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**BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

In the Matter of

WALNUT CREEK ENERGY LLC
[Facility ID No. 146536],

 Petitioner,

 v.

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT.

 Respondent.

Case No. 6230-3

**STIPULATION TO PLACE PETITION
FOR INTERIM VARIANCE ON
CONSENT CALENDAR**

Hearing Date: August 1, 2024
Time: 9:30 a.m.
Place: South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

We, the undersigned parties, hereby agree and stipulate as follows:

1. This matter may be placed on the Hearing Board’s Consent Calendar for Thursday, August 1, 2024, pursuant to District Hearing Board Rule 4(a)(4).
2. The Petitioner seeks a Short Variance from District Rules 203(b), 3002(c), and 2004(f), and from Permit Condition E448.3 of Facility Permit 146536 (“Permit”) as applicable to Unit 4 (Device No. D19), which is a GE LMS100 simple cycle gas turbine, to allow use of a spare supercore (S/N 878-187) that is not listed on the Permit for up to 90 days.
3. The Walnut Creek Energy LLC declaration of George Piantka (filed concurrently as Exhibit 1 to this Stipulation) is submitted to the Hearing Board in support of the Petitioner’s request for short variance relief.
4. The parties have agreed on a (Proposed) Findings and Decision and (Proposed) Order

1 (filed concurrently as Exhibit 2 with this Stipulation).

2 5. The parties hereby request that the Hearing Board decide the matter based on this
3 Stipulation, Declarations, and other documents submitted by the parties.

4 6. Operation under the proposed Order is not expected to result in a violation of Health
5 and Safety Code Section 41700 (nuisance) and no excess emissions are anticipated from operation
6 under the proposed Order.


7 7. The parties have considered the applicability of District Rule 504 to the requested
8 short variance and conclude that the relief requested from Permit Condition E448.3 listing its site
9 fleet and requiring that only GE LMS100PA-NGWG06 turbine engines with six specified supercore
10 serial numbers be used at the Facility does not seek relief from a rule setting forth requirements for
11 permits to construct, and therefore is not a variance prohibited by Rule 504(c).

12 8. Based on all the evidence in this case, the District does not oppose consideration of
13 the short variance on the Consent Calendar for August 1, 2024, or as soon thereafter as the matter
14 may be heard.

15 SO STIPULATED

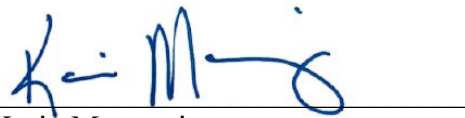
16 Dated: August 1, 2024

FOR PETITIONER
WALNUT CREEK ENERGY, LLC

17
18 By: 
19 Gregory Wolffe, CPP
20 Principal Scientist
21 YORKE ENGINEERING, LLC

22 Dated: August 1, 2024

FOR RESPONDENT
SOUTH COAST AIR QUALITY
23 MANAGEMENT DISTRICT

24
25 By: 
26 Karin Manwaring
27 Senior Deputy District Counsel
28 SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT