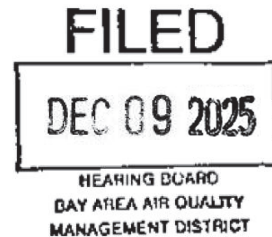


1
2
3 BEFORE THE HEARING BOARD
4 OF THE
5 BAY AREA AIR QUALITY MANAGEMENT DISTRICT
6
7 STATE OF CALIFORNIA

7 In the Matter of the Application of)
8 Republic Services of Sonoma County, Inc.)
9 (Sonoma County Central Landfill))
10 For Emergency Variance from Air District
11 Regulation 8, Rule 34, Sections 301.1, 301.3,
12 501.2, 507; Permit Condition #4044-A-4, Parts
13 8, 9, 10, 13, 14, 16, 17; and Permit Condition
14 #19933, Parts 8, 9.

Docket No.: 3766

ORDER DENYING EMERGENCY
VARIANCE



14 The above-entitled matter, being an Application for Emergency Variance (EV) from the
15 provisions of Air District Regulation 8, Rule 34, Sections 301.1, 301.3, 501.2, 507; and Permit
16 Condition #4044-A-4, Parts 8, 9, 10, 13, 14, 16; and Permit Condition #19933, Parts 8, 9, was
17 filed on November 26, 2025, after initial contact on November 21, 2025, and having been
18 considered by the Hearing Board, THE HEARING BOARD STATES as the reasons for its
19 decision and FINDS as to those matters in which findings are required:

20 A. Applicant filed an application under the Hearing Board Rules, Section 7.11(a),
21 and the Hearing Board determined that this Application properly could be ruled upon without
22 notice and hearing. Prior to making this determination, and in accordance with Hearing Board
23 Rules Section 7.11(c), the Hearing Board requested and received a response to this Application
24 from the Executive Officer/Air Pollution Control Officer for the Bay Area Air Quality
25 Management District (Air District). The Air District staff response recommended the
26 Application for EV be denied.

27 B. Applicant operates the Sonoma County Central Landfill (the Facility) located in
28 Petaluma, California. The Facility is an active municipal solid waste (MSW) landfill for

1 disposal of MSW.

2 C. In October 2025, Applicant became aware that the inspection and operating data
3 indicated that the insulation within the flare body of the A-4 Landfill Gas Flare (A-4 flare) at
4 the Facility is severely deteriorated. Applicant later confirmed that the flare insulation would
5 require urgent replacement to prevent imminent structural failure, that the repair would require
6 a full shutdown of the flare for several consecutive days, and that no alternate onsite control
7 device could handle the gas load.

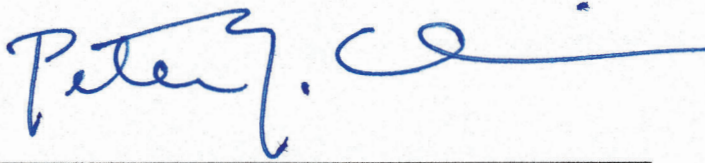
8 D. Applicant requested an emergency variance period of December 8, 2025 to
9 December 19, 2025. A summary of potential excess emissions is estimated in the EV
10 application. During the variance period, Applicants intends to mitigate excess emissions by
11 temporarily installing and operating a portable thermal oxidizer (TOX) with equivalent
12 destruction efficiency to the A-4 flare.

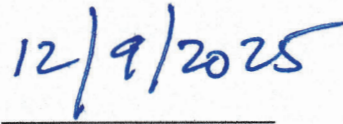
13 E. Ten (10) internal combustion engines are permitted and are expected to be used
14 as the primary landfill gas abatement system at the Facility and the A-4 flare is only expected
15 to be used "as necessary to combust excess gas whenever the flow of landfill gas exceeds the
16 capacity of the internal combustion engines." In response to Applicant's EV application, the Air
17 District staff points out that a review of flare operation since August 1, 2024, shows that the A-
18 4 flare has operated for 8650 hours out of a possible 8760 hours. This is clear evidence that the
19 A-4 flare is running constantly, has become the primary abatement system, and has been
20 operating for far more hours than designed and permitted. Therefore, the deterioration in the
21 insulation of the A-4 flare should have been expected and foreseeable.

22
23 Applicant does not meet the good cause standard for an issuance of an Emergency Variance
24 under either the Hearing Board Rules or the applicable provisions of the Health and Safety
25 Code. Applicant has not provided sufficient evidence to support that the flare insulation
26 degradation was not foreseeable or preventable with proper maintenance. There was no clear
27 evidence that non-compliance was unforeseeable and that the violation was beyond Applicant's
28 reasonable control.

1 THEREFORE, THE HEARING BOARD ORDERS:

2 The Application for Emergency Variance from Air District Regulation 8, Rule 34, Sections
3 301.1, 301.3, 501.2, 507; and Permit Condition #4044-A-4, Parts 8, 9, 10, 13, 14, 16; and Permit
4 Condition #19933, Parts 8, 9, is hereby denied.

5 

6 

7 _____
8 Dr. Peter Chiu, M.D., P.E.
9 Hearing Board Member
10 Bay Area Air Quality Management District

11 _____
12 Date

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

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10 8, 9, 10, 13, 14, 16, 17; and Permit Condition)
11 #19933, Parts 8, 9.)

Docket No.: 3766

CERTIFICATE OF SERVICE



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

13 I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:
14 That I am a citizen of the United States, over the age of 18 years and not a party to the above-
15 entitled action; that I served a true copy of the attached **Order Denying Emergency Variance**
16 on:

17 Tristan Rawlings, Compliance Specialist
18 Tetra Tech
19 21700 Copley Drive, Suite 200
20 Diamond Bar, CA, 91765
21 Tristan.rawlings@tetrattech.com

22 via email on December 10, 2025 and on:

23 Joel Freid, Esq., Assistant Counsel
24 Bay Area Air Quality Management District
25 375 Beale Street, 6th Floor
26 San Francisco, California 94105
27 jfreid@baaqmd.gov

28 via email on December 10, 2025

A handwritten signature in black ink, appearing to be "MH" or similar initials, written over a horizontal line.

DATED: December 10, 2025

Marcy Hiratzka
Clerk of the Boards