

IV 10/16/24
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SOUTH COAST AQMD
CLERK OF THE BOARD

PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

2024 SEP 13 PM 3:56

PETITIONER: VERIZON WIRELESS _____ CASE NO: 6139-8 _____

FACILITY ID: 152161 _____

FACILITY ADDRESS: 3000 Keller Peak Rd _____
[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]

City, State, Zip: Big Bear City, CA, 92314 _____

1. TYPE OF VARIANCE REQUESTED (more than one box may be checked; see Attachment A, Item 1, before selecting)

INTERIM SHORT REGULAR EMERGENCY EX PARTE EMERGENCY

2. CONTACT: Name, title, company (if different than Petitioner), address, and phone number of persons authorized to receive notices regarding this Petition (no more than two authorized persons).

Andy Mills _____	Zach Feingold _____
Verizon Wireless _____	Verizon Wireless _____
5351 E. Airport Dr _____	18850 Orange Street _____
Ontario, CA _____ Zip 91761 _____	Bloomington, CA _____ Zip 92316 _____
☎ (909) 229-7627 _____ Ext. _____	☎ (909) 879-2712 _____ Ext. _____
Fax () _____	Fax () _____
E-mail andy.mills@verizonwireless.com _____	E-mail zachary.d.feingold@verizon.com _____

3. RECLAIM Permit Yes No Title V Permit Yes No

Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.
If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

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4. **GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice. (Required only for Emergency and Interim Variances; see Attachment A, Item 4)

The Line Fire started on 9/5/202 and has burned 37,743 acres as of 9/13/2024. Governor Newsom declared a State of Emergency for this fire on 9/7/2024. The Line fire has caused a loss of commercial power to Verizon Wireless' cell tower "Snow Valley". The facility's emergency power generator began operating nonstop since that outage in order to keep the facility functional. The generator, with permit number F94141, has a 200 hour annual operating limit.

Utility company Southern California Edison (SCE) has not provided an estimated date of power restoration (ETR) due to the ongoing fire and whether the 200 hour total annual operating permit limit may be threatened.

Since 01/01/2024 until 9/13/2024, the generator has already operated for 168 hours. Due to the quick accumulation of operating hours during ongoing outages and ongoing fire, an ex parte emergency variance petition is being filed now due to the potential to pass 200 hours of operation in only a few days, before Interim and Regular variances can be requested.

Due to public dependence on wireless telecommunications during routine and emergency events, the emergency generator cannot be deactivated.

Even if the applicable generator not pass 200 hours of operation during this single event, the accumulated hours of operation deserve attention. The potential for additional weather-related power outages and PSPS activations still exists.

5. Briefly describe the type of business and processes at your facility.

The Verizon "Snow Valley" cell tower provides cellular telephone services throughout [San Bernardino Mountains, Hesperia, Victorville and Baker], including 911 and other emergency services. This is a hub site that carries traffic for 19 sites (including Snow Valley).

6. List the equipment and/or activity(s) that are the subject of this petition (see Attachment A, Item 6, Example #1). **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment. For RECLAIM or Title V facilities, attach *only* the relevant sections of the Facility Permit showing the equipment or process and conditions that are subject to this petition. You must bring the entire Facility Permit to the hearing.**

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied (if relevant)*
General Motors 75 hp internal combustion engine, Model 4.3L Vortec, propane-fueled	R94141		

*Attach copy of denial letter

7. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

Emergency generators are critical to support the continual operation of Verizon Wireless's cell towers during times of emergency.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes No
 If yes, how often: Annually _____ Date of last maintenance and/or inspection date of last vendor
PM 8/11/2022

Describe the maintenance and/or inspection that was performed.

The generators are typically tested two to four times a year to verify that they will be operational in the event of an emergency.

Once per year, a third party maintenance vendor will perform a comprehensive analyses of the generators, inspecting the parts, performing diagnostic tests, and making repairs as necessary.

9. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief (if requesting variance from Rule 401 or permit condition, see Attachment A). Briefly explain how you are or will be in violation of each rule or condition (see Attachment A, Item 9, Example #2).

Rule	Explanation
PTO Condition 7	"This engine shall not operate more than 200 hours in any one year, which includes no more than 50 hours in any one year for maintenance and testing purposes"

10. Are the equipment or activities subject to this request currently under variance coverage? Yes No

Case No.	Date of Action	Final Compliance Date	Explanation

11. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage? Yes No

Case No.	Date of Action	Final Compliance Date	Explanation

12. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year? Yes No

If yes, you must attach a copy of each notice.

13. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months? Yes No

If yes, you should be prepared to present details at the hearing.

14. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

Utility-related power outages are outside of Verizon's control and the current Line Fire has impact SCE's ability to restore commercial power to the site.

A power outage during the Line Fire has caused Verizon's on-site emergency generator to operate. As of 9/13/2024, power has not yet been restored and Verizon Wireless's emergency generator at this facility must continue to operate.

As the generator already reaches the milestone of 168 hours of operation to date, it is unlikely commercial power restoration will occur before the generator arrives at 200 hours.

15. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

The Line Fire that started on 9/5/2024 has caused an ongoing commercial power failure to the site resulting 168 hours of operation and counting to date.

16. List date(s) and action(s) you have taken since that time to achieve compliance.

N/A

17. What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: \$___Unknown, but significant and incalculable_____

Number of employees laid off (if any):___0_____

Provide detailed information regarding economic losses, if any, (anticipated business closure, breach of contracts, hardship on customers, layoffs, and/or similar impacts).

Economic losses are difficult to calculate, though the interruption of telecommunications service throughout the would impose historic costs on Verizon Wireless's customers. The public's need for cellular communications during emergency services is critical.

18. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

No. Disabling the generator if it reaches 200 hours of operation would also disable the cell tower during utility outages – thus terminating services necessary for customer communications, contacting 911, and other emergency response agencies.

19. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

Pollutant	(A)	(B)	(C)*
	Total Estimated Excess Emissions (lbs/day)	Reduction Due to Mitigation (lbs/day)	Net Emissions After Mitigation (lbs/day)
NOx	5.95	N/A	5.95
CO	7.93	N/A	7.93
VOC	5.95	N/A	5.95

* Column A minus Column B = Column C

Excess Opacity: N/A %

20. Show calculations used to estimate quantities in No. 19, or explain why there will be no excess emissions.

Emission are calculated as worst-case scenario according to the upper limits established in the permit:

- VOC – 1.5 g/hp-hr
- NOX – 1.5 g/hp-hr
- CO – 2.0 g/hp-hr

However, these generators will not routinely operate daily. Operations will only be during utility outages and the generator's scheduled, brief test operations

21. Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

Verizon ensures that its generators are properly operated and maintained consistent with the manufacturer's specifications

22. How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District? **Any proposed monitoring does not relieve RECLAIM facilities from applicable missing data requirements.**

Emergency generator operations will continue to be recorded, with emissions calculated based upon hours of operation and the appropriate emission factors.

23. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

Should noncompliance occur, a return to compliance would be achieved on 01/01/2025 when the permissible emergency generator operating hours returns to zero.

24. State the date you are requesting the variance to begin: 9/13/2024; and the date by which you expect to achieve final compliance: 1/1/2025, if necessary _____.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance. See District Rule 102 for definition of Increments of Progress (see Attachment A, Item 24, Example #3).

List Increments of Progress here:

N/A

25. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

If the petition was completed by someone other than the petitioner, please provide their name and title below.

Name Company Title

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on 9/13/2024, at Chino Hills, California
Zach Feingold Signature Zach Feingold Print Name

Title: Environmental Manager



PERMIT TO OPERATE

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301.f) is not received by the expiration date, contact the District.

Snow Valley

Legal Owner
or Operator:

VERIZON WIRELESS
15505 SAND CANYON AVE, BLDG D-104
IRVINE, CA 92618-3114

ID 152161

3312-0

Equipment Location: 3000 KELLER PEAK RD, BIG BEAR CITY, CA 92314

Equipment Description :

INTERNAL COMBUSTION ENGINE, GENERAL MOTORS, MODEL NO. 4.3L VORTEC, SERIAL NO. 4.3L-15331, LIQUEFIED PETROLEUM GAS FUELED, FOUR CYCLES, SIX CYLINDERS, NATURALLY ASPIRATED, RATED AT 75 B.H.P., WITH A NON-SELECTIVE CATALYTIC REDUCTION CONVERTER, DCL INTERNATIONAL, MODEL NO. DC46 AND AN AIR/FUEL RATIO CONTROLLER, WOODWARD, MODEL NO. L-SERIES, DRIVING AN EMERGENCY ELECTRICAL GENERATOR.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THIS ENGINE SHALL BE FIRED WITH LIQUEFIED PETROLEUM GAS (LPG) ONLY.
4. THE ENGINE EMISSIONS SHALL NOT EXCEED THE FOLLOWING LIMITS:

VOLATILE ORGANIC COMPOUNDS (VOC)	1.5 GR/BHP-HR
NITROGEN OXIDES (NOX)	1.5 GR/BHP-HR
CARBON MONOXIDE	2.0 GR/BHP-HR
5. THIS ENGINE SHALL NOT BE OPERATED UNLESS ITS EXHAUST IS VENTED TO THE NON-SELECTIVE CATALYTIC REDUCTION UNIT WHICH IS IN FULL OPERATION AND WHICH IS IN GOOD OPERATING CONDITION AT ALL TIMES.
6. THIS ENGINE SHALL NOT BE OPERATED WITHOUT THE USE OF AN AUTOMATIC AIR-TO-FUEL RATIO CONTROLLER WHICH SHALL BE MAINTAINED AND KEPT IN PROPER OPERATING CONDITION AT ALL TIMES.
7. THIS ENGINE SHALL NOT BE OPERATED MORE THAN 200 HOURS IN ANY ONE YEAR, WHICH INCLUDES NO MORE THAN 50 HOURS IN ANY ONE YEAR FOR MAINTENANCE AND TESTING PURPOSES.

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PERMIT TO OPERATE

8. AN OPERATIONAL NON-RESETTABLE TOTALIZING TIME METER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE ENGINE ELAPSED OPERATING TIME.
9. THE FACILITY SHALL MAINTAIN ACCURATE MAINTENANCE RECORDS OF THE DATE OF CATALYST CLEANING OR REPLACEMENT, OXYGEN SENSOR REPLACEMENT, THE TOTAL HOUR READING ON THE NON-RESETTABLE TOTALIZING TIME METER TO DETERMINE THE ENGINE ELAPSED OPERATING TIME, AND RECORDS OF ENGINE TUNE-UPS.
10. AN ENGINE OPERATING LOG SHALL BE MAINTAINED WHICH, ON A MONTHLY BASIS, SHALL LIST ALL ENGINE OPERATIONS IN EACH OF THE FOLLOWING AREAS:
 - A. EMERGENCY USE HOURS OF OPERATION
 - B. MAINTENANCE AND TESTING HOURS
 - C. OTHER OPERATING HOURS (DESCRIBE THE REASON FOR THE OPERATION)

IN ADDITION, EACH TIME THE ENGINE IS STARTED MANUALLY, THE LOG SHALL INCLUDE THE DATE OF OPERATION AND THE TIMER READING IN HOURS AT THE BEGINNING AND END OF OPERATION. THE LOG SHALL BE KEPT FOR A MINIMUM OF THREE CALENDAR YEARS PRIOR TO THE CURRENT YEAR AND BE MADE AVAILABLE TO DISTRICT PERSONNEL UPON REQUEST. THE TOTAL HOURS OF OPERATION FOR THE PREVIOUS CALENDAR YEAR SHALL BE RECORDED SOMETIME DURING THE FIRST 15 DAYS OF JANUARY OF EACH YEAR.

11. THE OPERATION OF THE ENGINE BEYOND THE 50 HOURS PER YEAR ALLOTTED FOR ENGINE MAINTENANCE AND TESTING SHALL BE ALLOWED ONLY DURING EMERGENCIES RESULTING IN AN INTERRUPTION OF SERVICE OF THE PRIMARY POWER SUPPLY OR DURING STAGE II OR III ELECTRICAL EMERGENCIES DECLARED BY THE ELECTRICAL GRID OPERATOR. THIS ENGINE MAY BE USED AS PART OF AN INTERRUPTIBLE ELECTRIC SERVICE PROGRAM.

ORIGINAL



AQMD

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21 Copley Drive, Diamond Bar, CA 91765

PERMIT TO OPERATE

Page 3
Permit No.
F94141
A/N 469683

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR COPY SHALL BE POSTED ON OR WITHIN 8 METERS OF THE EQUIPMENT.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF OTHER GOVERNMENT AGENCIES.

EXECUTIVE OFFICER

Dorris M. Bailey

By Dorris M. Bailey/RR08

12/5/2007

ORIGINAL

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS on September 5, 2024, the Line Fire began burning in San Bernardino County and has since burned over 7,000 acres; and

WHEREAS the Line Fire has prompted evacuation orders and road closures, and continues to threaten structures, homes, critical infrastructure, endangered species, watersheds, and cultural and heritage resources; and

WHEREAS continued high temperatures throughout the day and night, dry conditions, and strong winds have increased the intensity and spread of the Line Fire, causing imminent threat to life, with an Excessive Heat Warning in effect in San Bernardino County; and

WHEREAS in response to a request from the Office of Emergency Services, the Federal Emergency Management Agency approved a Fire Management Assistance Grant to assist with the mitigation, management, and control of the Line Fire; and

WHEREAS under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to the Line Fire in San Bernardino County; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by the Line Fire, by reason of their magnitude, are beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authorities are inadequate to cope with the magnitude of the damage caused by the Line Fire; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the Line Fire.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in San Bernardino County due to the Line Fire.

IT IS HEREBY ORDERED THAT:

1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey

the direction of emergency officials with regard to this emergency in order to protect their safety.

2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of the Line Fire. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of the Line Fire.
4. The California National Guard may be mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.
5. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of the Line Fire in San Bernardino County and apply for unemployment insurance benefits during the time period beginning September 5, 2024, and ending on the close of business on March 5, 2025, in San Bernardino County and who are otherwise eligible for unemployment insurance benefits.
6. In order to ensure hospitals, clinics, and other health facilities remain open, the Director of the California Department of Public Health (CDPH) may waive any of the licensing requirements of Chapters 1, 2, 8, and 8.5 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital, clinic, other health facility, home health agency, or hospice agency identified in Health and Safety Code sections 1200, 1250, 1727, or 1746 that is impacted by the Line Fire. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to remain open while protecting public health and safety. Any health facilities or agencies being granted a waiver shall be established and operated in accordance with their disaster and mass casualty plan or emergency preparedness plan. Any waivers granted pursuant to this paragraph shall be posted on the CDPH website and shall be in effect only so long as necessary to address the direct impacts of the Line Fire in San Bernardino County.

7. In order to directly respond to the needs of impacted adult and senior care facilities, child care facilities, children's residential facilities, resource family homes, home care organizations, and other similar care facilities and care providers within the California Department of Social Services' (CDSS) jurisdiction, the Director of CDSS may waive any provisions of the Family Code, Health and Safety Code, or Welfare and Institutions Code, and accompanying regulations or written directives, with respect to the use, licensing, certification, registration or approval of care providers, facilities or homes within CDSS jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), Child Care Provider Registration (Health and Safety Code section 1596.60 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), Residential Care Facilities for Persons With Chronic Life-Threatening Illness (Health and Safety Code section 1568.01 et seq.), the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.), Medical Foster Homes for Veterans (Health and Safety Code section 1568.21 et seq.), Continuing Care Contracts (Health and Safety Code section 1770 et seq.), the Home Care Services Consumer Protection Act (Health and Safety Code section 1796.10 et seq.), and the Resource Family Approval Program (Welfare and Institutions Code section 16519.5 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the CDSS website and shall be in effect only so long as necessary to address the direct impacts of the Line Fire in San Bernardino County.
8. In order to directly respond to the needs of behavioral health programs and facilities impacted by the Line Fire, including alcohol and other drug programs, adult alcoholism or drug abuse recovery or treatment facilities, driving-under-the-influence programs, narcotic treatment programs, psychiatric health facilities, mental health rehabilitation centers, social rehabilitation programs, skilled nursing facilities with special treatment programs, Lanterman-Petris-Short designated facilities, community treatment facilities, short term residential therapeutic programs, and children's crisis residential programs, the Director of the Department of Health Care Services (DHCS) may waive any licensing, certification, or approval requirements for such programs under its jurisdiction set forth in Welfare and Institutions Code, Divisions 4, 5 and 9 and in Health and Safety Code, Divisions 2 and 10.5, and accompanying regulations, written standards, or information notices. Any waivers granted pursuant to this paragraph shall be posted on the DHCS website and shall only be in effect so long as necessary to address the direct impacts of the Line Fire in San Bernardino County.
9. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees, are suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage records, by any individual who loses such records as a result of the Line Fire in San Bernardino County. Such copies shall be provided without charge.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the

State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 7th day of September 2024.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH. D
Secretary of State