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**BEFORE THE HEARING BOARD OF THE**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

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| **In The Matter Of**<br><br>SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT,<br><br>Petitioner,<br><br>vs.<br><br>GREEN GEN LA LLC<br>[Facility ID No. 192014]<br><br>Respondent. | Case No. 6300-1<br><br>**[PROPOSED] FINDINGS AND DECISION FOR A STIPULATED ORDER FOR ABATEMENT**<br><br>~~South Coast AQMD~~District Rule 218<br><br>Date: November 18, 2026<br>Time: 9:30 am<br>Place: Hearing Board<br>South Coast Air Quality Management District<br>21865 Copley Drive<br>Diamond Bar, CA 91765 |

**[PROPOSED] FINDINGS AND DECISION OF THE HEARING BOARD**

This Petition for a Stipulated Order for Abatement was heard on November 18, 2026, pursuant to notice in accordance with the provisions of California Health and Safety Code §§ 40823, 42451(a), and District Rule 812. The following members of the Hearing Board were present: Micah Ali, Chair; Jerry P. Abraham, MD MP CMQ; Mohan Balagopalan; Adrienne Konigar-Macklin, Esq., Alternate; and Cynthia Verdugo-Peralta. ~~Robert Pearman, Vice Chair; Cynthia Verdugo-Peralta, Dr. Jerry Abraham MD, MPH, CMQ, and Mohan Balagopalan~~. Petitioner, South Coast Air Quality Management District (South Coast AQMD) on behalf of the Executive Officer, was represented by Nathan Wong, Deputy District Counsel I, who did not

appear. Respondent, Green Gen LA LLC (hereinafter referred to as "Respondent" or "Green Gen"), represented by Michael Mazur, founder and Principal Engineer, did not appear.

The parties stipulated to the issuance of this order and have filed with the Hearing Board a Joint Stipulation to place the matter on the Consent Calendar of the Hearing Board. The parties filed with the Hearing Board the Declarations of Daniel Rosas (~~District~~ South Coast AQMD) Inspector), Huy Anh Ngoc Le (~~District~~ South Coast AQMD Engineer), and Michael Mazur. The Parties stipulated that the declarations could be submitted into evidence. The parties also submitted a proposed Findings and Decision of the Hearing Board.

The public was given the opportunity to testify, evidence was received, and the matter was submitted. The Hearing Board finds and decides as follows:

**FINDINGS OF FACT**

1. Petitioner is a body corporate and politic established and existing pursuant to California Health and Safety Code §§ 40000, *et seq.* and §§ 40400, *et seq.*, and is the sole and exclusive local agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

2. Respondent operates a facility ("Facility") that converts landfill gas into energy at the Toyon Canyon Landfill. The Facility is located at 5050 Mt. Hollywood Drive, Los Angeles, 90027, within South Coast AQMD's jurisdiction and is subject to South Coast AQMD rules.

3. As a part of its business, and relevant to this Order for Abatement, Respondent operates a permitted internal combustion engine (ICE) fueled by landfill gas to drive an electric generator. This ICE was permitted in January 2021 under Permit to Operate (P/O) G64172.

4. Condition 15 of P/O G64172 requires that a CEMS be installed, maintained, operated, and comply with all Rule 218 requirements when the ICE is in operation.

**Rule 218**

5. **District Rule 218 – Continuous Emission Monitoring** was adopted in January 1976, and was last amended in March 2021. **District Rule 218** establishes application, approval, and operational requirements for continuous emission monitoring systems (CEMS).

6. **Rule 218(c)(1)(A)** requires that prior to installation of a new CEMS, a facility must submit an application for approval and obtain District certification.

7. On or around January 22, 2026, a District inspector arrived at Respondent's Facility to conduct an equipment list inspection. During the inspection, the inspector observed the ICE in operation with a documented start date of July 1, 2022.

8. The inspector observed Respondent operating a NOx analyzer with the ICE, monitoring NOx emissions. However, Respondent was unable to provide any documents pertaining to a CEMS application or certification. The inspector reviewed District records and found no documents pertaining to a CEMS application or certification.

9. The District determined that Green Gen had violated Rule 218(c)(1)(A) for operating its ICE without a District certified CEMS.

10. On April 14, 2026, the District issued NOV P68897 to Respondent, alleging a violation of Rule 218(c)(1)(A).

11. On June 5, 2026, Respondent submitted a CEMS application to the District.

12. On October 13, 2026, Respondent submitted a revision to their CEMS application.

13. On October 20, 2026, the District issued its initial approval of Respondent's proposed CEMS. However, initial approval merely recommends that an applicant's proposed CEMS can be installed and tested to ensure compliance with District specifications. Respondent will need additional time to install and certify their proposed CEMS to ensure compliance with their permit conditions. Following installation, Respondent must submit a certification test protocol for District review and approval and complete certification testing to demonstrate that the proposed CEMS meets applicable performance requirements. Once the CEMS undergoes certification testing, Respondent must submit a certification test report for District review. Final certification is subject to the District's determination that the CEMS meets all applicable requirements.

14. To date, Respondent's CEMS is not installed and has not been tested. Therefore, Green Gen's CEMS has not been certified despite the ongoing use of its ICE.

15. Respondent has agreed to stipulate to the issuance of this Order for Abatement pursuant

to California Health and Safety Code section 42451(b). Respondent further states that it can comply with the conditions set forth below.

**CONCLUSION**

16. The parties have stipulated to issuance of this Order for Abatement pursuant to California Health and Safety Code section 42451(b).

17. There is Good Cause to grant this Order for Abatement as Stipulated by the Parties.

18. This Order for Abatement is not intended to be, nor will it act as, a variance.

19. Nothing herein shall be deemed or construed to limit the authority of the District to issue Notices of Violation, to seek civil penalties or injunctive relief, or other administrative or legal relief for violation of District rules. The Findings of Fact are based on evidence and stipulations presented by Petitioner and Respondent as of the date hereof.

20. The issuance of an Order for Abatement upon a fully noticed hearing would not constitute a taking of property without due process of law.

21. The issuance of the prayed for Order for Abatement is not expected to result in the closing or elimination of an otherwise lawful business, but if it does result in such closure or elimination, it would not be without a corresponding benefit in reducing air contaminants.

22. The Hearing Board may modify the Order for Abatement without the stipulation of the parties upon a showing of good cause, therefore, and upon making the findings required by Health and Safety Code Section 42451(a) and South Coast AQMD Rule 805(a). Any modification of the Order shall be made only at a public hearing to be held upon 10 days' published notice and appropriate written notice to Respondent.

**ORDER AND CONDITIONS**

THEREFORE, based on the aforesaid Facts, Conclusion, as well as all evidence and testimony received, and good cause appearing, the Hearing Board hereby orders Respondent to cease and desist violating South Coast AQMD Rule 218 or in the alternative, comply with the conditions set forth below. ~~this Board orders Respondent to~~:

1. Respondent shall submit its certification testing protocol to the District for approval (Huy Le, hle1@aqmd.gov, with a carbon copy to Daniel Rosas, drosas@aqmd.gov, and Nathan Wong, nwong3@aqmd.gov) by no later than December 11, 2026. Respondent will apply for expedited testing protocol review by completing and submitting Expedited Review Form 222-XST. Respondent shall provide any additional information requested by South Coast AQMD in writing to evaluate the testing protocol within three (3) business days (excluding weekends and federally observed holidays).

2. Respondent shall complete installation of its proposed CEMS unit by no later than January 5, 2027. Respondent shall notify the District (Huy Le, hle1@aqmd.gov, Daniel Rosas, drosas@aqmd.gov, and Nathan Wong, nwong3@aqmd.gov) when installation is complete within five (5) business days. Respondent shall complete all certification tests required under District Rule 1110.2 by no later than February 17, 2027, 120 calendar days after initial approval of the CEMS application.

3. Respondent shall submit certification reports to the District (Huy Le, hle1@aqmd.gov, with a carbon copy to Daniel Rosas, drosas@aqmd.gov, and Nathan Wong, nwong3@aqmd.gov) by no later than thirty (30) calendar days after certification tests are completed.

4. If Respondent anticipates that any of the compliance dates in Condition Nos. 1, 2, or 3 will not be met, Respondent shall provide a written explanation to the District (Huy Le, hle1@aqmd.gov, Daniel Rosas, drosas@aqmd.gov, and Nathan Wong, nwong3@aqmd.gov) as to why compliance is beyond its control as soon as it is feasible. This condition does not excuse noncompliance with Condition Nos. 1, 2, or 3 and does not constitute mitigating circumstances.

5. Until Respondent has completed Rule 218 certification testing of the CEMS, Respondent shall conduct monthly source tests of its engine to continue to demonstrate compliance with the applicable NOx emissions limit of 11 ppmv corrected at 15% oxygen, averaged over a one-hour fixed interval basis. Source testing and subsequent reporting will be conducted under the following conditions:

a. Respondent shall use the existing approved protocol for NOx testing purposes only. Following that protocol, Respondent's source tests shall be performed as follows: minimum loads at 15 minutes, medium loads at 15 minutes, and full loads at 60 minutes.

b. Respondent shall apply for expedited source test review by completing Expedited Review Form 222-XST. Monthly source testing shall be conducted within the first ten (10) days of each month, beginning on December 1, 2026.

c. Respondent shall notify the District at least seven (7) calendar days before each monthly NOx source test.

d. Respondent shall submit each monthly source test report to the District for expedited review within forty-five (45) calendar days after completion of the test.

e. For the month of the CEMS certification test, a passing Relative Accuracy Test Audit will be considered sufficient to satisfy the monthly source testing requirement.

6. Condition 5 shall expire upon issuance of a final CEMS certification letter.

7. The District will notify the Clerk of the ~~Hearing~~ Board in writing once the CEMS application is complete and final compliance with these conditions is achieved.

8. The Hearing Board shall retain jurisdiction until Respondent has fully complied with the terms of this Order and achieved compliance.

**Commented [JC1]:** CARB requires an end date and it is also needed for the Minute Order.

BOARD MEMBER: _____

DATED: _____

Reviewed by Michael Mazur, Founder and Principal Engineer of Green Gen LA LLC.

Prepared by Nathan Wong, Deputy District Counsel for South Coast Air Quality Management District.