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8 *Bay Area Air Quality Management District*



9  
10 **BEFORE THE HEARING BOARD OF THE**  
11 **BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
12 **STATE OF CALIFORNIA**

13  
14 In the Matter of the  
AIR POLLUTION CONTROL OFFICER of the  
15 BAY AREA AIR QUALITY MANAGEMENT  
DISTRICT

16 **Petitioner,**

17 vs.

18 INTERNATIONAL DISPOSAL CORP. OF  
19 CALIFORNIA and BROWNINGFERRIS  
INDUSTRIES OF CALIFORNIA INC., a/k/a  
20 Newby Island Resource Recovery Park,

21 **Respondents.**

22  
23 Re: Newby Island Resource Recovery Park  
24 [Facility ID No. 9013]

Docket No. **3772**  
**PETITION AND REQUEST FOR A  
CONDITIONAL ORDER FOR  
ABATEMENT**

25  
26 Pursuant to Sections 42451 and 42452 of the California Health and Safety Code, Petitioner  
27 the Air Pollution Control Officer of the Bay Area Air Quality Management District (the "Air  
28 District") requests that the Hearing Board issue a Conditional Order for Abatement directed to

1 International Disposal Corp. of California and Browning-Ferris Industries of California Inc. to  
2 enjoin further violations of Air District regulations and emission standards that aim to achieve  
3 healthy air quality across the San Francisco Bay Area and protect Bay Area residents from any  
4 known or anticipated health effects caused by air pollution.

### 5 INTRODUCTION

6 1. Newby Island Resource Recovery Park (“Newby”) is a one-stop shop for waste  
7 management and recycling services. Tucked into the southernmost region of the San Francisco Bay  
8 Area, Newby is a 352-acre park in Santa Clara County that encompasses a state-of-the-art  
9 composting facility, an automated Materials Recovery Facility that processes a wide array of  
10 recyclable materials, and one of the largest active landfills in California. Across these three  
11 operations, Newby processes approximately 2.1 million tons of municipal solid waste, yard and  
12 food scraps (“green waste”), and recyclables each year. Newby’s landfilling and recycling  
13 operations are also a source of hazardous and odorous air pollution that adversely affects local air  
14 quality and endangers the public health and welfare.

15 2. Over the last decade, the Air District has cited Newby nearly five dozen times for  
16 routinely disobeying air quality rules and emission standards. The bulk of Newby’s violations  
17 occur at the landfill. Decomposing waste in the landfill produces “landfill gas” that is primarily  
18 composed of methane—a powerful heat-trapping air pollutant that accelerates global warming.  
19 Landfill gas also includes smaller amounts of more than 100 different hazardous air pollutants that  
20 endanger human health. By law, Newby must collect and treat the gas the landfill generates, but  
21 due to various recurring lapses, vast amounts of raw landfill gas escape into the atmosphere.

22 3. Newby’s operations are also the prevailing source of odors befouling South Bay  
23 cities like Milpitas, San Jose, and Fremont. In the last five years, the Air District has received more  
24 than 1,400 complaints from residents alleging an overwhelming and persistent stench of “rotting,  
25 sour waste” emanating from the facility. Newby’s odor pollution is not merely a sensory  
26 annoyance; daily exposure to these unpleasant smells diminishes South Bay residents’ quality of  
27 life, causing headaches, nausea, and other ailments and impeding their freedom to enjoy outdoor  
28 activities.





1 collectors, and 2 flares. Based on existing waste levels at the landfill, Newby’s gas collection  
2 system currently manages roughly 2.6 billion cubic feet of landfill gas.

3 14. Newby’s Materials Recovery Facility (“MRF”) is a specialized recycling plant that  
4 handles more than 400,000 tons of waste and recyclables each year. It is a five-story building that  
5 is 80,000 square feet (the size of nearly two football fields) with four high-speed conveyor lines  
6 (measuring 1.5 miles), automated sorting technology with magnetic separators for metals and  
7 optical scanners for plastics. This technology allows the MRF to sort 1,600 tons per day of material  
8 that is separated into three categories: commercial and residential green waste that is diverted to the  
9 composting facility; municipal solid waste that is routed to the landfill; and recyclable materials like  
10 paper, glass, plastics, aluminum cans, wood, and other materials that are repurposed and sold.

11 15. Newby’s composting facility occupies 18 acres in the southwest quadrant of the  
12 landfill and processes up to 700 tons per day of green waste that is converted into organic compost  
13 and sold.

14 16. Newby’s landfilling and recycling operations generate air emissions that the Air  
15 District regulates under two legally binding air permits. The first is a Permit to Operate that  
16 establishes enforceable conditions and emissions standards for equipment used at facilities that are  
17 subject to the Air District’s jurisdiction and rules. The second is a Title V permit issued under the  
18 federal Clean Air Act that consolidates all the federal, state, and local requirements and emission  
19 standards that apply to large-scale facilities that emit significant quantities of regulated air  
20 pollutants.

21 17. The Air District is responsible for enforcing the requirements and emission standards  
22 in Newby’s air permits, which aim to prevent Newby’s landfill, MRF, and composting facility from  
23 interfering with the Air District’s attainment or maintenance of air quality standards in the Bay Area  
24 and creating unacceptable health risks for Bay Area communities.

25 **AIR QUALITY VIOLATIONS AT NEWBY**

26 In support of this request for a Conditional Order for Abatement, and upon information and  
27 belief, the Air District alleges the following:

28 18. Respondents have a documented history of failing to comply with Air District

1 regulations and permit conditions at Newby. The Air District has issued 53 Notices of Violations  
2 (“NOVs”) for ongoing and recurring noncompliance issues at Newby that violate air quality  
3 regulations and emission standards designed to protect community health and prevent  
4 environmental degradation. See Attachment 1. These NOVs, many of which document violations  
5 that transpired at Newby’s landfill, fall into the following seven categories:

- 6 • Operating the landfill without a gas collection system that is continuously running;
- 7 • Operating the landfill wells outside of the required limits for pressure, oxygen, and  
8 temperature;
- 9 • Operating the landfill’s emission control flares below their minimum temperature limits;
- 10 • Recurring hydrogen sulfide emission exceedances at the landfill;
- 11 • Operating the MRF without a permit from the Air District; and
- 12 • Generating odors that cause a public nuisance.

13 19. The violations at Newby increase air pollution and negatively affect the day-to-day  
14 experiences of residents living near the facility. For these reasons, the Hearing Board should grant  
15 the Air District’s request for a Conditional Order for Abatement that imposes remedial measures to  
16 address the violations at Newby and improve Respondents’ compliance with the requirements and  
17 emission standards in the facility’s permits and all other laws, regulations, and rules.

18 **I. Respondents failed to operate the landfill’s gas collection system and flares**  
19 **continuously.**

20 20. The gas collection system is essential to the proper operation and management of a  
21 landfill. It captures and controls hazardous air emissions produced by the waste in the landfill. To  
22 that end, the landfill gas collection systems must operate 24 hours per day, 7 days a week to extract  
23 and route landfill gas to the flares. See Rule 8-34-304.1; Permit Condition #10423, Parts 5(a) and  
24 6; 40 C.F.R. § 60.763(e), (f). Continuous operation of the gas collection system and flares is  
25 necessary to reduce greenhouse gas emissions and limit odors from the landfill.

26 21. The Air District issued 14 NOVs for 74 shutdowns of Newby’s gas collection system  
27 and flares. When the system and flares are down, the landfill continues to generate hazardous air  
28 emissions, but these emissions are no longer captured and destroyed. Instead, uncontrolled amounts  
of raw landfill gas are released into the environment. For instance, when Newby’s gas collection

1 system and flares shutdown for 30 hours and 22 minutes on May 1-2, 2022, the disruption generated  
2 485 pounds of hazardous air emissions in addition to methane and odorous pollutants.

3 22. These shutdowns are recurrent and foreseeable. Indeed, they are driven by frequent  
4 power outages at the facility.<sup>1</sup> Nevertheless, Newby continues to rely exclusively on PG&E to keep  
5 the landfill gas collection system and flares operating continuously. To date, Newby has not  
6 acquired a reliable backup power source to guarantee continuous operation of the gas collection  
7 system and flares during future power outages.

8 **II. Respondents failed to address pressure, temperature, and oxygen violations at the**  
9 **landfill.**

10 23. Landfill gas wells play a critical role in the proper functioning of the gas collection  
11 system. They regulate the flow of landfill gas in the system by creating a negative pressure  
12 environment that draws gas out of the landfill and to the flares.

13 24. Each well in the gas collection system must adhere to strict operating parameters for  
14 oxygen and nitrogen concentrations, temperature, and pressure. See Rule 8-34-305; see also 40  
15 C.F.R., § 60.763. These operating parameters are key indicators of the gas collections system's  
16 soundness, whether the system is adequately facilitating anaerobic decomposition and extracting  
17 gas from the landfill. Wells that deviate from these parameters must be corrected within 120 days  
18 to avoid compromising the functional integrity of the gas collection system. See Rules 8-34-414.3,  
19 414.4.

20 25. Between 2021 and 2024, there were 119 violations at the landfill gas wells: 74  
21 oxygen violations, 28 temperature violations, and 17 pressure violations. These violations occurred  
22 for many reasons, including: restricted landfill gas flow due to blocked, damaged, or collapsed wells  
23 and lateral piping, condensate buildup in piping, closed or misadjusted well valves, insufficient  
24 blower capacity, excessive air intrusion, changes in waste decomposition, loose or leaking  
25 wellheads, and broken or poorly sealed lateral piping.

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<sup>1</sup> On a few occasions, shutdowns were triggered by malfunctioning equipment, which could have  
been prevented had Newby diligently monitored, maintained, and repaired the equipment in the gas  
collection system.

1 **III. Respondents failed to maintain minimum temperatures at the landfill flares.**

2 26. Flares are important air pollution control devices at landfills. Flares minimize the  
3 health and environmental impacts of landfill gas by combusting it at very high temperatures. This  
4 process converts the methane in landfill gas into carbon dioxide and water vapor and reduces the  
5 amount of hazardous and odorous air pollutants vented into the atmosphere. At optimal  
6 temperatures, flares can destroy 98-99% of the methane and hazardous air pollutants in landfill gas.  
7 See Rule 8-34-301.3.

8 27. Newby has two flares at the landfill.<sup>2</sup> To achieve maximum destruction efficiency of  
9 landfill gas, Respondents must operate the ZTOF flare at a minimum temperature of 1400 degrees  
10 Fahrenheit, and the ZULE flare must maintain a minimum temperature of 1501 degrees Fahrenheit.  
11 See Permit Condition #10423, Parts 9(b)-(c).

12 28. Between 2020 and 2023, there were 42 temperature violations at the landfill flares.  
13 Most of these violations occurred at the ZULE flare, which fell below its minimum operating  
14 temperature (by 136 to 547 degrees) 31 times during this period. Suboptimal temperatures at the  
15 flares destabilize the combustion process, resulting in the release of unabated landfill gas. These  
16 temperature violations are often caused by excessive air intrusion into the landfill that alter the rate  
17 of waste decomposition, sudden increases or decreases in landfill gas flow, and malfunctioning  
18 equipment such as a faulty blower, temperature sensor, burner, or pilot system.

19 **IV. Respondents failed to prevent methane leaks at the landfill.**

20 29. Methane leaks are a growing problem at Newby's landfill. These leaks are caused  
21 by a poorly maintained gas collection system (e.g., landfill gas wells not operating under vacuum,  
22 faulty collection pipes, poorly sealed joints, etc.). Newby must prevent methane leaks that exceed  
23 500 ppm from the landfill surface and 1,000 ppm from equipment in the gas collection system.  
24 Rules 8-34-301.2, 303; Cal. Code of Regs., Title 17, §§ 95464, subd. (b)(1)(B), 95465, subd. (a)(1).

25 30. The Air District issued 7 NOVs for 90 methane leaks that occurred in different areas  
26 of the landfill, but especially in areas prone to producing gas near the surface of the landfill. During  
27 \_\_\_\_\_

28 <sup>2</sup> Newby operates two enclosed flares manufactured by the John Zink Company LLC: a Zink  
Ultra-Low Emissions flare ("ZULE") and a Zink Totally Enclosed Flare ("ZTOF").

1 an inspection of the landfill in April 2022, Air District staff discovered 21 separate leaks, with  
2 combined methane concentrations estimated at 80,000 ppm. More recently, in May 2025, the Air  
3 District inspection staff discovered 27 separate methane leaks each ranging from 8,000 to 25,000  
4 ppm.

5 31. The methane leaks at Newby landfill are so frequent and voluminous that airborne  
6 sensors and satellites have detected 318 methane plumes at Newby since 2017.<sup>3</sup> Indeed, these large  
7 methane plumes have been characterized as “100% persistent,” which means they were detected  
8 every day Newby was under observation by these sensors and satellites.<sup>4</sup>

9 32. These methane leaks are caused by Respondents’ inadequate monitoring and  
10 maintenance of the landfill gas collection system. Respondents claim to inspect the landfill on a  
11 biweekly basis (more frequently than the quarterly monitoring required by Regulation 8-34), yet  
12 these additional inspections have not reduced the number or intensity of methane leaks at the  
13 landfill nor spurred more timely and robust efforts to control these leaks upon discovery.

14 33. The largest methane emitters in California are landfills and composting facilities,  
15 which account for approximately 43% of the state’s total methane emissions.<sup>5</sup> Methane pollution  
16 drives climate change, erodes air quality, and increases the prevalence of air pollution-related health  
17 conditions, particularly among sensitive populations.

18 **V. Respondents violated Newby’s limit for hydrogen sulfide emissions at the landfill.**

19 34. Newby has a prolonged history of hydrogen sulfide emission violations at the  
20 landfill. Hydrogen sulfide is a colorless hazardous gas that produces a distinct “rotten egg” smell.  
21 Respondents must measure the hydrogen sulfide concentration in Newby’s landfill gas before it  
22

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23 <sup>3</sup> Carbon Mapper, Inc., Carbon Mapper Data Portal, <https://data.carbonmapper.org/#1/30.8/50.5>  
24 (last accessed March 29, 2026).

25 <sup>4</sup> *Ibid.*

26 <sup>5</sup> California Energy Commission, California Air Resources Board, and California Natural Resource  
27 Agency, The California Methane Survey (2020) at p.2,  
28 <https://www.energy.ca.gov/sites/default/files/2021-05/CEC-500-2020-047.pdf>. A separate study  
sponsored by the California Air Resources Board found Newby landfill “had both the largest  
individual landfill measurement . . . and the largest average emissions” among the 28 landfills  
measured in the study. See Scientific Aviation, Inc., Statewide Airborne Methane Emissions  
Measurement Survey (2019),  
<https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/16rd018.pdf>.

1 goes to the flares. These measurements must be taken once every quarter on a dry basis (i.e., after  
2 removing the water vapor from the landfill gas). Since landfill gas contains high moisture levels  
3 that fluctuate depending on environmental conditions and waste decomposition at the landfill, dry  
4 basis measurements achieve consistent, standardized results and ensure compliance with emission  
5 standards by removing the variable effects of water vapor.

6 35. To comply with air quality regulations, hydrogen sulfide concentrations in Newby's  
7 landfill gas must not exceed the following emission limits: 1300 parts per million ("ppm") each  
8 calendar quarter and 300 ppm averaged over the last four quarters. See Permit Condition #10423,  
9 Part 10.

10 36. Newby's records show that Respondents have been measuring the landfill's  
11 hydrogen sulfide concentrations on a wet basis, contrary to the facility's permit condition  
12 requirement. Since wet basis measurements artificially lower the amount of hydrogen sulfide  
13 detected in landfill gas, Respondents have been underreporting Newby's hydrogen sulfide  
14 emissions by up to 20%. Between February 2021 and August 2025, Respondents conducted 17  
15 quarterly tests of Newby's hydrogen sulfide concentrations and reported only 3 exceedances. But  
16 when Air District staff converted Newby's wet hydrogen sulfide concentrations to a dry basis and  
17 included the results of the facility's annual emission tests, the landfill exceeded its hydrogen sulfide  
18 emission limits 10 times during that period.

19 37. Notably, these exceedances occurred even though a water knockout pot, a device that  
20 removes water vapor from landfill gas before it is routed to the flares, and a hydrogen sulfide  
21 abatement control system with activated carbon adsorption filters were operating on-site at the  
22 landfill.

23 **VI. Respondents have been operating the Materials Recovery Facility without a permit**  
24 **from the Air District.**

25 38. Rules 2-1-301 and 302 prohibit the construction or installation and subsequent  
26 operation of any equipment that causes or controls air pollution without first obtaining written  
27 authorization from the Air District in the form of an Authority to Construct or Permit to Operate.  
28 The Air District's permitting system ensures that only approved equipment is used at regulated  
facilities by imposing operational conditions and limits on that equipment to minimize emissions

1 and comply with air quality regulations.

2 39. In July 2012, Respondents upgraded the MRF to its current configuration. The  
3 remodeled MRF introduced new equipment that Respondents were not previously authorized to use.  
4 Respondents were required to obtain a permit from the Air District to increase the capacity of the  
5 MRF and provide offsets to mitigate the MRF’s additional hazardous air emissions. See Rule  
6 2-1-304. Respondents never did so. In fact, since 2012, Respondents have been unlawfully  
7 processing 1,600 tons per day of waste at the MRF without mitigating the operation’s additional  
8 hazardous emissions.

9 40. It is essential that facilities subject to the Air District’s jurisdiction and rules obtain  
10 an Authority to Construct or Permit to Operate before constructing or operating equipment to ensure  
11 the equipment fully complies with established emissions standards and will not create unacceptable  
12 health risks for the surrounding community.

13 **VII. Respondents’ operations at Newby are causing a public nuisance.**

14 41. The odors from Newby have been a longstanding concern for South Bay  
15 communities. The “suffocating” stench permeating Milpitas, North San Jose, Fremont, and Newark  
16 has forced residents to refrain from commonplace activities such as opening their windows and  
17 doors for fresh air, going outside to exercise or enjoy the weather, and hosting family and friends  
18 and at their homes.

19 42. Local residents have also reported experiencing headaches, nausea, vomiting,  
20 difficulty breathing, and worsening asthma attacks, all of which are physical symptoms and health  
21 conditions associated with exposure to sulfur compounds, ammonia, and other hazardous pollutants  
22 in landfill gas that humans can smell at extremely low concentrations.

23 43. Below are excerpts from complaints residents made to the Air District about the foul  
24 odors coming from Newby:

25 “This is the second day in a row. This time it is in the afternoon. The odor is a regular  
26 in Milpitas for 20 years but has been particularly strong and bad the last couple of days.  
27 It is a rotting, sour waste odor. I’m glad you are here so fast to know what I’m  
smelling.”

28 “It is the same very bad odor I called on last night. I moved here in 2004 and have  
smelled this since, but it seems to be getting more frequent and worse. My son is 15  
years old and has had to stop jogging and come back inside because of the smell. There

1 are different smells that occur but mostly it is a waste odor 90% of the time.”

2 “It is a rotten-like odor and is getting progressively worse, lasting longer, more  
3 frequent, and stronger. It occurred yesterday too and it was just awful. It really gags  
4 me. Inside my house smells of it. It really destroys property values. Thanks for  
5 coming out so quick.”

6 “It was bad yesterday and today. It is always smelling but before it wasn’t every day  
7 and so bad. Recently it has been just really bad and every day. It sticks in your clothes  
8 and you can’t go out.”

9 44. These odor complaints trace back to violations at Newby’s landfill, MRF, and  
10 composting facility. Excessive gas leaks and shutdowns at the landfill gas collections system and  
11 the mishandling of waste at the MRF and the composting facility (e.g., leaving waste and  
12 recyclables exposed outdoors, allowing leachate to accumulate, and failing to maintain proper  
13 drainage and cleanup at the processing and staging area for green waste) release uncontrolled  
14 emissions of hydrogen sulfide (rotten egg smell), ammonia (pungent acidic smell), benzene (paint  
15 thinner smell), and dichloromethane (sickly sweet smell), which are the main cause of unpleasant  
16 odors at landfills.

17 45. The Air District’s findings were also corroborated in an odor attribution study that  
18 evaluated three South Bay facilities with similar yet distinct odor profiles: Newby, San Jose-Santa  
19 Clara Regional Wastewater, and Zero Waste Energy Development. This study concluded that while  
20 all three facilities “contribute to odors frequently observed in the community,” Newby is  
21 responsible “to a large extent” for the steady, non-fleeting stink plaguing the South Bay.<sup>6</sup>

22 46. Although the number of complaints has declined in the last five years, odors  
23 continue to be detected beyond Newby’s property line, an indication that Air District regulations  
24 and permit conditions are not being observed by the facility.

25 **REQUEST FOR CONDITIONAL ORDER FOR ABATEMENT**

26 47. To conclude, the Air District alleges that Respondents are committing recurring and  
27 ongoing violations at Newby’s landfill and MRF by violating Air District regulations and the

28 <sup>6</sup> Bay Area Air Quality Management District, South Bay Odor Attribution Study (2024) at p. xv,  
<https://www.baaqmd.gov/en/about-air-quality/air-quality-measurement/special-air-monitoring-projects/south-bay-odor-attribution-study>.

1 facility's permit conditions. These violations cause air pollution and public nuisance odors.

2 48. It is not unreasonable to require Respondents to comply with Air District regulations  
3 and the conditions, requirements, and emission standards in Newby's air permits.

4 49. The issuance of a Conditional Order for Abatement, upon a fully noticed hearing,  
5 will not constitute an arbitrary or unreasonable taking of property without due process of law.

6 50. The requested conditions are proper and necessary and will bring Newby back into  
7 compliance and reduce air pollution and odors from the facility.

8 51. The issuance of a Conditional Order for Abatement is not intended to be, nor will it  
9 function as a variance. Further, the Order is not expected to result in the closing or elimination of  
10 an otherwise lawful business, but if it does result in such closure or elimination, it would not be  
11 without a corresponding benefit in reducing air contaminants.

12 52. The Air District intends to file a proposed Findings and Decision a few days in  
13 advance of the hearing. If the Parties stipulate to terms and conditions, the Air District will notify  
14 the Hearing Board and will file a proposed Findings and Decision for a Stipulated Order for  
15 Abatement.


16 WHEREFORE, the Air District requests that this Hearing Board:

- 17 (a) Issue a Conditional Order for Abatement that directs Respondents to immediately cease  
18 and desist from noncompliant operations of the Newby landfill and MRF unless  
19 Respondents comply with the terms and conditions and increments of progress set forth  
20 in the proposed Order, including but not limited to:
- 21 i. A continuous emissions monitoring system to ensure accurate and reliable  
22 monitoring of the landfill's hydrogen sulfide emissions;
  - 23 ii. Equipment that monitors and adjusts conditions at the landfill gas wells to comply  
24 with mandatory operating parameters;
  - 25 iii. Enhanced field inspections using EPA-approved or equivalent technology to detect  
26 methane emissions from the landfill; and
  - 27 iv. Mitigation and monitoring equipment to measure and track odors from Newby.
- 28 (b) For such other and further relief that the Hearing Board deems just and proper.

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Dated: April 9, 2026

Respectfully submitted,  
  
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By:   
OMONIGHO OIYEMHONLAN  
Assistant Counsel II

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

## ATTACHMENT 1

### NOTICES OF VIOLATIONS ISSUED TO NEWBY

- |                |                |                |
|----------------|----------------|----------------|
| 1. NOV A52026  | 19. NOV A61610 | 37. NOV A61899 |
| 2. NOV A54138  | 20. NOV A61613 | 38. NOV A61901 |
| 3. NOV A55681  | 21. NOV A61616 | 39. NOV A64354 |
| 4. NOV A55682  | 22. NOV A61617 | 40. NOV A64355 |
| 5. NOV A55696  | 23. NOV A61618 | 41. NOV A64367 |
| 6. NOV A55718  | 24. NOV A61622 | 42. NOV A64368 |
| 7. NOV A55721  | 25. NOV A61625 | 43. NOV A64369 |
| 8. NOV A55722  | 26. NOV A61626 | 44. NOV A64371 |
| 9. NOV A55723  | 27. NOV A61880 | 45. NOV A64372 |
| 10. NOV A55724 | 28. NOV A61882 | 46. NOV A64373 |
| 11. NOV A55726 | 29. NOV A61883 | 47. NOV A64374 |
| 12. NOV A56525 | 30. NOV A61884 | 48. NOV A64375 |
| 13. NOV A56527 | 31. NOV A61885 | 49. NOV A64376 |
| 14. NOV A58092 | 32. NOV A61886 | 50. NOV A64377 |
| 15. NOV A58188 | 33. NOV A61887 | 51. NOV A65528 |
| 16. NOV A59433 | 34. NOV A61890 | 52. NOV A65529 |
| 17. NOV A59759 | 35. NOV A61891 | 53. NOV A65530 |
| 18. NOV A61608 | 36. NOV A61898 |                |

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8 *Bay Area Air Quality Management District*



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10 **BEFORE THE HEARING BOARD OF THE**  
11 **BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
12 **STATE OF CALIFORNIA**

13  
14 In the Matter of the  
15 AIR POLLUTION CONTROL OFFICER of the  
16 BAY AREA AIR QUALITY MANAGEMENT  
17 DISTRICT

Docket No. **3772**  
**CERTIFICATE OF SERVICE**

18  
19  
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Petitioner,

vs.

INTERNATIONAL DISPOSAL CORP. OF  
CALIFORNIA and BROWNING-FERRIS  
INDUSTRIES OF CALIFORNIA INC., a/k/a  
Newby Island Resource Recovery Park,

Respondents.

Re: Newby Island Resource Recovery Park  
[Facility ID No. 9013]

I, Reed Sandbach, declare as follows:

I am over the age of 18, not a party to this action and am employed in the City and County of San Francisco at 375 Beale Street, Suite 600, San Francisco, California 94105. On April 9, 2026,

1 I served the following document described as **PETITION AND REQUEST FOR A**  
2 **CONDITIONAL ORDER FOR ABATEMENT** in the following manner:

3  By causing the above document to be sent to the person at the electronic notification  
4 address below:

5 Thomas Bruen, Esq.  
6 Law Offices of Thomas M. Bruen, P.C.  
7 1990 N. California Blvd., Suite 608  
8 Walnut Creek, CA 94596  
9 [tbruen@tbsglaw.com](mailto:tbruen@tbsglaw.com)

10 I declare under penalty of perjury under the laws of the State of California that the foregoing  
11 is true and correct. Executed on April 9, 2026, at San Francisco, California.

12 

13 Reed Sandbach  
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