

BEFORE THE HEARING BOARD  
OF THE  
BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
STATE OF CALIFORNIA

In the Matter of the

AIR POLLUTION CONTROL OFFICER of  
the BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

Complainant,

Vs.

BERKELEY LANDFILL

Respondent.

Docket No.: 3747

NOTICE OF HEARING



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

**BERKELEY LANDFILL**

**YOU ARE HEREBY NOTIFIED** that a hearing will be held before the Hearing Board of the Bay Area Air Quality Management District ("District") at **375 Beale Street, 1<sup>st</sup> Floor YERBA BUENA ROOM, San Francisco, California, 94105, at the hour of 9:30 A.M.**

**TUESDAY, NOVEMBER 18, 2025**

upon the issues raised in the Accusation of Violation of Air District Regulation 8-34-301.1, filed on November 4, 2023, and subsequent Order of Abatement, filed and issued on February 16, 2024. The purpose of this hearing is for the Hearing Board to consider a stipulated motion for a second amendment, made by the City of Berkeley and the Air District, that would extend several of the abatement order (AO) compliance action condition deadlines in the original AO.

The Hearing Board members are required to attend in person. but the parties and members of the public may participate in/observe the hearing through the live webcast of the hearing, or via phone (669) 900-6833. Interested members of the public will be allowed an opportunity to testify on this matter. The file may be reviewed by contacting the Clerk of the Boards, Marcy Hiratzka, at 415.749.5073, or [mhiratzka@baaqmd.gov](mailto:mhiratzka@baaqmd.gov). The above hearing date and time may be changed without

1 further published notice. Those participating by phone who would like to make a comment can use  
2 the “raise hand” feature by dialing “\*9”. To receive the full Zoom experience, please make sure your  
3 application is up to date. **Individuals representing the parties will receive special links to the**  
4 **hearing at a later date, if they wish to participate via Zoom.**

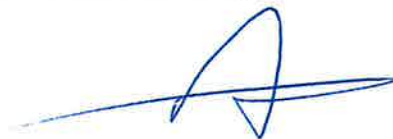
5 You may be, but need not be, represented by counsel. You may present any relevant evidence  
6 and will be given full opportunity to cross-examine all testifying witnesses. You are entitled to the  
7 issuance of subpoenas to compel the attendance of witnesses and the production of books, documents,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

9 The proceedings of the hearing will be electronically recorded, copies of which will be made  
10 available to the parties upon request and payment of records duplication fees. Should either party  
11 desire the services of a court reporter, with the cost to be borne by the requesting party, please contact  
12 the Clerk of the Boards as soon as possible and, in any event, no later than three (3) business days  
13 prior to the date of the hearing.

14 **A request for a continuance of a scheduled matter must be received by the Clerk no less**  
15 **than four (4) business days prior to the scheduled hearing. If the request is filed with less notice,**  
16 **good cause must be shown why it could not have been filed four business days prior to the**  
17 **hearing, pursuant to Hearing Board Rule § 15.13(c).**

18 The hearing will be conducted in accordance with the Hearing Board Rules to the extent  
19 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)  
20 [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.

21  
22 DATED: October 7, 2025



23  
24 Marcy Hiratzka  
Clerk of the Boards

25 Facility Location:

26 11 Spinnaker Way, Berkeley, CA, 94710 (Alameda County)  
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Docket No.: 3747

AIR POLLUTION CONTROL OFFICER of  
the BAY AREA AIR QUALITY  
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CERTIFICATE OF SERVICE

Complainant,

vs.

BERKELEY LANDFILL

Respondent.



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 18 years and not a party to the above-  
entitled action; that I served a true copy of the attached **Notice of Hearing** on:

Marc Shapp, Deputy City Attorney  
City of Berkeley  
2180 Milvia St., Ste. 4  
Berkeley, CA, 94704  
[mshapp@berkeleyca.gov](mailto:mshapp@berkeleyca.gov)

via email on October 7, 2025 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 on October 7, 2025

DATED: October 7, 2025

A handwritten signature in blue ink, appearing to be "Marcy Hiratzka", written over a horizontal line.

Marcy Hiratzka  
Clerk of the Boards

