

FILED
JUN 03 2022
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)
Cypress AMLOC Land Co., Inc.) Docket No.: 3734
For Emergency Variance from Air District)
Regulation 8-34-301.1) ORDER GRANTING EMERGENCY
VARIANCE

The above-entitled matter, being an Application for Emergency Variance (EV) from the provisions of Air District Regulation 8-34-301.1, was filed on May 12, 2022, after initial contact by telephone at 10:19 p.m. on May 11, 2022 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.

B. Applicant is a facility with a closed landfill operating a McGill Model EGF-26 enclosed flare with a flow range from 200 to 850 scfm, located at 1 Sand Hill Road, Colma, CA 94014. The landfill gas flare currently operates 24 hours a day with a reducing gas generation

1 and methane quality.

2 C. Applicant experienced a shutdown of its landfill gas flare (caused by a power
3 outage) and subsequent malfunction of its HMI controller on May 7, 2022. The applicant is
4 seeking relief from Air District Regulation 8-34-301.1 (Landfill Gas Collection and Emission
5 Control System Requirements.)
6

7 D. Applicant requested an emergency variance period of May 7, 2022 to May 13,
8 2022. Excess emissions were not estimated by the applicant.

9 E. Compliance is beyond Applicant's reasonable control. The inability to restart
10 the landfill gas flare caused by the power outage was an unforeseen emergency.

11 F. On May 11th, applicant replaced the damaged HMI controller, and was able to
12 restart the flare and maintain a minimum temperature of 1,494 degrees Fahrenheit.

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

14 THEREFORE, THE HEARING BOARD ORDERS:

15 An Emergency Variance from Air District Regulation 8-34-301.1, be and is hereby
16 granted from May 7, 2022 at 12:00AM , to May 14, 2022 at 12:00AM.
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20 Amelia Timbers
21 Hearing Board Member
22 Bay Area Air Quality Management District
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6/3/22
Date

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 Application of)
6 Cypress AMLOC Land Co)
7)
8 For Emergency Variance from Regulation 8, Rule)
9 _____)
10

Docket No. 3734
CERTIFICATE OF SERVICE

FILED
JUN 06 2022
HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

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

14 I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:


15 That I am a citizen of the United States, over the age of eighteen years and not a party to
16 the above entitled action; that I served a true copy of the attached Order Granting Emergency
17 Variance on:

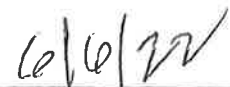
18 **Randy Masukawa**
19 **Blue Flame Crew**
20 **1733 Park St Suite 110**
21 **Naperville, IL 60563**
rmasukawa@blueflameco.com

22 by depositing same in the U.S. certified mail, and via e-mail, on June 6, 2022; and on

23 **Alexander Crockett, District Counsel**
24 **Bay Area Air Quality Management District**
25 **375 Beale Street, Suite 600**
San Francisco, CA 94105

26 by hand-delivery deposit of same in the in-box of the District Counsel's office, on June 6, 2022

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28 _____
Marcy Hiratzka, Clerk of the Boards



June 6, 2022