11 areas indicating smoke migration from Freezer 1 Enclosure shall be sealed to the maximum extent
12 safely possible, provided such work does not interfere with safe and efficient waste removal and
13 allows for ingress and egress.

14 31. Until a permit to operate a GAC unit has been issued specifying monitoring
15 requirements, Respondent shall measure the concentration of VOC and ammonia, using an
16 approved instrument, at the inlet and outlet of all granular activated carbon (GAC) units at least
17 once every 8 hours to ensure proper control of captured emissions. All monitoring results shall be
18 documented and maintained in a daily log and shall be made available to South Coast AQMD upon
19 request.

20 32. Until a permit to operate a GAC unit has been issued specifying alternative criteria
21 for replacing GAC adsorbent media, Respondent shall replace GAC adsorbent media in each unit
22 once every seven (7) calendar days, or sooner if odors are detected from the exhaust. Records of
23 media replacement date, identification of which GAC unit's media was replaced, media
24 replacement quantity, and media specification shall be maintained and made available to South
25 Coast AQMD upon request.

26 33. Respondent shall immediately shut down GAC units showing initial signs of
27 breakthrough of odors and shall replace the spent media within three (3) hours of shut down.
28

1 34. Respondent shall maintain standby GAC units and adsorbent media either at a
2 readily accessible off-site storage location or on-site to accommodate timely GAC unit or adsorbent
3 media replacement to prevent and limit GAC breakthrough conditions.

4 35. Respondent shall conduct sampling at the inlet and outlet of the GAC units for
5 speciated total organic compounds and ammonia using a South Coast AQMD-approved method.
6 Sample analysis shall be conducted by an independent laboratory per South Coast AQMD Rule 304
7 and by U.S. EPA Method TO-15, U.S. EPA Method TO-3, or other method approved in writing by
8 South Coast AQMD. Sampling shall be conducted within five (5) calendar days of this Hearing and
9 at least once every seven (7) calendar days after initial sampling, but no sooner than three (3)
10 calendar days after media was replaced. Results of the analysis shall be submitted to Daniel Woo
11 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) within two (2) calendar days of the
12 sampling date.

13 36. Respondent shall monitor all GAC units daily for accumulation of condensate inside
14 the GAC units to ensure the condensate does not impede air flow. Respondent shall visually monitor
15 daily for any leaks of condensate from the units. If leaks are detected, Respondent shall immediately
16 shut down the GAC unit and shall replace the spent media and repair the leak within three (3) hours
17 of shut down.

18 37. Respondent shall maintain exhaust stacks of the GAC units in the fully opened and
19 upright position during operation.

20 38. Respondent shall maintain all access points containing carbon in the GAC units closed
21 during operation, during vacuum removal, or replacement of the carbon. This does not include access
22 to the blower or other areas not housing carbon. Respondent shall maintain and store used carbon in
23 sealed, leakproof containers.

24 39. No food waste shall sit on the loading dock for more than 30 minutes before
25 loading.

26 40. Respondent shall install plastic sheeting along the north side of the loading dock
27 where Freezer 2 was previously located to provide a wind barrier.
28

41. Respondent shall submit permit applications and all associated fees for three (3) additional GAC units for Freezer 1 Enclosure. Permit applications shall be submitted within five (5) calendar days from the date of this Hearing.

Measures Specific to Freezer 2

42. Respondent shall wrap damaged portion of the building as specified in the OMP.

43. Respondent shall conduct daily inspections of wrapping as specified in the OMP. Respondent shall repair and/or replace any damage or wear and tear within 12 hours of discovery.

44. Respondent shall provide sufficient space for the ingress and egress of equipment, material and workers. Plastic sheeting is not required for the portion of the building where Freezer 2 material is being actively being worked on.

45. Respondent shall maintain the plastic sheeting currently in place on the north side of Freezer 1 and Freezer 2 along Union Pacific Avenue and the northeast corner of Union Pacific Avenue to Indiana Street to ensure a wind barrier for traveling odors. If the plastic sheeting must be removed due to safety concerns, Respondent shall notify South Coast AQMD as soon as practicable and provide an explanation for the removal.

46. If prior to the Hearing Respondent has moved any waste or debris from Freezer 1 to Freezer 2 Concrete Pad, Respondent shall immediately apply odor encapsulant material via appropriate spray or hydroseeding equipment to all waste and debris relocated to Freezer 2 that is not undergoing active material movement, segregation, stabilization, and/or loading.

47. Upon removal of all solid waste from Freezer 2, Respondent shall power wash, clean, and disinfect the concrete flooring. Respondent shall notify South Coast AQMD via email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) once all solid waste from Freezer 2 has been removed and the floor has been disinfected.

48. Food waste removed from Freezer 1 shall not be stored on Freezer 2 Concrete Pad or transported through Freezer 2 Concrete Pad.

Odor-Neutralizing Misting

49. Respondent shall continue to implement the odor-neutralizing mist system around

1 the perimeter of the building and fenceline in accordance with the OMP.

2 50. Respondent shall immediately install and operate the odor-neutralizing mist system
3 at the open areas of the demising wall between Freezers 1 and 2.

4 *Wind Break*

5 51. By no later than seven (7) calendar days from the date of this Hearing, Respondent
6 shall submit an air monitoring station plan for District review and approval to measure the wind
7 tunnel effect(s) on Indiana Street.

8 52. By no later than five (5) calendar days after District approval of the plan submitted
9 pursuant to Condition 51, Respondent shall install a wind monitoring station(s) at a location in
10 consultation with South Coast AQMD.

11 53. If the wall on Union Pacific Avenue located on the north side of Freezer 2 Concrete
12 Pad is removed, Respondent shall install a new windbreak wall within 24 hours. If Freezer 1 does
13 not contain food waste, the wall shall be at least half as tall as the original wall and extend from
14 Freezer 1 to the southwest corner of Indiana Street and Union Pacific Avenue.

15 *Housekeeping and Runoff*

16 54. Respondent shall continue daily washing of two onsite locations using cleaner or
17 bleach solution to wash runoff that has seeped from the building into the onsite drainage system in
18 accordance with the OMP. The washing shall occur in two locations:

- 19 a. On the loading dock on the south side of the building; and
20 b. On parking lot along the west side of the building

21 55. Respondent shall immediately implement daily washing of any area with runoff.

22 56. Respondent shall immediately implement daily washing of any loading areas outside
23 of the building as well as any equipment operated in the building that will remain outside of the
24 building.

25 57. Respondent shall inspect the waste staging area at least twice per calendar day to
26 ensure:

- 27 a. Roll-off bins or trucks are kept tightly covered when not being loaded;
28 b. Roll-off bins or trucks are not leaking materials onto the pad or street; and

1 c. Roll-off bins or trucks are removed from the site in a timely manner in
2 accordance with Condition 22.

3 58. Respondent shall operate and maintain the site so as to prevent liquids from waste or
4 clean-up materials to pool or pond, which may become a source of odors. If pooling or ponding
5 occurs, safety permitting, the liquid shall be immediately collected and contained in a sealed
6 storage tank or tanker truck that minimizes emissions, or Respondent shall implement repairs or
7 corrective actions to direct the liquids into the drainage or collection system without pooling or
8 ponding.

9 59. Respondent shall empty and wash drains used to collect any runoff at least once
10 daily.

11 60. Respondent shall immediately commence daily mobile wet scrubber sweeping from
12 the building to at least one quarter mile out from any street(s) where loaded materials are being
13 transported or out to the first major street from the building, whichever is further. This requirement
14 includes the section of Indiana Street adjacent to Freezer 2.

15 61. When feasible, Respondent shall use power washing for all cleaning.

16 62. Respondent shall comply with all applicable provisions of Rule 403 – Fugitive Dust.

17 63. Respondent shall install, maintain, and operate a PM monitor adjacent to the Freezer
18 2 Concrete Pad on Indiana Street (“downwind PM monitor”) and an upwind PM monitor to
19 continuously monitor PM10 emissions from the site during cleanup activities.

20 64. Respondent shall notify the South Coast AQMD within 24 hours of discovery if the
21 difference between the downwind and upwind PM monitors exceeds 25 micrograms PM10 per
22 cubic meter. Respondent shall notify and provide monitoring data to South Coast AQMD via email
23 to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov).

24 65. Respondent shall maintain a log of the daily washing, inspection of waste staging
25 area(s), mobile wet scrubber sweeping operations, and all other housekeeping measures. The log
26 shall be made available to South Coast AQMD personnel upon request.

27 *Signage*

28 66. Respondent shall immediately install at least nine (9) signs stating, “TO REPORT

1 AIR QUALITY ISSUES SUCH AS ODORS, DUST, OR SMOKE FROM THIS FACILITY,
2 CALL THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT 1-800-CUT-
3 SMOG”.

- 4 a. Three signs shall be placed on the north side of the building on Union Pacific
5 Ave:
 - 6 i. One sign 10 feet from Los Palos Street.;
 - 7 ii. One sign 10 feet from Indiana Street; and
 - 8 iii. One sign at midpoint between the two signs.
- 9 b. One sign shall be placed on Indiana Street (east) side no more than 10 feet from
10 corner of structure at Union Pacific Avenue.
- 11 c. Two signs shall be placed on Los Palos Street (west) fence:
 - 12 i. One within twenty feet of Union Pacific Avenue; and
 - 13 ii. One within 10 feet of south entrance at Los Palos Street
- 14 d. Three signs shall be placed on south fence on Noakes Street:
 - 15 i. One sign 10 feet from Los Palos Street;
 - 16 ii. One sign 10 feet from Indiana Street; and
 - 17 iii. One sign at midpoint between the two signs.
- 18 e. Each sign shall measure at least sixteen (16) square feet, and the lettering
19 must be at least 4 inches tall with text contrasting with the sign background.
- 20 f. The lower edge of each sign shall be located between six (6) and eight (8)
21 feet above grade; and
- 22 g. Each sign shall be unobstructed and clearly visible to a person outside the
23 facility property.

24 67. The sign language in Condition 66 shall be placed on the Lineage Fire Response
25 website at <https://www.onelineage.com/boyle-heights-fire-response>. The lettering shall be at least
26 13.5 point font on the top half of the front page.

27 *Community Communication Plan*

28 68. Respondent shall develop a plan to communicate to the public the status and

1 anticipated activities that provides:

- 2 a. Regular truck routes; and
- 3 b. Updates on new activities that have the potential to cause a significant
- 4 increase in odors; and
- 5 c. Email and phone contact information of a representative for Respondent for
- 6 community members to receive updates on the Community Communication
- 7 Plan or to alert to any issues, as per Condition 69.

8 69. Respondent shall develop a notification system within five (5) calendar days of this
9 Hearing for public members to enroll for email or text message notification of any event covered
10 by the Community Communication Plan. The plan in Condition 68 shall be submitted by email to
11 Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) within five (5) calendar
12 days of this Hearing.

13 70. Respondent shall notify South Coast AQMD via email to Daniel Woo
14 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and the community via the
15 notification system by 4:00 PM each day of the subsequent day of the percent completion of food
16 waste material from Freezer 1 and approximate volume in gallons of wastewater stored onsite.

17 71. Respondent shall immediately notify South Coast AQMD via email to Daniel Woo
18 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and the community via the
19 notification system if any of the fenceline or community air monitoring systems are removed or if
20 frequency of measurements is significantly altered.

21 72. Respondent shall notify South Coast AQMD via email to Daniel Woo
22 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and the community via the
23 notification system if any of the following occurs:

- 24 a. Opening or removal of plastic covering on Union Pacific or Indiana Street;
- 25 b. Major changes to building structure, including accidental collapse or and any
- 26 modifications or demolition of the demising wall; or
- 27 c. Significant spills of odorous materials or wastewater onsite or during
- 28 transport.

1 If feasible, advanced notice shall be provided.

2 *Wastewater System*

3 73. Respondent shall provide South Coast AQMD a detailed plan within five (5)
4 calendar days of this Hearing on the wastewater collection and storage system, locations of
5 potential emissions where wastewater is open to air, products and compounds added to the
6 wastewater, and lab analysis of wastewater tanks.

7 74. Respondent shall provide Rule 219 permit exemption within five (5) calendar days
8 of this Hearing for wastewater tanks or submit permit applications for tanks to South Coast
9 AQMD, as appropriate.

10 75. Respondent shall include truck loading activities of sludge and/or wastewater in
11 the Odor Management Plan.

12 76. Respondent shall keep all vessels containing wastewater closed, sealed, or vented to
13 air pollution control equipment. Air pollution control equipment and odor mitigation strategies
14 shall be evaluated according to the OMP for identified sources of wastewater odors.

15 77. Respondent shall submit permit applications and all associated fees for wastewater
16 tanks and any associated air pollution control equipment, unless permit exemption is provided.
17 Permit applications shall be submitted within five (5) calendar days from the date of this Hearing.

18 *Recordkeeping*

19 78. Respondent shall maintain all records during any work stoppage due to air
20 contaminants concentrations inside or outside of buildings as required by OSHA or another agency.
21 These records should include, at minimum, the date, time, duration of the work stoppage event, an
22 explanation of the circumstances prompting the work stoppage and under which agency (i.e.,
23 OSHA) the work stoppage was required, an explanation in the change of the circumstances for
24 when work resumed, any measurements of air contaminants the date and time the measurements
25 were conducted, and location of where measurements are conducted. Respondent shall provide
26 records to South Coast AQMD upon request.

27 79. Respondent shall submit a weekly written report on the site's operations, progress
28 and status of the waste removal (including an estimate of when food waste removal will be

complete), progress and status of the implementation of the conditions required by this Order, and all written records required by this Order. The initial weekly report shall be submitted by email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) by 5pm, Monday, August 10th. Subsequent weekly reports shall be submitted by email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) by 5pm of the following Monday.

Interagency Coordination

80. Equipment, operations, and cleanup efforts at the Facility are subject to the jurisdiction and regulatory requirements of multiple agencies, including but not limited to South Coast AQMD, Los Angeles County Public Works, Los Angeles County Department of Public Health, Los Angeles Department of Building and Safety, Los Angeles Fire Department, Certified Unified Program Agency, CalOSHA, and CalOES. The conditions in this Order shall not in any way restrict or expand the scope of jurisdiction of any agency. If any agency that shares jurisdiction over the Facility with the South Coast AQMD requires Respondent to take any action that is inconsistent with this Order, Respondent shall immediately contact the South Coast AQMD by email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and describe the inconsistent provisions, including providing any written directive from any other agency which Respondent considers inconsistent with one or more conditions in this Order. Respondent shall endeavor to resolve the inconsistency with the South Coast AQMD, while adhering to the condition(s) in the Order. If the inconsistency is not resolved within three (3) working days of the relevant agency's order, Respondent shall immediately inform the South Coast AQMD and shall petition for a status/modification hearing before the Hearing Board for further proceedings. At such proceeding, only the provision in dispute shall be resolved by the Hearing Board while the other conditions in this Order shall remain in full force and effect. If Respondent notifies South Coast AQMD that the inconsistency with one or more condition(s) and an order of another agency cannot be resolved, compliance with the applicable condition(s) of this Order shall be waived until further Order of the Hearing Board. Notwithstanding the above, in no instance shall compliance with this condition be waived.

General Administrative

1 81. Unless otherwise specified, all conditions are effective immediately.

2 82. Should compliance with any condition be deemed infeasible, impracticable, or
3 otherwise unachievable due to safety, health, change in circumstances, or significant delay in the
4 cleanup process, Respondent shall immediately notify South Coast AQMD by email to Daniel Woo
5 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) identifying, at minimum, which
6 condition(s) cannot be complied with, reasons for noncompliance, and any efforts to achieve
7 compliance or alternatives proposed in lieu of compliance. If the noncompliance cannot be resolved
8 within 24 hours, Respondent shall immediately inform the South Coast AQMD and shall petition
9 for a status/modification hearing before the Hearing Board for further proceedings. At such
10 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the other
11 conditions in this Order shall remain in full force and effect.

12 83. Upon presentation of appropriate credentials, Respondent shall allow District
13 personnel or authorized representatives to enter and inspect the premises, have access to records,
14 and take samples, with the understanding that all records identified or marked “confidential” and/or
15 “trade secret” (or any similar term or phrase) by the Respondent shall be handled as confidential
16 records pursuant to the California Public Records Act. During inspection or sampling, Respondent
17 shall not alter normal business operations or equipment to suppress emissions for the purpose of
18 evading detection or concealing emissions during inspection, monitoring or testing. Respondent
19 shall ensure that District personnel or authorized representative may enter and inspect the premises
20 within 30 minutes of arrival to the facility.

21 84. The Parties shall appear before the Hearing Board for a status hearing [within 60 days
22 of the Hearing].

23 85. The Hearing Board may modify the Order for Abatement without the stipulation of
24 the parties upon a showing of good cause, therefore, and upon making the findings required by
25 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the Order
26 shall be made only at a public hearing held upon ten (10) days published notice and appropriate
27 written notice to Respondent.

28

1 86. Petitioner shall notify the Clerk of the Board in writing when final compliance has
2 been achieved.

3 87. The Hearing Board shall retain jurisdiction over this matter until April 1, 2027 or
4 until Respondent has fully complied with the terms of this Order, whichever occurs sooner unless
5 this Order is amended and modified.

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FOR THE BOARD: _____

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DATED: _____

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