

**SAN DIEGO COUNTY  
AIR POLLUTION CONTROL DISTRICT HEARING BOARD  
EMERGENCY VARIANCE HEARING**

**May 25, 2021**

**3:30 p.m.**

**HEARING OFFICER:** Ruth V. Rodriguez, Chair, San Diego County Air Pollution Control District Hearing Board

**4518** City of San Diego Public Utilities Department – Point Loma Wastewater Treatment Plant: As Permitted Party, Requests a Relief from Rule 21, Permit Condition #13 relating to uncontrolled digester gas emissions involving leaking of all digester pressure relief valves.

**SWORN WITNESSES:** Brent Bowman, Salvador Coria, Dave Marlow, Daniel Moreno, and Carlos Nunez, representing the City of San Diego Public Utilities Department

**STAFF PRESENT:** Marvice Mazyck, APCD Hearing Board Clerk; Julie Byford, Civil Actions Investigator, William Jacques, Acting Chief of Departmental Operations, Mary Mahoney, Civil Actions Investigator; and Gretchen May, Air Quality Inspector II.

**ACTION:**

ON MOTION of Chair Rodriguez, the Air Pollution Control District Hearing Board accepted the District's Supplemental Information in Support of their position to be entered into the official record as Exhibit A with good cause.

**ACTION:**

ON MOTION of Chair Rodriguez, the Air Pollution Control District Hearing Board accepted the Petitioner's Supplemental Information in Support of their position to be entered into the official record as Exhibit B with good cause.

**ACTION:**

Pursuant to Air Pollution Control District Hearing Board Rule 98, Chair Rodriguez reviewed with Petitioner and those present Rule 98 for petitioning an Emergency Variance. Petitioner is not seeking an Emergency Variance to avoid seeking an Interim Variance or hearing notice requirements.

Upon establishing the requirements of APCD Rule 98 applicable, Chair Rodriguez received evidence, closed, and denied the Emergency Variance.

Based upon testimony given and evidence provided, Chair Rodriguez did not believe good cause was presented by the petitioner and determined that emergency action was not warranted. Chair Rodriguez further determined that systemic issues related to disregard for proper maintenance of equipment caused the equipment breakdown. It is recommended that the petitioner review their fixed monitoring equipment and strengthen their inspection checklist(s) to factor in age of equipment, environmental conditions, and depth of overhauls needed.



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MARVICE MAZYCK  
Clerk of the APCD Hearing Board