

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



4
5 In the Matter of the APPEAL of)

6 TESLA, INC.)

7 From Denial of Permit Application 31706,)
8 Issued May 17, 2023)

9 Re: Tesla, Inc. Fremont Facility, No. 20459)
10 _____)

Docket No. 3742

NOTICE OF HEARINGS

11 **TO:**

12 **Air Pollution Control Officer of the Bay Area Air Quality Management District**

13 **AND**

14 **Tesla, Inc.**

15 **YOU ARE HEREBY NOTIFIED** that hearings will be held before the Hearing Board of the
16 Bay Area Air Quality Management District ("District"), at 375 Beale Street, 1st Floor Board
17 Room, San Francisco, California, 94105, at the hour of 9:30 a.m. on

18 **TUESDAY, AUGUST 8, 2023 – Pro Forma Hearing**

19 **AND**

20 **TUESDAY, SEPTEMBER 5, 2023 – Evidentiary Hearing**

21 upon the issues raised in the Appeal, filed June 20, 2023.

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, Clerk of
26 the Boards, at 415.749.5073, or mhiratzka@baaqmd.gov. The above hearing dates and times may
27 be changed without further published notice. Those participating by phone who would like to make
28 a comment can use the "raise hand" feature by dialing "*9". In order to receive the full Zoom

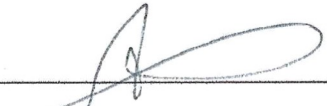
1 experience, please make sure your application is up to date. **Individuals representing the parties**
2 **will receive special links to the hearings at a later date, if they wish to participate via Zoom.**

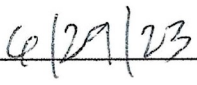
3 You may be, but need not be, represented by counsel. You may present any relevant
4 evidence and will be given full opportunity to cross-examine all testifying witnesses. You are
5 entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of
6 books, documents and 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
8 made available to the parties upon request and payment of records duplication fees. Should either
9 party desire the services of a court reporter, with the cost to be borne by the requesting party,
10 please contact the Clerk of the Boards as soon as possible and, in any event, no later than forty-
11 eight (48) hours prior 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**
14 **the Clerk of the Boards at least seventy-two (72) hours prior to the hearing dates, pursuant**
15 **to 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-](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms)
18 [district/hearing-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 
21 Marcy Hiratzka, Clerk of the Boards

22 
Date

22 Facility Location:

23 45500 Fremont Boulevard, Fremont, CA 94538 (Alameda County; Site No. 20459)

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA**

FILED

JUN 29 2023

HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

In the Matter of the APPEAL of)

TESLA, INC.)

From Denial of Permit Application 31706,
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Re: Tesla, Inc. Fremont Facility, No. 20459)

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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)

) ss.

City and County of San Francisco)

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:

Steve Hill, Esq.
stevehillesq@gmail.com

Josh Gubkin, Esq.,
Tesla Managing Counsel
901 Page Avenue
Fremont, CA 94538
jgubkin@tesla.com

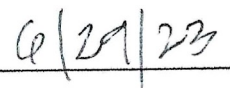
by depositing same in the U.S. certified mail, and via e-mail, on June 29, 2023; and on

Alexandra Kamel, Esq., Senior Assistant Counsel
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
akamel@baaqmd.gov

via e-mail, on June 29, 2023.



Marcy Hiratzka, Clerk of the Boards



Date