

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

5 In the Matter of the APPEAL of)
6 TESLA, INC.) Docket No. 3742
7 From Denial of Permit Application 31706,)
8 Issued May 17, 2023) NOTICE OF CONTINUED HEARING
9 Re: Tesla, Inc. Fremont Facility, No. 20459)
10 _____)

11 **TO:**

12 **Air Pollution Control Officer of the Bay Area Air Quality Management District**

13 **AND**

14 **Tesla, Inc.**

15 **YOU ARE HEREBY NOTIFIED** that an evidentiary hearing will be held before the Hearing
16 Board of the Bay Area Air Quality Management District (“District”), at **375 Beale Street, 1st**
17 **Floor Board Room, San Francisco, California, 94105, at the hour of 9:30 a.m.** on the new
18 date of

19 **TUESDAY, OCTOBER 3, 2023**

20 upon the issues raised in the Appeal, filed June 20, 2023.

21 The Hearing Board members are required to attend in person, but the parties and members of the
22 public may participate in/observe this hearing through a live webcast of the hearing or via phone
23 (669) 900-6833. Interested members of the public will be allowed an opportunity to testify on this
24 matter. The file may be reviewed by contacting the Clerk of the Boards, Marcy Hiratzka, Clerk of
25 the Boards, at 415.749.5073, or mhiratzka@baaqmd.gov. The above hearing date and time may
26 be changed without further published notice. Those participating by phone who would like to make
27 a comment can use the “raise hand” feature by dialing “*9”. In order to receive the full Zoom
28 experience, please make sure your application is up to date. **Individuals representing the parties**

1 **will receive special links to the hearings at a later date, if they wish to participate via Zoom.**

2 You may be, but need not be, represented by counsel. You may present any relevant
3 evidence and will be given full opportunity to cross-examine all testifying witnesses. You are
4 entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of
5 books, documents and other things by applying to the Clerk of the Boards.

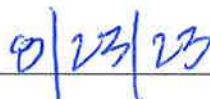
6 The proceedings of the hearing will be electronically recorded, copies of which will be
7 made available to the parties upon request and payment of records duplication fees. Should either
8 party desire the services of a court reporter, with the cost to be borne by the requesting party,
9 please contact the Clerk of the Boards as soon as possible and, in any event, no later than forty-
10 eight (48) hours prior to the date of the hearing.

11 **If either party determines that a continuance of the hearing is necessary, a written**
12 **request including specific reasons for the request, should be made to the Clerk of the Boards**
13 **at least seventy-two (72) hours prior to the hearing dates, pursuant to Hearing Board Rules**
14 **§ 6.16.**

15 The hearing will be conducted in accordance with the Hearing Board Rules to the extent
16 feasible, available via the District website at [http://www.baaqmd.gov/about-the-air-](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms)
17 [district/hearing-board/rulesforms](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms) or by contacting the Clerk of the Boards at 415.749.5073.

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19 _____
20 Marcy Hiratzka, Clerk of the Boards

18 

19 _____
20 Date

21 Facility Location:

22 45500 Fremont Boulevard, Fremont, CA 94538 (Alameda County; Site No. 20459)
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**BEFORE THE HEARING BOARD OF THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA**

FILED
AUG 23 2023
HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

In the Matter of the APPEAL of)
TESLA, INC.) Docket No. 3742
From Denial of Permit Application 31706,)
Issued May 17, 2023) CERTIFICATE OF SERVICE
Re: Tesla, Inc. Fremont Facility, No. 20459)
_____)

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

I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:

That I am a citizen of the United States, over the age of eighteen years and not a party to the above entitled action; that I served a true copy of the attached Notice of Continued Hearing on:


Patricia O'Toole, Esq.
otoolelaw@earthlink.net

Josh Gubkin, Esq.,
Tesla Managing Counsel
901 Page Avenue
Fremont, CA 94538
jgubkin@tesla.com

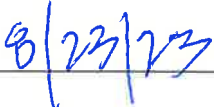
via e-mail, on August 23, 2023; and on

Alexandra Kamel, Esq., Senior Assistant Counsel
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
akamel@baaqmd.gov

via e-mail, on August 23, 2023.



Marcy Hiratzka, Clerk of the Boards



Date