

1 BEFORE THE HEARING BOARD  
2 OF THE  
3 BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
4 STATE OF CALIFORNIA

4 AIR POLLUTION CONTROL OFFICER of )  
5 the BAY AREA AIR QUALITY )  
6 MANAGEMENT DISTRICT )

Docket No.: 3746

NOTICE OF HEARING

6 Complainant,

7 vs.

8 MARTIN MARIETTA MATERIALS, INC. )

9 Respondent.



10 **TO: Air Pollution Control Officer of the Bay Area Air Quality Management District**

11 **AND**

12 **MARTIN MARIETTA MATERIALS, INC.**

13  
14 **YOU ARE HEREBY NOTIFIED** that a hearing will be held before the Hearing Board of the  
15 Bay Area Air Quality Management District (“District”) at **375 Beale Street, 1<sup>st</sup> Floor Board**  
16 **Room, San Francisco, California, 94105, at the hour of 9:30 A.M. on**  
17 **TUESDAY, April 16, 2024**

18 upon the issues raised in the Accusation of Violation of Regulation 2-1-302, filed on October 3,  
19 2023.

20 The Hearing Board members are required to attend in person, but the parties and members of the  
21 public may participate in/observe the hearing through live webcasts of the hearings or via phone (669)  
22 900-6833. Interested members of the public will be allowed an opportunity to testify on this matter.  
23 The file may be reviewed by contacting the Clerk of the Boards, Marcy Hiratzka, at 415.749.5073,  
24 or [mhiratzka@baaqmd.gov](mailto:mhiratzka@baaqmd.gov). The hearing date and time may be changed without further published  
25 notice. Those participating by phone who would like to make a comment can use the “raise hand”  
26 feature by dialing “\*9”. To receive the full Zoom experience, please make sure your application is up  
27 to date. **Individuals representing the parties will receive special links to the hearing at a later**  
28 **date, if they wish to participate via Zoom.**

1 You may be, but need not be, represented by counsel. You may present any relevant evidence  
2 and will be given full opportunity to cross-examine all testifying witnesses. You are entitled to the  
3 issuance of subpoenas to compel the attendance of witnesses and the production of books, documents,  
4 and other things by applying to the Clerk of the Boards.

5 The proceedings of the hearing will be electronically recorded, copies of which will be made  
6 available to the parties upon request and payment of records duplication fees. Should either party  
7 desire the services of a court reporter, with the cost to be borne by the requesting party, please contact  
8 the Clerk of the Boards as soon as possible and, in any event, no later than forty-eight (48) hours prior  
9 to the date of the hearing.

10 **If either party determines that a continuance is necessary, a written request, including**  
11 **specific reasons for the request, should be made to the Clerk of the Boards at least seventy-two**  
12 **(72) hours prior to the hearing date, pursuant to Hearing Board Rules § 6.16.**

13 The hearing will be conducted in accordance with the Hearing Board Rules to the extent  
14 feasible, available via the District website at [http://www.baaqmd.gov/about-the-air-district/hearing-](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms)  
15 [board/rulesforms](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms), or by contacting the Clerk of the Boards at 415.749.5073.

16  
17 DATED: February 15, 2024



18 \_\_\_\_\_  
19 Marcy Hiratzka  
20 Clerk of the Boards

21 Facility Location:

22 Pier 92 at 480 Amador Street in San Francisco, California 94124 (San Francisco County)  
23  
24  
25  
26  
27  
28

1 BEFORE THE HEARING BOARD  
2 OF THE  
3 BAY AREA AIR QUALITY MANAGEMENT DISTRICT

4 AIR POLLUTION CONTROL OFFICER of )  
5 the BAY AREA AIR QUALITY )  
6 MANAGEMENT DISTRICT )

7 Complainant,

8 vs.

9 MARTIN MARIETTA MATERIALS, INC. )

10 Respondent. )

Docket No.: 3746

CERTIFICATE OF SERVICE



11 STATE OF CALIFORNIA )  
12 City and County of San Francisco )

ss.

13 I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:  
14 That I am a citizen of the United States, over the age of eighteen years and not a party to the  
15 above-entitled action; that I served a true copy of the attached **Notice of Hearing** on:

16 Shannon Broome, Esq. Hunton Andrews Kurth LLP 575 Market Street, Ste. 3700 San Francisco, CA 94105 <a href="mailto:SBroome@hunton.com">SBroome@hunton.com</a>	17 Martin Stratte, Esq. Martin Marietta Materials, Inc. 4123 Parklake Avenue Raleigh, NC 27612 <a href="mailto:Martin.Stratte@martinmarietta.com">Martin.Stratte@martinmarietta.com</a>
18 David Beaupre <a href="mailto:david.beaupre@sfport.com">david.beaupre@sfport.com</a>	19 Elizabeth Gunther <a href="mailto:EGunther@huntonak.com">EGunther@huntonak.com</a>
20 Annette Mathai Jackson <a href="mailto:Annette.MathaiJackson@sfcityatty.org">Annette.MathaiJackson@sfcityatty.org</a>	Justin Bigelow <a href="mailto:justin.bigelow@sfcityatty.org">justin.bigelow@sfcityatty.org</a>

21 by depositing same via email and in the United States certified mail, return receipt requested,  
22 on February 15, 2024 and on:

23 Anne Baptiste, Esq., Assistant Counsel  
24 Bay Area Air Quality Management District  
[abaptiste@baaqmd.gov](mailto:abaptiste@baaqmd.gov)

25 via email February 15, 2024

26 DATED: February 15, 2024

27  
28 Marcy Hiratzka  
Clerk of the Boards