

STATEMENT OF PROCEEDINGS
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT HEARING BOARD
Regular Meeting, Thursday, October 27, 2022
9:00 a.m.

ORDER OF BUSINESS

ROLL CALL

Members present: Vilmarie Rodriguez, Chair; Alison Schlick, Vice Chair, Jose Gonzalez; William Powers and Daniel Spencer

Members absent: n/a

Staff present: Mary Mahoney, APCD Civil Actions Investigator; William Jacques, APCD Chief Departmental Operations Compliance; Veera Tyagi, Senior Deputy County Counsel APCD; Emily Helms, Senior Deputy County Counsel APCD; and Mia Ruffier, APCD Clerk of the Hearing Board

SWORN OATH OF WITNESSES BY CLERK

All witnesses providing public testimony during the meeting were sworn-in by the Clerk of the APCD Hearing Board.

ADMINISTRATIVE ITEM:

A. Public Communication

No public testimony was provided to the Board.

B. Approval of 2023 Hearing Board Calendar.

ACTION:

ON MOTION of Vice Chair Schlick, seconded by Member Powers, the Air Pollution Control District Hearing Board approved the 2023 Hearing Board Calendar.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

C. Approval of Statement of Proceedings for September 22, 2022.

ACTION:

ON MOTION of Member Spencer, seconded by Chair Rodriguez, the Air Pollution Control District Hearing Board approved the Statement of Proceedings for the meeting of September 22, 2022.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

- D. Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e).

ACTION:

ON MOTION Member Spencer, seconded by Member Powers, the Air Pollution Control District Hearing Board approved the Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e).

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

- E. Discussion: Revised Hearing Board Rules of Procedure

ACTION:

ON MOTION of Chair Rodriguez, seconded by Vice Chair Schlick, the Air Pollution Control District Hearing Board continued the discussion for December 08, 2022.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

PETITION(S) BEFORE THE BOARD:

- 4527** San Diego County Air Pollution Control District, County of San Diego: Requests Abatement Order against Respondent NEW LEAF BIOFUEL. Requested Abatement Order is not intended to act as a Variance. The District alleges the odors from the plant's processing of used cooking oil at 2317 Newton Ave., San Diego CA 92113 causes a nuisance, and seeks a Stipulated Abatement Order, with milestones requiring New Leaf Biofuels to comply with air quality rules.

ACTION:

ON MOTION of Chair Rodriguez, seconded by Member Powers, the Air Pollution Control District Hearing Board approved the Stipulated Abatement Order between the San Diego County Air Pollution Control District, Petitioner, and New Leaf Biofuels, Respondent.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

ADJOURNMENT:

The APCD Hearing Board adjourned the October 27, 2022 meeting at 12:35 p.m.

ASSISTANCE FOR THE DISABLED:

Agendas and records are available in alternative formats upon request. Contact the APCD Hearing Board Clerk at 858-586-2600 with questions or to request a disability-related accommodation including sign language interpretation. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made.

Pursuant to Government Code 54957.5, written materials distributed to the Hearing Board in connection with this agenda less than 72 hours before the meeting will be available to the public at the San Diego County Air Pollution Control District, 10124 Old Grove Road, San Diego, CA 92131.

The statements contained in this draft document are subject to change until they are approved in their final form by the Air Pollution Control District Hearing Board at a subsequent public meeting.

ADMINISTRATIVE ITEM:

A. Public Communication

ACTION:

No public testimony was provided to the Board.



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

ADMINISTRATIVE ITEM:

B. Approval of 2023 Hearing Board Calendar.

ACTION:

ON MOTION of Vice Chair Schlick, seconded by Member Powers, the Air Pollution Control District Hearing Board approved the 2023 Hearing Board Calendar.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

AIR POLLUTION CONTROL DISTRICT HEARING BOARD
2023 CALENDAR
*** FILING DEADLINES * NOTICING DEADLINES ***

HEARING BOARD MEETING DATES	FILING DEADLINE FOR APPLICATIONS REQUIRING A 30-DAY NOTICE (5:00pm)	30-DAY NOTICE DISTRIBUTION DEADLINE	FILING DEADLINE FOR APPLICATIONS REQUIRING A 10-DAY NOTICE (5:00pm)	10-DAY NOTICE DISTRIBUTION DEADLINE	POSITION PAPERS FILED BY DISTRICT (9:00 A.M.)	SUPPORTING DOCUMENTS SUBMITTED BY PETITIONER (9:00 A.M.)	AGENDA PACKET SENT BY CLERK 2:00 P.M.
Jan 12, 23	Dec 07, 22	Dec 08, 22	Dec 23, 22	Dec 27, 22	Jan 05, 23	Jan 05, 23	Jan 05, 23
Jan 26, 23	Dec 21, 22	Dec 22, 22	Jan 10, 23	Jan 11, 23	Jan 19, 23	Jan 19, 23	Jan 19, 23
Feb 09, 23	Jan 04, 23	Jan 05, 23	Jan 24, 23	Jan 25, 23	Feb 02, 23	Feb 02, 23	Feb 02, 23
Feb 23, 23	Jan 18, 23	Jan 19, 23	Feb 07, 23	Feb 08, 23	Feb 16, 23	Feb 16, 23	Feb 16, 23
Mar 09, 23	Feb 01, 23	Feb 02, 23	Feb 21, 23	Feb 22, 23	Mar 02, 23	Mar 02, 23	Mar 02, 23
Mar 23, 23	Feb 15, 23	Feb 16, 23	Mar 07, 23	Mar 08, 23	Mar 16, 23	Mar 16, 23	Mar 16, 23
Apr 13, 23	Mar 08, 23	Mar 09, 23	Mar 28, 23	Mar 29, 23	Apr 06, 23	Apr 06, 23	Apr 06, 23
Apr 27, 23	Mar 22, 23	Mar 23, 23	Apr 11, 23	Apr 12, 23	Apr 20, 23	Apr 20, 23	Apr 20, 23
May 11, 23	Apr 05, 23	Apr 06, 23	Apr 25, 23	Apr 26, 23	May 04, 23	May 04, 23	May 04, 23
May 25, 23	Apr 19, 23	Apr 20, 23	May 09, 23	May 10, 23	May 18, 23	May 18, 23	May 18, 23
Jun 08, 23	May 03, 23	May 04, 23	May 23, 23	May 24, 23	Jun 01, 23	Jun 01, 23	Jun 01, 23
Jun 22, 23	May 17, 23	May 18, 23	Jun 06, 23	Jun 07, 23	Jun 15, 23	Jun 15, 23	Jun 15, 23
Jul 13, 23	Jun 07, 23	Jun 08, 23	Jun 27, 23	Jun 28, 23	Jul 06, 23	Jul 06, 23	Jul 06, 23
Jul 27, 23	Jun 21, 23	Jun 22, 23	Jul 11, 23	Jul 12, 23	Jul 20, 23	Jul 20, 23	Jul 20, 23
Aug 10, 23	Jul 05, 23	Jul 06, 23	Jul 25, 23	Jul 26, 23	Aug 03, 23	Aug 03, 23	Aug 03, 23
Aug 24, 23	Jul 19, 23	Jul 20, 23	Aug 08, 23	Aug 09, 23	Aug 17, 23	Aug 17, 23	Aug 17, 23
Sep 07, 23	Aug 02, 23	Aug 03, 23	Aug 22, 23	Aug 23, 23	Aug 31, 23	Aug 31, 23	Aug 31, 23
Sep 21, 23	Aug 16, 23	Aug 17, 23	Sep 05, 23	Sep 06, 23	Sep 14, 23	Sep 14, 23	Sep 14, 23
Oct 12, 23	Sep 06, 23	Sep 07, 23	Sep 26, 23	Sep 27, 23	Oct 05, 23	Oct 05, 23	Oct 05, 23
Oct 26, 23	Sep 20, 23	Sep 21, 23	Oct 10, 23	Oct 11, 23	Oct 19, 23	Oct 19, 23	Oct 19, 23
Nov 09, 23	Oct 04, 23	Oct 05, 23	Oct 24, 23	Oct 25, 23	Nov 02, 23	Nov 02, 23	Nov 02, 23
Dec 07, 23	Nov 01, 23	Nov 02, 23	Nov 21, 23	Nov 22, 23	Nov 30, 23	Nov 30, 23	Nov 30, 23

Hearings will commence at 9:00 a.m. at located publicly noticed.

2023 APCD Hearing Board Meeting Schedule and Filing Deadlines

AIR POLLUTION CONTROL DISTRICT HEARING BOARD 2023 CALENDAR * FILING DEADLINES *			
TO BE SCHEDULED FOR THE HEARING BOARD MEETING DATE OF	A 90-DAY VARIANCE or PERMIT APPEALS <u>MUST BE FILED BY</u> <u>5:00 P.M.</u> ON	A REGULAR VARIANCE; or APPLICATION TO MODIFY/EXTEND VARIANCE <u>MUST BE FILED BY</u> <u>5:00 P.M.</u> ON	SUPPORTING DOCUMENTS FOR A 90-DAY VARIANCE, REGULAR VARIANCE, OR APPLICATION TO MODIFY/EXTEND VARIANCE <u>MUST BE</u> <u>SUBMITTED BY 9:00 A.M.</u> ON
Jan 12, 23	Dec 23, 2022	Dec 07, 2022	Jan 05, 2023
Jan 26, 23	Jan 10, 2023	Dec 21, 2022	Jan 19, 2023
Feb 09, 23	Jan 24, 2023	Jan 04, 2023	Feb 02, 2023
Feb 23, 23	Feb 07, 2023	Jan 18, 2023	Feb 16, 2023
Mar 09, 23	Feb 21, 2023	Feb 01, 2023	Mar 02, 2023
Mar 23, 23	Mar 07, 2023	Feb 15, 2023	Mar 16, 2023
Apr 13, 23	Mar 28, 2023	Mar 08, 2023	Apr 06, 2023
Apr 27, 23	Apr 11, 2023	Mar 22, 2023	Apr 20, 2023
May 11, 23	Apr 25, 2023	Apr 05, 2023	May 04, 2023
May 25, 23	May 09, 2023	Apr 19, 2023	May 18, 2023
Jun 08, 23	May 23, 2023	May 03, 2023	Jun 01, 2023
Jun 22, 23	Jun 06, 2023	May 17, 2023	Jun 15, 2023
Jul 13, 23	Jun 27, 2023	Jun 07, 2023	Jul 06, 2023
Jul 27, 23	Jul 11, 2023	Jun 21, 2023	Jul 20, 2023
Aug 10, 23	Jul 25, 2023	Jul 05, 2023	Aug 03, 2023
Aug 24, 23	Aug 08, 2023	Jul 19, 2023	Aug 17, 2023
Sep 07, 23	Aug 22, 2023	Aug 02, 2023	Aug 31, 2023
Sep 21, 23	Sep 05, 2023	Aug 16, 2023	Sep 14, 2023
Oct 12, 23	Sep 26, 2023	Sep 06, 2023	Oct 05, 2023
Oct 26, 23	Oct 10, 2023	Sep 20, 2023	Oct 19, 2023
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Hearings will commence at 9:00 a.m. at location publicly noticed.			

ADMINISTRATIVE ITEM:

C. Approval of Statement of Proceedings for September 22, 2022.

ACTION:

ON MOTION of Member Spencer, seconded by Chair Rodriguez, the Air Pollution Control District Hearing Board approved the Statement of Proceedings for the meeting of September 22, 2022.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

ADMINISTRATIVE ITEM:

- D. Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e).

ACTION:

ON MOTION of Member Spencer, seconded by Member Powers, the Air Pollution Control District Hearing Board approved the Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e).

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

**RESOLUTION AUTHORIZING CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS
PURSUANT TO GOVERNMENT CODE SECTION 54953**

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency ("State of Emergency") pursuant to section 8625 of the California Emergency Services Act, in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable; and,

WHEREAS, on September 20, 2021, Governor Newsom issued Executive Order N-15-21 that suspended AB 361 through September 30, 2021; and,

WHEREAS, the proclaimed State of Emergency remains in effect; and,

WHEREAS, the California Occupational Safety and Health Standards Board adopted California Code of Regulations, Title 8, Section 3205 which states, "particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination;" and

WHEREAS, on or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego's Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"); and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, BE IT RESOLVED, by the San Diego County Air Pollution Control District Hearing Board (Board) as follows:

1. The recitals set forth above are true and correct and form the basis for the finding of this Resolution.
2. On October 27, 2022, this legislative body found that there is an existing proclaimed State of Emergency and state and local officials have imposed or recommended measures to promote social distancing, including but not limited to the Teleconferencing Recommendation.
3. This legislative body has reconsidered the circumstances of the circumstances of the State of Emergency and state or local officials continue to impose or recommend measures to promote social distancing.
4. In order to satisfy the requirements of Section 54953(e)(3) of the Brown Act, which allows local legislative bodies to continue utilizing simplified teleconferencing options under the Brown Act if certain findings are made no later than thirty (30) days after such simplified teleconferencing options are first used, Board staff is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.
5. Board staff is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.
6. This finding is intended to apply to all of the legislative body subcommittees this legislative body has created.
7. This Resolution shall take effect immediately upon its adoption.

ON MOTION of Member Spencer, seconded by Member Powers, the above Resolution was passed and adopted by the San Diego County Air Pollution Control District Hearing Board, on this 27th day of October 2022, by the following vote:

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

Meeting Date: 10/27/2022 (D)

ADMINISTRATIVE ITEM:

E. Discussion: Revised Hearing Board Rules of Procedure

ACTION:

ON MOTION of Chair Rodriguez, seconded by Vice Chair Schlick, the Air Pollution Control District Hearing Board continued the discussion for December 08, 2022.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

**SAN DIEGO COUNTY
AIR POLLUTION CONTROL DISTRICT HEARING BOARD
BOARD ORDER**

- 4527** San Diego County Air Pollution Control District, County of San Diego: Requests Abatement Order against Respondent NEW LEAF BIOFUEL. Requested Abatement Order is not intended to act as a Variance. The District alleges the odors from the plant's processing of used cooking oil at 2317 Newton Ave., San Diego CA 92113 causes a nuisance, and seeks a Stipulated Abatement Order, with milestones requiring New Leaf Biofuels to comply with air quality rules.

Notice of time and place of hearing was given as required by law.

ACTION:

ON MOTION of Chair Rodriguez, seconded by Member Powers, the Air Pollution Control District Hearing Board closed the hearing based on testimony provided and evidence submitted, the Board approved the attached Stipulated Abatement Order between the San Diego County Air Pollution Control District, Petitioner, and New Leaf Biofuels, Respondent, based on the terms and conditions set forth in Section I of the Stipulated Abatement Order. This Stipulated Abatement does not act as a Variance.

The Board has received evidence regarding the alleged odors from the plant's processing of used cooking oil and reviewed the Stipulated Abatement Order. The Board has found based on good cause and the need to implement control to eliminate the impact to the Residents of Barrio Logan from the biofuel process odors and has approved the Stipulated Order of Abatement, as presented and negotiated between the Air Pollution Control District and New Leaf Biofuels, as written.

Petitioner and Respondent are to return to the Board with an update on the progress of the Stipulated Abatement Order during a special meeting of the Air Pollution Control District Hearing Board November 17, 2022. The Board has directed the District to include the status update of the conditions set within the Stipulated Abatement Order and feasibility of collaboration of New Leaf with the surrounding community to mitigate the impact of their operation during a heat wave, consideration of possible shut downs of the biofuel processing during high impact weather and possibility of escalation should progress not be made and proposed options for the Respondent to sustain compliance and eliminating any future occurrence.

The Board thereby granted the District's request for a Stipulated Abatement Order against Respondent, New Leaf Biofuel effective immediately.

ADDITIONAL ENFORCEMENT CONDITIONS

After a thorough investigation of all relevant facts, including public comments, it was determined that the schedule for compliance set forth in the Order is as expeditious as practicable, that the terms of this Order comply with applicable sections of the State Health and Safety Code and that the following additional provisions shall apply:

1. If you believe that you cannot meet a condition in this Order or in any accompanying Schedule of Increments of Progress, you may petition the Hearing Board to modify this Order or Schedule of Increments of Progress pursuant to Health & Safety Code 40825, 40826, 42351.5, and 42356-42357. Modifying the Increments of Progress generally requires the same notice as a 90-day variance and extending the final compliance date requires the same notice as a regular variance; please consult the Hearing Board Calendar or Clerk for specific dates.
2. If you have any questions about how to comply with this Order, you may contact the District, attention Mary Mahoney, at (858) 248-5810. Unless otherwise stated, all submittals to the District pursuant to this Order shall be made to: San Diego Air Pollution Control District, Compliance Division, 10124 Old Grove Road, San Diego, CA 92131; or Email: mary.mahoney@sdapcd.org.
3. The U.S. Environmental Protection Agency (EPA) does not recognize variances granted under California state law. A Variance Order granted by this Board does not preclude either the EPA or citizens from seeking penalties for violations of federal law.
4. Failure to comply with any condition in this Order or in any accompanying Increments of Progress schedule may result in any of the following actions:
 - a. Enforcement pursuant to California Health and Safety Code Section 42400, 42401, 42402 or 42403, including possible judicial action for an injunction and/or civil penalties, and, in appropriate cases, criminal prosecution.
 - b. Revocation or modification of this Order under California Health and Safety Code Section 42356 or 42362, after notice and opportunity for a public hearing.

FAILURE TO COMPLY with any of the foregoing is a violation of this Order.

AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer



MIA RUFFIER

Clerk of the San Diego County Air Pollution Control District Hearing Board

SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT
PAULA FORBIS, Air Pollution Control Officer
MARY P. MAHONEY, Civil Actions Investigator
10124 Old Grove Road
San Diego, California 92131
Telephone: 858-248-5810

Petitioner San Diego County Air Pollution Control District

**BEFORE THE SAN DIEGO COUNTY
AIR POLLUTION CONTROL DISTRICT HEARING BOARD**

SAN DIEGO COUNTY AIR POLLUTION
CONTROL

No. 4527

STIPULATED ABATEMENT ORDER
PURSUANT TO HEALTH & SAFETY CODE
§ 42451(b)

Petitioner,

NEW LEAF BIOFUEL, LLC
Registered Agent: Jennifer Case

Hearing Date: October 27, 2022
Time: 9:00 a.m.
Place: Zoom link Provided by the
Clerk of the Hearing Board

Respondent.

The petition of the San Diego Air Pollution Control District (“District”) for a Stipulated Abatement Order came for hearing by this Board on October 27, 2022, pursuant to the petition filed on October 11, 2022. The District appeared and was represented by Mary P. Mahoney, Civil Actions Investigator and William Jacques, Chief, Departmental Operations. The Respondent was represented by Jennifer Case, President and Chris White, Chief Operating Officer. The public was given the opportunity to testify. The Board having heard sworn testimony and received exhibits in evidence on behalf of the District, and the matter having been submitted for decision, the Hearing Board makes the following findings and decision:

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3 **FINDINGS OF FACT**

4 1. IT IS HEREBY STIPULATED between the District and New Leaf Biofuel that the Hearing
5 Board pursuant to California Health and Safety Code § 42451(b) may issue this Stipulated Abatement
6 Order (“Order”), effective upon issuance, as set forth below.

7 2. Petitioner is an air pollution control district duly authorized and existing under the laws of the
8 State of California and is the local agency responsible for air pollution control in San Diego County.

9 3. Respondent does business within the jurisdiction of the District and operates a private used
10 cooking oil business to generate biofuels at Respondent’s plant at 2285 Newton Avenue, San Diego, CA
11 , 92113 in the City of San Diego.

12 4. Respondent was served with a copy of the Petition for a Stipulated Abatement Order on October
13 5, 2022, by email sent to Respondents Jennifer Case, President, and Chris White, Chief Operating
14 Officer for NLB and a copy of the (Proposed) Stipulated Abatement Order on October 5, 2022, by email
15 to Jennifer Case and Chris White. Copies of both documents were also sent via U.S. certified mail to the
16 Respondent.

17 5. Notice of time and place of hearing was given as required by law.

18 6. The District has responded to twenty-one (21) air quality complaints from the surrounding
19 community reporting strong odors from the processing of used cooking oil. As a result of those
20 investigations, the District has issued three Notices of Violations (APCD2021-NOV-000795,
21 APCD2022-NOV-000084, and APCD2022-NOV-000572) on 12/03/2021, 02/04/2022 and 08/05/2022,
22 respectively, alleging the creation of nuisance odors from the processing of used cooking oil into
23 biofuels in violation of District Rule 51, “Nuisance” and the California Health and Safety Code §41700.

24 7. The District conducted fifty (50) inspections, between November of 2021 and September 30,
25 2022, to evaluate the impact from this operation on the surrounding community by conducting odor
26 surveys. Out of fifty (50) inspections conducted, the District documented odors from this operation
27 during all fifty (50) inspections. This operation is still not in compliance with Rule 51, “Nuisance” and
28 the California Health and Safety Code §41700.

1 8. The odors from this operation are negatively impacting part of the Portside Environmental
2 Justice Community, which has been selected by the California Air Resources Board under the
3 Community Air Protection Program. The Portside community was selected under this Program because
4 it has several census tracts with some of the highest CalEnviroScreen ratings in California.
5 CalEnviroScreen is a science-based mapping tool that helps identify California communities that are
6 most affected by many sources of pollution, and that are often especially vulnerable to pollution's
7 effects.

9 CONCLUSIONS

10 1. Health and Safety Code section 42451(b) permits the Hearing Board to issue a stipulated order
11 for abatement upon the terms and conditions set forth in the Stipulated Order without making findings
12 regarding whether Respondent is in violation of any District rule or regulation.

13 2. Respondent continues to create nuisance odors by operating a facility that processes used
14 cooking oil into biodiesel which causes nuisance odors to a considerable number of persons in violation
15 of District Rule 51 and the California Health and Safety Code Section 41700.

16 3. The District, by this Petition, seeks a Stipulated Abatement Order to impose certain conditions to
17 mitigate the impact on the surrounding community until the odor control system is installed in
18 accordance with the Authority to Construct issued by the District to establish a timeline for the
19 proper and timely permitting and installation of an odor mitigation system to reach compliance.

20 4. This Stipulated Abatement Order is not intended to act as a variance, and Respondent is subject to all
21 rules and regulations of the District, and with all applicable provisions of California and federal law.

22 5. The Stipulated Abatement Order cannot be construed as an admission of liability or violation of
23 District rules.

24 6. The issuance of this Stipulated Abatement Order will not constitute a taking of property without due
25 process of law.

26 7. In order to prevent future violations of District rules, it is necessary that Respondent's operations be
27 enjoined as set forth in the Stipulated Abatement Order.
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3 **ORDER**

4 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

5 I. Respondent, New Leaf Biofuel, LLC and their officers, agents, employees, spouses, partners,
6 heirs, assignees, lessees, transferees, and successors, are hereby ORDERED to comply with the
7 following conditions during the term of this Order:

8 A. Respondent shall notify the District when each ordered component of the new odor
9 control system is received, within one business day.

10 B. The odor control system shall be installed and any necessary modification to the building
11 for the ductwork and hoods for the collection and routing of emissions to the air pollution control
12 equipment be completed and the system begins operation no later than 5 p.m. on Friday
13 December 9, 2022.

14 C. Respondent shall notify the District when the installation is complete and submit a
15 Construction Completion Notice form to District Engineering, within one business day.

16 D. Respondent shall notify the District within one business day of any odor complaints that
17 they receive directly, starting on October 27, 2022, and until confirmation of the odor control
18 system has been demonstrated to be effective as determined in a District update at a future
19 Hearing Board meeting at least two months (March 2023) after the new odor control system has
20 been operating.

21 E. Respondent shall implement a new Odor Management Program at its 2317 Newton
22 Avenue used cooking oil processing facility know as South Plant effective immediately and until
23 the new odor control system begins operation no later than 5p.m. on Friday December 9, 2022.

24 1. The following conditions shall be inspected, documented, and addressed immediately, if
25 needed:

26 i. Oil tanks shall be fully closed other than when required for filling, discharging
27 or momentarily for measuring the liquid inside. This will be inspected three (3)
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times a shift, for a total of six (6) times per day and spaced out for the start, middle and end of each shift.

- ii. Pipes, pumps, and valves shall be checked for leaks. This will be inspected three (3) times a shift, for a total of six (6) times per day and spaced out for the start, middle and end of each shift.
- iii. Unnecessary items shall be removed from the processing area to facilitate cleaning and inspections once per shift, for a total of two (2) times per day.
- iv. The floors in the South Plant shall be inspected for cleanliness two (2) times per shift, for a total of four (4) times per day at the start and end of each shift.
- v. The unloading and loading areas shall be inspected for drips, spills and pavement condition every three to four hours of operation.
- vi. The frontage of the South Plant, including the pavement shall be inspected for drips, stains or tracking at least once per shift, for a minimum of two (2) times per day.
- vii. The South Plant shall be inspected for the accumulation of oil or other process materials on all non-flooring surface areas at least once per shift, for a minimum of two (2) times per day.

2. The following housekeeping standards shall be followed:

- i. Spills, including water leaks, inside the South Plant and at the outside loading/unloading areas shall be cleaned up as soon as possible and not more than within one hour of being identified.
- ii. The floors inside the South Plant shall be degreased, vacuumed, and cleaned of oily residue at least once per shift whether or not any spills have been identified.

- iii. The outside loading/unloading areas shall be cleaned of oily residue at least once per shift whether or not any spills have been identified.
- iv. The pavement in front of the South Plant shall be cleaned of oily residue at least once per day, whether or not any spills have been identified.
- v. Non-floor surfaces shall be cleaned of any process materials at least once per day, whether or not any spills have been identified.
- vi. Oily rags shall be stored in closed, plastic lined containers at all times and shall be emptied at least once per day.

F. The metal roll-up doors at the South Plant shall remain closed at all times, except when materials are entering or exiting the building, or during maintenance. The roll up doors shall never be open when the two-stage screening process is in use and when large items are being removed from the screens.

G. All materials removed from the screens shall be stored in closed containers.

H. All other doors or points of entry at the South Plant shall remain closed at all times when used cooking oil is being processed, except for momentary entering or exiting of the building.

I. Where equipped, process covers, with the exception of access hatches, shall be in place at all times, except during maintenance.

J. All materials containing volatile organic compounds (VOCs), or odorous compounds shall be stored in closed containers.

K. Containers or tanks storing used cooking oil shall be free from leaks and shall remain covered, except when adding or removing materials or for cleaning.

L. The transferring of used cooking oil into storage containers or tanks shall only be conducted in accordance with the facility Operation and Maintenance Manual and with manufacturer's instructions. No used cooking oil leakage is allowed from ducting, equipment, or storage facilities during processing, unloading into tanks or charging to trucks or the plant.

M. Respondent shall submit a timely petition to the Hearing Board to modify this Order if

1 the Respondent determines it will be unable to meet any condition or Increments of Progress
2 herein or may otherwise be unable to comply with the terms of this Order within five (5)
3 business days of any such determination. The Respondent may also submit a petition to the
4 Hearing Board to modify any condition of this Order upon good cause.

5 N. After the odor reduction system has been operating for at least two months, Petitioner and
6 Respondent shall provide the Hearing Board with an update at a future Hearing Board Meeting
7 (March 2023) regarding the effectiveness of the nuisance odor controls in order to resolve the
8 SAO.

9 O. The District shall evaluate the success of the Respondent's Odor Management Program
10 and the Increments of Progress herein through routine odor surveys during the interim
11 compliance schedule. The District shall provide an update at the November 17, 2022, Hearing
12 Board meeting.


13 P. Respondent shall notify the District via email by emailing Mary.Mahoney@sdapcd.org
14 and copying William.Jacques@sdapcd.org and apcdcomp@sdapcd.org for all notifications
15 requested herein.

16
17 II. This Stipulated Abatement Order does not act as a variance, and Respondent is subject to all
18 rules and regulations of the District, and with all applicable provisions of California and federal law.

19 III. Violation of any requirement of this Order is subject to enforcement of California Health and
20 Safety Code Sections 42400 through 42410 and 42453; including possible judicial action for an
21 injunction and/or penalties, and, in appropriate cases, criminal prosecution.

22
23 SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT
24 Paula Forbis, Air Pollution Control Officer

25 Date: Oct 31, 2022

26 
27 Paula Forbis (Oct 31, 2022 08:22 PDT)
28 By: Paula Forbis

NEW LEAF BIOFUEL, LLC
Jennifer Case, President

Date: Oct 31, 2022


By: Jennifer Case, President

1 **ACTION:**

2 ON MOTION of Member Chairperson Rodriguez, seconded by Member Powers, the Air Pollution
3 Control District Hearing Board closed the hearing and granted the Stipulated Abatement Order.

4 AYES: Rodriguez, Schlick, Gonzalez, Powers, Spencer

5 ABSENT:

6 It is so ordered.

7 
8 By: Vilmarie Rodriguez/Chairperson, APCD Hearing Board









Revised Order for Stipulated Abatement Petition 4527 10.31.22

Final Audit Report

2022-10-31

Created:	2022-10-31
By:	Mary Mahoney (Mary.Mahoney@sdapcd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAFsUV0AOshe0f1jxtLwbHScVf67b2ECX7

"Revised Order for Stipulated Abatement Petition 4527 10.31.22" History

-  Document created by Mary Mahoney (Mary.Mahoney@sdapcd.org)
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Public Communication



October 27, 2022

APCD Hearing Board Members
San Diego Air Pollution Control District (SDAPCD)
10124 Old Grove Rd, San Diego, CA 92131

Dear APCD Hearing Board Members:

Environmental Health Coalition (EHC) believes that all people and communities have the right to live, work and play in a clean and safe environment regardless of their ZIP code. Unfortunately, residents in communities like Barrio Logan continue to be disproportionately impacted by pollution. Industrial operations in the neighborhood cause a lot of harm to resident health, augmented when violating SDAPCD regulations.

We write this letter today in solidarity with over 180 Barrio Logan residents, business owners and community organizations to respectfully request that the San Diego Air Pollution Control District (SDAPCD) Hearing Board exercise its authority under Rule 28 of the APCD Hearing Board Rules and Regulations, and Health and Safety Code Section 42450, to **issue an order of Abatement to New Leaf Biofuel (2285 Newton Ave, San Diego, CA 92113) that calls for the immediate pause on all biofuel production operations until an odor control system be installed.**

New Leaf Biofuel has been operating in Barrio Logan for about 13 years. Its facility – located on the corner of Newton Avenue and Sicard St- is in a neighborhood that allows industrial and residential uses to exist in close proximity. New Leaf processes millions of gallons of used cooking oil to create biodiesel. The cooking oil refining process emits a nauseating odor that makes living on the same street as the New Leaf facility unbearable for residents. SDAPCD inspection reports recount conversations with impacted Barrio Logan residents describing the smell as “toxic” and “sour”. Some senior residents at the Barrio Senior Villas Apartment complex– located less than 20 yards from the New Leaf facility – report that they can’t sleep at night because the odor causes them headaches, irritation in their throat and eyes, and prevents them from opening the windows of their homes, which are not air-conditioned. This is particularly concerning given the extreme weather conditions we have been experiencing.

According to the Draft Stipulated Abatement Order petition, New Leaf Biofuel can continue operating in Barrio Logan as long as they install their odor control system by December 9th 2022. EHC’s request for the Hearing Board to pause New Leaf Biofuel production operation until the odor control system is installed is based on the following reasons:

1) New Leaf Biofuel has a history of non-compliance with SDAPCD rules

On August 11, 2022, EHC staff submitted a Public Records Act Request from the SDAPCD to better understand New Leaf Biofuel’s relationships with our community members and local air quality regulators.

Community Complaints: Based on the information obtained in the documents provided, EHC found that SDAPCD has received 21 resident complaints related to odors at New Leaf since November 2021. This averages to about 1 official complaint every 2 weeks. While this number is substantial and gives a good indication of how consistent the odor problem is in this neighborhood, EHC understands that the New Leaf odor problems are underreported. Many impacted residents do not know how to report air quality complaints using the APCD app and don't have reliable access to the internet to do so. Most of the complaints submitted to APCD, however, indicated that the odor is present 7 days a week at all times of day.

SDAPCD Enforcement: SDAPCD has issued 7 Notices of Violation in the last 5 years including: at least 2 Notices of Violation for the unlawful operation of emission causing equipment at their facilities (NOV-000970, NOV-000822) ; 3 Notices of Violation for Public Nuisance (NOV-000795, Nov-000084, NOV-Issued Mid-August), 1 Notice of Violation for failure to provide inspection logs (NOV-000687) and 1 Notice of Violation for failure to submit their 2019 Emissions Inventory by May 1, 2020 after several requests (NOV-000561).

Media Attention: In addition to community complaints submitted to the SDAPCD and Notices of Violation issued by SDAPCD inspectors - New Leaf's non-compliance, negative impact on the Barrio Logan community and incompatibility with the residential neighborhood has been documented on local news outlets and publications as well.

1. *Union Tribune* (4/8/22) - [*Que Viva El Barrio: Barrio Logan residents on their community's struggle with pollution*](#)
2. *Voice of San Diego* (3/29/2021) <https://voiceofsandiego.org/2021/03/29/barrio-logan-tries-again-to-determine-its-own-future/> .
3. *Telemundo 20* - <https://www.telemundo20.com/noticias/local/huele-a-caca-residentes-de-barrio-logan-temen-por-su-salud-tras-olores-fetidos-presuntamente-origenarios-de-una-fabrica/2246961/>
4. *Fox 5 San Diego* - <https://fox5sandiego.com/news/local-news/barrio-logan-residents-say-odor-from-biodiesel-plant-is-making-them-sick/>
5. *CBS 8* - <https://www.cbs8.com/article/news/local/barrio-logan-residents-sick-bad-odor-allegedly-coming-from-new-leaf-biofuel/509-b8fc158d-0cfc-4df9-b321-b4a81df6442a>
6. *San Diego Union Tribune* - <https://www.sandiegouniontribune.com/local/story/2022-10-10/barrio-logan-residents-want-putrid-odors-from-biodiesel-plant-to-stop>
7. *KPBS* - <https://www.kpbs.org/news/local/2022/10/14/barrio-logan-company-says-stench-issue-being-fixed>
8. *Channel 10 News* - <https://www.10news.com/news/local-news/whos-responsible-for-the-strong-smell-in-national-city-and-when-will-it-go-away>
9. *NBC 7* - <https://www.nbcsandiego.com/news/local/barrio-logan-residents-demand-answers-over-foul-odor/3069463/>

2) New Leaf has not fixed the odor problem despite SDAPCD's numerous enforcement attempts

The SDAPCD inspection records and media reports make it clear that New Leaf has been operating with little regard to its resident neighbors and applicable SDAPCD Rules. Given the multiple Notices of Violation, New Leaf is quite aware that they are a public nuisance and yet they have taken little to no effective action to reduce their odors.

SDAPCD Rule 51 (Codified; California HS&C 41700 Public Nuisance) reads:

*A person shall not discharge from any source whatsoever such quantities of air contaminants or other material **which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public** or which cause or have a natural tendency to cause injury or damage to business or property.*

New Leaf Biofuel received its first notice of violation (NOV-000795) for public nuisance on December 3, 2021 in response to community complaints about “toxic smelling odors”. After a few months of consistent community complaints, New Leaf was issued a second public nuisance Notice of Violation (NOV-000084) on February 4, 2022.

On June 10, 2022, a SDAPCD Inspector visited the New Leaf facility in response to yet another community odor complaint (CMP-0306). During this investigation, the Inspector was told by New Leaf staff that they had recently submitted a permit application and fee payment for an odor control system. New Leaf staff explained that the proposals included using a solvent for neutralizing the odor of cooking oil, an air capture system to be used during the unloading process, and a high velocity fan to blow air up to prevent nearby dispersion.

Community members continued to suffer as a result of noxious odors and on August 5, 2022 APCD issued their third Notice of Violation for Public Nuisance Odors.

On October 13th, New Leaf Biofuel was granted a permit for their odor control system – almost a year after they were formally put on notice by APCD staff. Installation of this odor control system can take several weeks, all while residents continue to have to change the way they live in the neighborhood because of the odors.

3. An Abatement Order is Necessary to provide immediate relief for residents

EHC commends the tenacity and thoroughness of SDAPCD staff in responding to air quality complaints by the residents of Newton Avenue and the surrounding streets. Responding to these complaints is time consuming and expensive. SDAPCD staff have been diligent in conducting site visits to the facility; providing educational information on alternative means to mitigate the odors; writing reports and

issuing Notices of Violation. Staff have also been responsive to community residents and provided follow up to them, however after a year of official community complaints and enforcement of the SDAPCD Nuisance Rule, residents in Barrio Logan continue to suffer because of the sickening odors. It is unjust, that New Leaf has been able to ramp production and incur profits without truly changing the way they operate, while residents continue to have to modify the way they navigate the neighborhood as a result of the odors. Residents cannot barbecue or use public spaces, children aren't playing outside as a result of these odors.

It is now time to escalate enforcement of the SDAPCD public nuisance rule. An abatement order that pauses the operation of New Leaf until odor control systems are installed, will provide the relief that residents have been calling for and deserve. Pausing the New Leaf operation **until the odor control system is installed will send a clear and powerful message that SDAPCD will take all measures necessary to ensure that facilities operate in ways that are not harmful to community member's quality of life and public health.**

4. Request for Action

New Leaf Biofuel has been a nuisance in the Barrio Logan community for several years. . New Leaf's operation emits an awful odor that has impacted the quality of life in the neighborhood for far too long. Residents have utilized the complaint system provided by SDAPCD to combat and report industries that impact their neighborhood. Despite enforcement attempts by APCD staff, New Leaf has not reduced their odors and residents continue to suffer.

EHC requests that SDAPCD issue an abatement order on New Leaf Biofuels Barrio Logan facility immediately requiring that all operations are paused until the odor control system is installed.

EHC appreciates SDAPCD's attention to our request and sincerely hopes that action will be taken immediately to provide relief to residents. We are very happy to meet with you to discuss the matter further to work towards a resolution of this long-standing and unacceptable problem.

Sincerely,



Nicholas Paúl
Air Quality Advocate



Diane Takvorian
Executive Director

The following petition was circulated and a list of petition signors is provided below.

Stop New Leaf Biofuel from Making People Sick

No one should have to worry that opening their window might make them sick. Located in Barrio Logan, next to a senior apartment building and family homes, New Leaf Biofuel's diesel refining process creates a smell so terrible it is making people nauseous, burning their eyes and throats, and waking them at night.

Most residents living near New Leaf do not have air conditioning. They have to choose between keeping their windows closed and risking heat exhaustion or opening their windows and getting sick.

Following many community complaints, the San Diego Air Pollution Control District (SDAPCD) is taking action to stop New Leaf from producing this sickening smell.

YOU CAN HELP STOP NEW LEAF BIOFUEL

Please sign below to demand the SDAPCD Hearing Board stop New Leaf's operation until they make the stink go away!

****New Leaf Biofuel Petition Signers****

Aidaly	Robledo
Alejandra	Fen
Alejandro	Lugo
alexander	angulo
Alexis	English
Alma	Alcantar
Alma	Villa
Alma	Alcantar

Amador	Montaño Chagolla
Amanda	Schroeder
Amena	Radwan
Amy	Knight
Andres	Vergara
Andrew	Ferguson
Angelica	Alicia Estrada
Angelica	Loaiza

Angelica	Rivera
Annette	Clemente
Anngely	Leeds
April	Martinez
Ariana	Criste
Ashley	Vega
Ashley	Gonzalez
Audrey	Jakubowski

Belinda Wagner
Bernardo Bastien
Bianca Verbera
Brenda Moreno
Brenda Menchaca
Brenna Judkins
Brianna Nelson
Caitlyn Self
CarmenTorres
Cassandra Palacios
Catalina Miramontes
CeCe H
Cecily Ma
Charissa Hearon
Christina Billings
Crystal Rodriguez
Cynthia Luna
Daniel Torres
Darianna Perez
Denise Garcia
Desiree Munoz
Desiree Ramirez
Dino Santos
Elise Hoffman
Elizabeth Chavez
Elvira Ruiz

Emilio Sanchez
Emily Von Gerichten
Emily Busam
Enrique De La Cruz
ERNESTO GONZALEZ
Favian Marin
Fernanda Jaramillo
Gabriela Soto
Gina Ayala
Gina Choi
Hae Won Kwon
Hailey Jacildo
Isabella Rodriguez
Isela Villalbazo
Isobel Varney
Ivette Rubio
Izabella Hespeler
Jacel Bulatao
Janeth Gonzalez
JasmineKing
Javier Aguirre
Javier Hernandez
Jay Sandler
Jeanell Celis
jeff motch
Jenelle Seguin

JenniferPahua
Jesse Zamudio
Jessica Michel
Jessica Dickson
Jessica Pangan
Jilliann Silva
Joanna Luna
Jose Luis
Joshua Piedra
JR Ramoso
Julianna Spolar
Julie Kendig
Julie Corrales
Junieth Meza
Karina Vargas
Karla Garcia
Karla Rojas Garcia
Karla Monsivais
Kayla Hernandez
Kelsey Faust
Kendall Hawkins
Kim De La mora
Kim Chung
Kramer Sharp
Lana Bautista
Latrice Long

Leah Nevarez
Leah Schaperow
Leslie Garcia
Lesly Gallegos Stearns
Leticia Ayala
Liiana Ortiz
Liliana Orozco
Lind Kane
Lisa Marquez
M Arriaga
M Stewart
Maira Meza
manuel medina
Maria Lopez
Maria Palomares
Maria Guevara
María Rodriguez
Maria Cointa Rodriguez
Maria Luisa Sayago
Maribel Garcia
Mariel Rodriguez
Maritza Garcia
maya carbonero
Meena Kaypour
Melissa Galinato
MichaelVargas

Michelle Everitt
Mikaeline Khemmanivong
Monique Sandoval
Nancy Cruz
Nancy Hernandez
Nicholas Paúl
Nicole Cde Baca
Nicole Smith
Noema Aguilar
Nora Cervantes
Norma Durazo
Olga Skubski
Oluchi Njoku
Oscar Cruz
Paola Kim
Peggy Griffith
Peter Colon
Philip Petrie
Roberto Corral
Rosa Gutierrez
Roxy Lqmda
Russell Lee
samantha stone
Sara Aguayo
Sara Ramirez
Sarah McAllister

Sarah Katsandres
sarah reyes
Savanna Murphy
Sean Elliott
Shannon Boone
Silvina Rosa quevedo
Sofia Garcia
Stephanie Navarro
Stephanie Rivas
Steve Gevurtz
summer nguyen
Susana Murillo
Suzannah Ward
Suzanne Hume
Sydney Mitchell
Teresa Arce
Tracy Semrow
Viactor Manuel Zuñiga Sandoval
Violet Vega
Ximena Valerdi
yeni castellano

Public Communication

From: [APCD](#)
To: [Variance](#)
Subject: [External] Public Hearing - Odors from New Leaf Bio Fuels
Date: Thursday, October 27, 2022 8:43:57 AM

To the APCD,

I am writing as a concerned citizen and property owner in Barrio Logan concerning the blatant disregard for the residents of this community by New Leaf Bio Fuels. The fact that New Leaf has been able to operate in a manner that has put the health, safety, and welfare of our community at risk is unacceptable and their operation needs to be stopped immediately! The fumes from their operation can be smelled daily and it causes direct respiratory distress for myself and our neighbors.

We request that you issue an immediate cease and desist order against New Leaf Bio Fuels operations to protect this community and the larger population of San Diego residents.

Sincerely,
A Concerned Citizen

--

Ryan Wynn

From: [Keashonna Christopher](#)
To: [APCD Variance](#)
Subject: [External] Written Comment for 10/27/22 9am meeting petition 4527
Date: Thursday, October 27, 2022 11:39:09 AM

New Leaf Biofuels' foul, fetid air, travels, and then hovers throughout my community and my home.

My name is Keashonna Christopher, I am a woman, mother of 4, an educator, and a homeowner, in and around the communities impacted by the odors and fumes.

I have experienced many troubling living conditions linked to the fumes and odors.

I have been startled by the intrusive odor while sleeping, moving about in my home, collecting my mail, taking out the garbage, and tending to my garden. This disruption in my daily activities causes me to isolate myself and my children from the comforts of our outside world. These comforts include my son playing in the yard, my daughter laying in the sun with our dog, my attention to my garden, and enjoying time in and around my home with my children. I am forced to shut all windows and doors to block odors and fumes. I have had to buy multiple indoor cooling devices to escape the intrusive odors and fumes. I don't have central air conditioning.

I am prone to migraines and the fumes and odors trigger pre migraine and full-blown migraine symptoms. Migraines shut my activities down for several days. Any attempts (in the air) to mask the smell are also detectable to me.

New Leaf Biofuel has caused an escalation, and prolonging to preexisting medical matters. Imagine the constant worries if the air you breathe today is actually poisoning you. We've suffered enough.

I sometimes feel like I'm suffocating, nauseous due to the odors, and have eye problems caused by fumes.

Smelling intrusive odors is mind and mood altering.

My community has been further underserved by the negative impact of New Leaf Biofuels. New Leaf biofuels you owe a debt to this community. Not only do you need to comply with air quality standards, providing immediate relief to all residents harmed is in order.

This is not the place for your air pollution; the rewards do not outweigh what is ultimately more costly for residents. New Leaf Biofuels, it's time for you to fall.

Thank you.