

James Chavez

From: Mohan Balagopalan
Sent: Friday, June 12, 2026 11:53 AM
To: Clerk of Board
Subject: Re: Verizon Variance - Proposed Findings and Order (6.8.26)

Hi,
Yes, to Consent Hearing based on the revisions. Thanks.

Mohan Balagopalan

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From: Clerk of Board <Front_PC@aqmd.gov>
Sent: Friday, 12 June 2026 11:44:30
To: Mohan Balagopalan <mbalagopalan@aqmd.gov>
Subject: FW: Verizon Variance - Proposed Findings and Order (6.8.26)

From: Rothman, Rick R. <rick.rothman@morganlewis.com>
Sent: Friday, June 12, 2026 11:09 AM
To: Clerk of Board <Front_PC@aqmd.gov>
Cc: Daphne Hsu <dhsu@aqmd.gov>; zachary.d.feingold@verizon.net
Subject: [EXTERNAL] RE: Verizon Variance - Proposed Findings and Order (6.8.26)

Thank you.

Please see below for responses to Mr. Balagopalan's questions provided in red.

Hi,
I have a number of issues with this request as it presented.

1. There is reference to the Ex-Parte Emergency Variance request in the proposed Findings and Decision Document but that was not attached. I looked it up on FIND and it was signed on **5/21/2026**. Also, on FIND the proposed conditions was not uploaded. **The Ex-Parte, Interim and Regular Variance request is attached hereto.**
2. It does not state in the Petition or on the Proposed F&D document, why an application for the same engine was submitted on March 13, 2026, Application No. 666776. Again on FIND, it appears that the previous Permit F45895 is inactive with the status Inactive_NR. My recollection is that this happens when the Annual Operating fees are not paid and the permit is not reinstated within the year it expires.

A. When did the previous permit became inactive_NR? What changes are being implement so that it does occur again? **It is our understanding that the previous permit may have been canceled as early as May of 2023 and the Petitioner has hired a third-party consultant to assist in implementing a permit tracking program to avoid future occurrences.**

B. I assume that that new Application 666776 was submitted as Operating without a permit and the higher fee was paid and has a temporary permit to operate pursuant to Rule 202 (c). Is this assumption correct? **The assumption is correct.**

C. The description of the ICE in previous permit, F45895, as well as the declaration of Mr. Zach Feingold states that the ICE operates on propane. The description on FIND states it operates on natural gas (the engineer may have selected the wrong equipment code during pre-screening). Or does have dual fuel capability? **The ICE operates on propane. We have confirmed that it does not operate on natural gas.**

3. My understanding is that the basis for the limit of 200 hours a year comes from Rule 1304 (a) (4) and the Interim Variance request should be from this Rule 1304(a)(4) and not from Condition #4 of Previous **Inactive** Permit F45895. This is in addition to Rule 203(b) as stated. **We have updated the Proposed Findings and Decision document to reflect this.**
4. The end date of the Interim Variance starts 90 days from when the Ex-Parte request was granted (5/21/26) and that would be August 19, 2026 or when the noticed Regular Variance is held before this date. The F&D states September 14, 2026. This should be corrected. **This has been corrected in the updated Proposed Findings and Decision document.**
5. Since the engine has operated beyond 200 hours, Rule 118.1 is no longer applicable and the language in Condition #3 reference to PSPS hours should be removed from the proposed F&D document. **This has been deleted in the updated Proposed Findings and Decision document.**

I have no objections to hearing this case on Consent, if the changes identified above are made and clarified and a revised Proposed F&D document is submitted. Thanks.

In addition, I have attached a revised Proposed Findings and Decision document that reflects the changes requested by Mr. Balagopalan. I provided a copy of the revised document to Ms. Hsu and she confirmed that she has no objections to the revised version. In addition, we have attached a new timeline document that was prepared in response to the request from Ms. Verdugo-Peralta.

We appreciate your attention to this matter and please let me know if there is anything else we can provide to support the hearing of this interim variance on the consent calendar.

Rick

Rick R. Rothman

Morgan, Lewis & Bockius LLP

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From: Clerk of Board <Front_PC@aqmd.gov>

Sent: Thursday, June 11, 2026 7:14 AM

To: Rothman, Rick R. <rick.rothman@morganlewis.com>

Cc: Daphne Hsu <dhsu@aqmd.gov>; zachary.d.feingold@verizon.net

Subject: FW: Verizon Variance - Proposed Findings and Order (6.8.26)

[EXTERNAL EMAIL]

Please see below questions



Clerk of the Boards Office
South Coast Air Quality Management District
T: (909) 396-2500 | F: (909) 396-3317 | www.aqmd.gov
21865 Copley Drive, Diamond Bar, CA 91765

From: Mohan Balagopalan
Sent: Wednesday, June 10, 2026 7:33 PM
To: Clerk of Board <Front_PC@aqmd.gov>
Subject: Re: Verizon Variance - Proposed Findings and Order (6.8.26)

Hi,

I have a number of issues with this request as it presented.

1. There is reference to the Ex-Parte Emergency Variance request in the proposed Findings and Decision Document but that was not attached. I looked it up on FIND and it was signed on **5/21/2026**. Also, on FIND the proposed conditions was not uploaded.
2. It does not state in the Petition or on the Proposed F&D document, why an application for the same engine was submitted on March 13, 2026, Application No. 666776. Again on FIND, it appears that the previous Permit F45895 is inactive with the status Inactive_NR. My recollection is that this happens when the Annual Operating fees are not paid and the permit is not reinstated within the year it expires.
 - A. When did the previous permit became inactive_NR? What changes are being implement so that it does occur again?
 - B. I assume that that new Application 666776 was submitted as Operating without a permit and the higher fee was paid and has a temporary permit to operate pursuant to Rule 202 (c). Is this assumption correct?
 - C. The description of the ICE in previous permit, F45895, as well as the declaration of Mr. Zach Feingold states that the ICE operates on propane. The description on FIND states it operates on natural gas (the engineer may have selected the wrong equipment code during pre-screening). Or does have dual fuel capability?
3. My understanding is that the basis for the limit of 200 hours a year comes from Rule 1304 (a) (4) and the Interim Variance request should be from this Rule 1304(a)(4) and not from Condition #4 of Previous **Inactive** Permit F45895. This is in addition to Rule 203(b) as stated.
4. The end date of the Interim Variance starts 90 days from when the Ex-Parte request was granted (5/21/26) and that would be August 19, 2026 or when the noticed Regular Variance is held before this date. The F&D states September 14, 2026. This should be corrected.
5. Since the engine has operated beyond 200 hours, Rule 118.1 is no longer applicable and the language in Condition #3 reference to PSPS hours should be removed from the proposed F&D document.

I have no objections to hearing this case on Consent, if the changes identified above are made and clarified and a revised Proposed F&D document is submitted. Thanks.

Mohan Balagopalan

From: Clerk of Board <Front_PC@aqmd.gov>
Sent: Wednesday, June 10, 2026 1:01 PM
To: Clerk of Board <Front_PC@aqmd.gov>
Subject: FW: Verizon Variance - Proposed Findings and Order (6.8.26)

From: Rothman, Rick R. <rick.rothman@morganlewis.com>
Sent: Wednesday, June 10, 2026 12:36 PM
To: Clerk of Board <ClerkofBoard@aqmd.gov>
Cc: Daphne Hsu <dhsu@aqmd.gov>; Feingold, Zachary <zachary.d.feingold@verizon.com>
Subject: [EXTERNAL] Verizon Variance - Proposed Findings and Order (6.8.26)

Dear Clerk of the Board,

Attached please find a signed stipulation with respect to Verizon's petition for an interim variance in Case No. 6139-10 wherein the Petitioner and the District agree to have the matter placed on the Hearing Board's Consent Calendar. In addition, attached please find the Declaration of Zach Feingold in support of the stipulation and variance petition along with a proposed Findings and Order for the Hearing Board's convenience.

Please let me know if you have any questions or if there is anything additional you need from Petitioner on this matter.

Thank you for handling these variance filings. I will call later this afternoon just to confirm this was received and that everything is in order.

Rick

Rick R. Rothman

Morgan, Lewis & Bockius LLP

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