

OFFICE OF THE GENERAL COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
NICHOLAS A. SANCHEZ, SBN 207998
Assistant Chief Deputy Counsel
JOSEPHINE LEE, SBN 308439
Principal Deputy District Counsel
GRACE M. LEBLANC, SBN 360180
Deputy District Counsel I
21865 Copley Drive
Diamond Bar, California 91765
Tel.: 909-396-3400 • Fax: 909-396-2961
Email: nsanchez@aqmd.gov; jlee4@aqmd.gov; gleblanc@aqmd.gov

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

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

vs.

LINEAGE LOGISTICS PFS, LLC,

[Facility ID No. 202700]

Respondent.

Case No. 6293-1

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

Date: August 5 and 6, 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 and 6, 2026, pursuant to notice in accordance with the provisions of California Health and Safety Code sections 40823 and 42451(b). The following members of the Hearing Board were present: Robert Pearman, Vice-Chair (Acting Chair); Cynthia Verdugo Peralta; Mohan Balagopalan; Dr. Jerry P. Abraham, MD, MPH, CMQ; and ~~Steven Samaniego~~Robert Copeland. Petitioner South Coast Air Quality Management District (“Petitioner” or “South Coast AQMD”) was represented by Josephine Lee, Principal Deputy

1 District Counsel, and Grace LeBlanc, Deputy District Counsel I. Respondent Lineage Logistics PFS,
2 LLC (“Respondent” or “Lineage”) was represented by Kevin Poloncarz, Esq. of Covington &
3 Burling LLP. The public was given the opportunity to testify, evidence was received, and the matter
4 was submitted. The Hearing Board finds 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-District have-has~~ filed a ~~Stipulated~~-Proposed Findings & Decision and
20 Order, including over ~~80-90~~ 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.

1 4. Once all food waste has been removed from Freezer 1 Enclosure as defined by
2 Condition 23 and South Coast AQMD confirms that Respondent has satisfied the requirements of
3 Condition 27 to power wash, clean, and disinfect the interior of the Freezer 1 Enclosure, steel
4 shelving and other structural materials may be removed from the site through other means than the
5 loading dock, 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 Enclosure as defined by
8 Condition 23 and is not actively 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 ~~##~~

Loading of Roll-Off Bins and Trucks

11. Food waste from Freezer 1 Enclosure as defined by Condition 23 shall be loaded into roll-off bins and trucks through the south loading dock.

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

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

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

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

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

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

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

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

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

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

22. No loaded truck or roll-off bin shall remain idle on the premises for more than twelve (12) 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 forming an enclosure that will improve collection
4 efficiency of odors utilizing air pollution control equipment and mitigate the migration of odors
5 through the openings on the east side of Freezer 1, provided such installation can be accomplished
6 without compromising safety or the structural integrity of the building (the “Freezer 1 Enclosure”).

7 24. Respondent shall only transport materials from Freezer 1 Enclosure through the
8 openings for ingress and egress of personnel and vehicles to the south loading dock. If the openings
9 are 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 or relocate existing granular
12 activated carbon (“GAC”) units on Freezer 1 Enclosure and any additional air pollution control
13 equipment as necessary to maintain negative pressure on the openings of Freezer 1 Enclosure,
14 including the openings to the south loading dock and any openings created for inward air flow per
15 Condition 31.

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

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

21 Any openings created for inward air flow per Condition 31 do not constitute damage or wear and
22 tear.

23 27. Negative pressure shall be maintained in Freezer 1 Enclosure until all food waste is
24 removed and Respondent power washes, cleans, and disinfects the interior of the Freezer 1 Enclosure.
25 Respondent shall notify South Coast AQMD via email to Daniel Woo (dwoo@aqmd.gov) and
26 Angela Shibata (ashibata@aqmd.gov) once all solid waste from Freezer 1 Enclosure has been
27 removed and Freezer 1 Enclosure has been washed and disinfected. Respondent shall complete, to
28 the District’s satisfaction, power washing, cleaning, and disinfecting the interior of the Freezer 1

1 Enclosure to ensure elimination of odors within the community within seven (7) calendar days of
2 removing all food waste. Respondent shall notify District by email to Daniel Woo
3 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) to allow South Coast AQMD
4 personnel to allow District to confirm completion of this condition to the District's satisfaction.

5 28. Respondent shall install and maintain differential pressure gauges, on at least three
6 different walls, to continuously monitor and record the differential pressure. Except for areas of
7 ingress and egress, areas of positive differential pressure shall be sealed to the maximum extent
8 safely possible, provided such work does not interfere with safe and efficient waste removal.
9 Respondent shall monitor and record the differential pressure readings at a frequency of no less
10 than twice daily.

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

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

22 31. Any additional opening to the Freezer 1 Enclosure shall demonstrate inward air
23 flow per Condition 32.

24 32. Within 24 hours of adding a new opening pursuant to Condition 31, Respondent
25 shall conduct a smoke test at the new opening to demonstrate inward air flow. Respondent shall
26 also do the following:
27
28

- a. Notify South Coast AQMD personnel prior to making any new openings in the Freezer 1 Enclosure if feasible, but no later than 24 hours after the opening is created; and
- b. Conduct video recordings of the smoke tests and submit video recordings within 48 hours of test completion.

Notifications and recordings shall be sent to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov).

33. No new openings shall be made within 150 feet of the northern end of Freezer 1 Enclosure (25% of the freezer length).

34. Respondent may create a new opening between 75 and 150 feet of the northern end of Freezer 1 provided the respondent notifies South Coast AQMD personnel Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) prior to creating the opening and the Respondent provides information to:

- a. Substantiate that there is a safety or health issue in Freezer 1 Enclosure that will result in a measurable delay in the cleanup process such as work stoppage or inability to achieve the rate of waste removal specified in Condition 2; and
- b. Demonstrate that alternatives such as relocating existing GAC units, modifying existing GAC units to increase capacity, and/or adding GAC units to create improved localized negative pressure have been assessed and/or implemented and the Respondent determined that these alternatives have been deemed infeasible, impracticable, or will result in a measurable delay in the cleanup process.

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

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

7 37. Respondent shall immediately shut down GAC units showing initial signs of
8 breakthrough of odors and shall replace the spent media within three (3) hours of shut down.

9 38. Respondent shall maintain standby GAC units and adsorbent media either at a
10 readily accessible off-site storage location or on-site to accommodate timely GAC unit or adsorbent
11 media replacement to prevent and limit GAC breakthrough conditions.

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

21 40. Respondent shall monitor all GAC units daily for accumulation of condensate inside
22 the GAC units to ensure the condensate does not impede air flow. Respondent shall visually monitor
23 daily for any leaks of condensate from the units. If leaks are detected, Respondent shall immediately
24 shut down the GAC unit and shall replace the spent media and repair the leak within three (3) hours
25 of shut down.

26 41. Respondent shall maintain exhaust stacks of the GAC units in the fully opened and
27 upright position during operation.
28

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

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

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

45. 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

46. If prior to the Hearing Respondent has moved any waste or debris from Freezer 1 Enclosure 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 Enclosure 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 the perimeter of the building and fenceline in accordance with the OMP.

50. Respondent shall immediately install and operate the odor-neutralizing mist system at any openings added to the Freezer 1 Enclosure.

1 *Wind Break*

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

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

8 53. Within 24 hours of the Hearing, Respondent shall install a replacement partition on
9 the north side of Freezer 2 Concrete Pad along Union Pacific Avenue. If Freezer 1 is enclosed
10 pursuant to Condition 23 and vented to air pollution control, the partition shall be no less than 15
11 feet tall with a windscreen that extends from Freezer 1 Enclosure to the southwest corner of Indiana
12 Street and Union Pacific Avenue.

13 *Housekeeping and Runoff*

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

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

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

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

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

- 25 a. Roll-off bins or trucks are kept tightly covered when not being loaded;
26 b. Roll-off bins or trucks are not leaking materials onto the pad or street; and
27 c. Roll-off bins or trucks are removed from the site in a timely manner in
28 accordance with Condition 22.

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

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

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

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

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

15 63. Respondent shall install, maintain, and operate a PM monitor adjacent to the Freezer
16 2 Concrete Pad on Indiana Street (“downwind PM monitor”) and an upwind PM monitor to
17 continuously monitor PM10 emissions from the site during cleanup activities.

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

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

25 *Signage*

26 66. Respondent shall immediately install at least nine (9) signs stating, “TO REPORT
27 AIR QUALITY ISSUES SUCH AS ODORS, DUST, OR SMOKE FROM THIS FACILITY,
28 CALL THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT 1-800-CUT-

SMOG”.

- a. Three signs shall be placed on the north side of the building on Union Pacific Ave:
 - i. One sign 10 feet from Los Palos Street.;
 - ii. One sign 10 feet from Indiana Street; and
 - iii. One sign at midpoint between the two signs.
- b. One sign shall be placed on Indiana Street (east) side no more than 10 feet from corner of structure at Union Pacific Avenue.
- c. Two signs shall be placed on Los Palos Street (west) fence:
 - i. One within twenty feet of Union Pacific Avenue; and
 - ii. One within 10 feet of south entrance at Los Palos Street
- d. Three signs shall be placed on south fence on Noakes Street:
 - i. One sign 10 feet from Los Palos Street;
 - ii. One sign 10 feet from Indiana Street; and
 - iii. One sign at midpoint between the two signs.
- e. Each sign shall measure at least sixteen (16) square feet, and the lettering must be at least 4 inches tall with text contrasting with the sign background.
- f. The lower edge of each sign shall be located between six (6) and eight (8) feet above grade; and
- g. Each sign shall be unobstructed and clearly visible to a person outside the facility property.
- g-h. Each sign shall also be accompanied by an equal-sized sign with the same information provided in Spanish.

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

Community Communication Plan

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. Representatives shall be
- 8 available to communicate in English and in Spanish.

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

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

19 71. Respondent shall immediately notify South Coast AQMD via email to Daniel Woo
20 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and the community via the
21 notification system if any of the fenceline or community air monitoring systems are removed or if
22 frequency of measurements is significantly altered. The notifications shall be sent out in English
23 and in Spanish.

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

- 27 a. Opening or removal of plastic covering on Union Pacific or Indiana Street;

1 a.b. Any elevated readings on fenceline monitoring required per Condition 84
2 that exceed any state or federal health threshold;

3 b.c. Major changes to building structure, including accidental collapse ~~and/or~~ or
4 ~~and~~ any modifications or demolition of the demising wall; or

5 e.d. Significant spills of odorous materials or wastewater onsite or during
6 transport.

7 If feasible, advanced notice shall be provided. The notifications shall be sent out in English and in
8 Spanish.

9 73. Respondent shall provide direct notification of significant cleanup activities with the
10 potential to increase odors to the following sensitive receptors within a 3-mile radius: childcare
11 facilities, senior care facilities, healthcare facilities, school districts, and schools as defined in
12 District Rule 1466

13 74. If Respondent has not completed the food waste removal per the expedited timeline
14 set forth in Condition 2, Respondent shall initiate weekly meetings with the public to provide
15 updates on the cleanup process, discuss fenceline monitoring results per Condition 84 and 72(b),
16 and provide an opportunity for public comment. The meeting shall be held in the evening to
17 maximize community participation. Live Spanish translation shall be provided.

18 *Wastewater System*

19 73.75. Respondent shall provide South Coast AQMD a detailed plan within five (5)
20 calendar days of this Hearing on the wastewater collection and storage system, locations of
21 potential emissions where wastewater is open to air, products and compounds added to the
22 wastewater, and lab analysis of wastewater tanks.

23 74.76. Respondent shall provide Rule 219 permit exemption within five (5) calendar days
24 of this Hearing for wastewater tanks or submit permit applications for tanks to South Coast
25 AQMD, as appropriate.

26 75.77. Respondent shall include truck loading activities of sludge and/or wastewater in
27 the Odor Management Plan.

1 ~~76.78.~~ Respondent shall keep all vessels containing wastewater closed, sealed, or vented to
2 air pollution control equipment. Air pollution control equipment and odor mitigation strategies
3 shall be evaluated according to the OMP for identified sources of wastewater odors.

4 ~~77.79.~~ Respondent shall submit permit applications and all associated fees for wastewater
5 tanks and any associated air pollution control equipment, unless permit exemption is provided.
6 Permit applications shall be submitted within five (5) calendar days from the date of this Hearing.

7 *Recordkeeping*

8 ~~78.80.~~ Respondent shall maintain all records during any work stoppage due to air
9 contaminants concentrations inside or outside of buildings as required by OSHA or another agency.
10 These records should include, at minimum, the date, time, duration of the work stoppage event, an
11 explanation of the circumstances prompting the work stoppage and under which agency (i.e.,
12 OSHA) the work stoppage was required, an explanation in the change of the circumstances for
13 when work resumed, any measurements of air contaminants the date and time the measurements
14 were conducted, and location of where measurements are conducted. Respondent shall provide
15 records to South Coast AQMD upon request.

16 ~~79.81.~~ Respondent shall submit a weekly written report on the site's operations, progress
17 and status of the waste removal (including an estimate of when food waste removal will be
18 complete), progress and status of the implementation of the conditions required by this Order, and
19 all written records required by this Order. The initial weekly report shall be submitted by email to
20 Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) by 5pm, Monday,
21 August 10th. Subsequent weekly reports shall be submitted by email to Daniel Woo
22 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) by 5pm of the following Monday.

23 *Interagency Coordination*

24 ~~80.82.~~ Equipment, operations, and cleanup efforts at the Facility are subject to the
25 jurisdiction and regulatory requirements of multiple agencies, including but not limited to South
26 Coast AQMD, Los Angeles County Public Works, Los Angeles County Department of Public
27 Health, Los Angeles Department of Building and Safety, Los Angeles Fire Department, Certified
28 Unified Program Agency, CalOSHA, and CalOES. The conditions in this Order shall not in any

1 way restrict or expand the scope of jurisdiction of any agency. If any agency that shares jurisdiction
2 over the Facility with the South Coast AQMD requires Respondent to take any action that is
3 inconsistent with this Order, Respondent shall immediately contact the South Coast AQMD by
4 email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) and describe
5 the inconsistent provisions, including providing any written directive from any other agency which
6 Respondent considers inconsistent with one or more conditions in this Order. Respondent shall
7 endeavor to resolve the inconsistency with the South Coast AQMD, while adhering to the
8 condition(s) in the Order. If the inconsistency is not resolved within three (3) working days of the
9 relevant agency's order, Respondent shall immediately inform the South Coast AQMD and shall
10 petition for a status/modification hearing before the Hearing Board for further proceedings. At such
11 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the other
12 conditions in this Order shall remain in full force and effect.

13 If Respondent notifies South Coast AQMD that the inconsistency with one or more condition(s)
14 and an order of another agency cannot be resolved, compliance with the applicable condition(s) of
15 this Order shall be waived until further Order of the Hearing Board. Notwithstanding the above, in
16 no instance shall compliance with this condition be waived.

17 Noise

18 83. Respondent shall implement reasonable operational practices to minimize
19 unnecessary noise impacts from cleanup activities during nighttime and early morning hours,
20 consistent with applicable laws.

21 Fenceline Monitoring

22 84. No less than five (5) calendar days from this Hearing, Respondent shall implement
23 fenceline monitoring at no fewer than three (3) fenceline locations, including at a minimum one
24 location of Los Palos Street and also one location on Indiana Street nearest the residential
25 neighborhood. The fenceline monitors shall continuously monitor, at minimum, ammonia, VOCs,
26 mercaptans, and PM2.5 with acceptable detection levels for short-term health thresholds, and also
27 include daily 24-hour time-integrated sampling and analysis using EPA TO15 for gaseous air
28 toxics, 24-hour time integrated samples for AQMD 307-91 method for sulfur compounds, and air

1 toxics metals measurements, all with one day (24 hour) turnaround times for
2 analysis. Additionally, formaldehyde measurements should be conducted twice daily at these sites
3 with an MDL of 30 ppb or lower.

4 85. The fenceline monitoring data pursuant to Condition 84 shall be made available to
5 the public in real-time (where applicable) through an online dashboard, and available in English
6 and Spanish.

7 86. Respondent shall provide all raw data from its fenceline monitoring pursuant to
8 Condition 84 by email to Daniel Woo (dwoo@aqmd.gov) and Angela Shibata
9 (ashibata@aqmd.gov) by 4:00 PM each day of the subsequent day.

10 *General Administrative*

11 81.87. Unless otherwise specified, all conditions are effective immediately.

12 82.88. Should compliance with any condition be deemed infeasible, impracticable, or
13 otherwise unachievable due to safety, health, change in circumstances, or significant delay in the
14 cleanup process, Respondent shall immediately notify South Coast AQMD by email to Daniel Woo
15 (dwoo@aqmd.gov) and Angela Shibata (ashibata@aqmd.gov) identifying, at minimum, which
16 condition(s) cannot be complied with, reasons for noncompliance, and any efforts to achieve
17 compliance or alternatives proposed in lieu of compliance. If the noncompliance cannot be resolved
18 within 24 hours, Respondent shall immediately inform the South Coast AQMD and shall petition
19 for a status/modification hearing before the Hearing Board for further proceedings. At such
20 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the other
21 conditions in this Order shall remain in full force and effect.

22 83.89. Upon presentation of appropriate credentials, Respondent shall allow District
23 personnel or authorized representatives to enter and inspect the premises, have access to records,
24 and take samples, with the understanding that all records identified or marked “confidential” and/or
25 “trade secret” (or any similar term or phrase) by the Respondent shall be handled as confidential
26 records pursuant to the California Public Records Act. During inspection or sampling, Respondent
27 shall not alter normal business operations or equipment to suppress emissions for the purpose of
28 evading detection or concealing emissions during inspection, monitoring or testing. Respondent

1 shall ensure that District personnel or authorized representative may enter and inspect the premises
2 within 30 minutes of arrival to the facility.

3 ~~84.90. If Respondent has not completed the food waste removal per the expedited timeline~~
4 ~~set forth in Condition 2, Respondent shall immediately inform the South Coast AQMD and shall~~
5 ~~petition for a status/modification hearing before the Hearing Board for further proceedings. The~~
6 ~~Parties shall appear before the Hearing Board for a status hearing [within 60 days of the Hearing].~~

7 85.91. The Hearing Board may modify the Order for Abatement without the stipulation of
8 the parties upon a showing of good cause, therefore, and upon making the findings required by
9 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the Order
10 shall be made only at a public hearing held upon ten (10) days published notice and appropriate
11 written notice to Respondent.

12 86.92. Petitioner shall notify the Clerk of the Board in writing when final compliance has
13 been achieved.

14 87.93. The Hearing Board shall retain jurisdiction over this matter until April 1, 2027 or
15 until Respondent has fully complied with the terms of this Order, whichever occurs sooner unless
16 this Order is amended and modified.

17
18
19 **FOR THE BOARD:** _____
20

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22 **DATED:** _____
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