

**FILED**  
**NOV 12 2019**  
HEARING BOARD  
BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

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

In the Matter of the Application of  
WASTE MANAGEMENT –  
REDWOOD LANDFILL, INCORPORATED  
For Emergency Variance from Regulation 8,  
Rule 34, Section 301.1; and Permit Condition  
#19867, Item 17.

Docket No.: 3718

ORDER GRANTING EMERGENCY  
VARIANCE

The above-entitled matter, being an Application for Emergency Variance (EV) from the provisions of Regulation 8, Rule 34, Section 301.1; and Permit Condition #19867, Item 17 was filed on October 29, 2019, after initial contact by telephone at 4:47 p.m. on October 28, 2019, and having been considered by the Hearing Board,

THE HEARING BOARD STATES as the reasons for its decision and FINDS as to those matters in which findings are required:

A. Applicant filed an application under the EV procedures, Hearing Board Rules, Section 2.5. Pursuant to Health and Safety Code Sections 42359 and 42359.5, and the Hearing Board determined that this Application properly could be ruled upon without notice and hearing. Prior to making this determination, and in accordance with Hearing Board Rules Section 2.5.d.2, the Hearing Board requested and received a response to this Application from the Executive Officer/Air Pollution Control Officer for the Bay Area Air Quality Management District (Air District). The Air District staff response recommended the Application for EV be granted.

1 B. Applicant operates a landfill gas collection and control system (GCCS) (Source  
2 #S-5), located at 8950 Redwood Highway, Novato, CA 94948.

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4 C. On October 26, 2019, PG&E executed a Public Safety Power Shutoff (PSPS)  
5 due to extreme wind conditions and increased wildfire risks. This PSPS event lasted up to  
6 several days in some regions of the San Francisco Bay Area. As a result of this PSPS event, the  
7 applicant's facility experienced a power outage, and consequently the gas collection and flare  
8 shut down for approximately fifty-two (52) hours.

9 D. Applicant requested an emergency variance period of October 28, 2019 to  
10 November 27, 2019, (30 days).

11 E. Compliance is beyond Applicant's reasonable control.

12 F. Due to the extreme wildfire threat, additional PSPS events cannot be ruled out  
13 during the Emergency Variance period.

14 G. The Applicant does meet the good cause standard for issuance of an EV.

15 **THEREFORE, THE HEARING BOARD ORDERS:**

16 An Emergency Variance from Regulation 8, Rule 34, Section 301.1; and Permit  
17 Condition #19867, Item 17, is hereby granted from October 28, 2019, at 4:47 pm, to November  
18 27, 2019 with the following conditions:

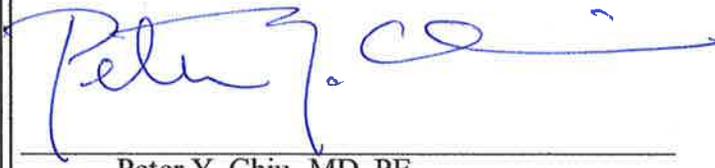
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20 A. Notify Air District Compliance & Enforcement Division via email at

21 [Compliance@baaqmd.gov](mailto:Compliance@baaqmd.gov) of the following: 1) Immediate notification to Air  
22 District that a PG&E Public Safety Power Shutoff (PSPS) would impact facility  
23 operations; and 2) Within 24 hours of PG&E power restoration, provide  
24 notification to the Air District of the total electrical service downtime, including  
25 the date and time power was restored at the facility; (**Air District Staff**

26  
27 **Condition 1)**  
28

1 B . Explore and evaluate options to ensure continuous operation of landfill gas  
2 collection and emissions control system during PSPS events, and at the  
3 conclusion of the variance period, provide a summary of the options to prevent  
4 operational downtime and provide an estimated timeline to install backup power  
5 and/or other feasible option(s) evaluated. **(Air District Staff Condition 2)**  
6

7 C . This Emergency Variance shall only apply to PSPS specific events.  
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9 

10 11/6/2019

11 Peter Y. Chiu, MD, PE  
12 Hearing Board Member

13 Date

14 Bay Area Air Quality Management District  
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BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
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HEARING BOARD  
BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

In the Matter of the Application of )  
)  
WASTE MANAGEMENT – REDWOOD ) No. 3718  
LANDFILL, INCORPORATED )  
) CERTIFICATION OF SERVICE  
For Emergency Variance from Regulation 8, )  
Rule 34, Section 301.1; and Permit Condition )  
#19867, Item 17. )  
)

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; and that I served a true and correct copy of the attached Order Granting Emergency Variance on:

**Michael Chan, Environmental Protection Air Quality Specialist  
Waste Management  
Redwood Landfill, Incorporated  
172 98th Avenue  
Oakland, CA 94603**

by depositing same in the United States certified mail, return receipt requested, and via email, on November 12, 2019 on

**Brian Bunger, District Counsel  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, California 94105**

via email and by hand-delivery deposit of same in the in-box of the District Counsel's office, on November 12, 2019

11/12/19  
\_\_\_\_\_  
Date

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