

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

4 In the Matter of the Application of  
5 BERKELEY LANDFILL  
6 Regulation 8, Rule 34, Section 301.1;  
7 Regulation 8, Rule 34, Section 113.2; and  
8 Permit to Operate #1826, Part 3

) Docket No.: 3741

) NOTICE OF HEARING



9  
10 **TO: Air Pollution Control Officer of the Bay Area Air Quality Management District**

11 **AND**

12 **BERKELEY LANDFILL**

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

16 ~~**TUESDAY, June 27, 2023 – Interim Variance Hearing**~~

Note from Clerk: As of 6/21/23, the Interim Variance Hearing was canceled. The August 1 hearing will still occur.

17 ~~**And**~~

18 **TUESDAY, August 1, 2023 – Regular Variance Hearing**

19 upon the issues raised in the Application for Interim and Regular Variances, filed on June 6, 2023  
20 (Interim Variance Application received) and May 30, 2023 (Regular Variance Application  
21 received).

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

1 sure your application is up to date. **Individuals representing the parties will receive special links**  
2 **to the hearings at a later date, if they wish to participate via Zoom.**

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

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

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

16 The hearings will be conducted in accordance with the Hearing Board Rules to the extent  
17 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)  
18 [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.

19  
20 DATED: June 7, 2023

  
\_\_\_\_\_  
Marcy Hiratzka  
Clerk of the Boards

21  
22  
23 Facility Location:  
24 11 Spinnaker Way, Berkeley, CA 94710 (Alameda County)

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Regulation 8, Rule 34, Section 301.1;  
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Docket No.: 3741  
CERTIFICATE OF SERVICE



STATE OF CALIFORNIA )  
City and County of San Francisco ) ss.

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

Maria Bowen, Project Manager SCS Engineers 3900 Kilroy Airport Way, Suite 100 Long Beach, CA 90806 <a href="mailto:mbowen@scsengineers.com">mbowen@scsengineers.com</a>	Gabrielle Stephens <a href="mailto:gstephens@scsengineers.com">gstephens@scsengineers.com</a> (E-mail only)
Stephen Harquail <a href="mailto:SHarquail@scsengineers.com">SHarquail@scsengineers.com</a> (E-mail only)	Mary Skramstad <a href="mailto:MSkramstad@cityofberkeley.info">MSkramstad@cityofberkeley.info</a> (E-mail only)
Melissa St. John <a href="mailto:MStJohn@scsengineers.com">MStJohn@scsengineers.com</a> (E-mail only)	

by depositing same via email and in the United States certified mail, return receipt requested,  
on June 7, 2023 and on:

Joel Freid, Esq., Assistant Counsel  
Bay Area Air Quality Management District  
375 Beale Street, 6<sup>th</sup> Floor  
San Francisco, California 94105  
[jfreid@baaqmd.gov](mailto:jfreid@baaqmd.gov)

via email June 7, 2023  
DATED: June 7, 2023

\_\_\_\_\_  
Marcy Hiratzka  
Clerk of the Boards