

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

4 In the Matter of the Application of
5 QUALITY INVESTMENT PROPERTIES
6 SANTA CLARA, LLC
7 For Short Variance from Permit Condition
8 22805

Docket No.: 3755
NOTICE OF HEARING



9 **TO: Air Pollution Control Officer of the Bay Area Air Quality Management District**

10 AND

11 **QUALITY INVESTMENT PROPERTIES SANTA CLARA, LLC**

12
13 **YOU ARE HEREBY NOTIFIED** that a hearing will be held before the Hearing Board of the
14 Bay Area Air Quality Management District (“District”) at **375 Beale Street, 1st Floor Board**
15 **Room, San Francisco, California, 94105, at the hour of 9:30 A.M. on**
16 **TUESDAY, OCTOBER 29, 2024**

17 upon the issues raised in the Application for Short Variance, filed on October 11, 2024.

18 The Hearing Board members are required to attend in person, but the parties and members of the
19 public may participate in/observe the hearing through live webcasts of the hearings or via phone (669)
20 900-6833. Interested members of the public will be allowed an opportunity to testify on this matter.
21 The file may be reviewed by contacting the Clerk of the Boards, Marcy Hiratzka, at 415.749.5073,
22 or mhiratzka@baaqmd.gov. The hearing date and time may be changed without further published
23 notice. Those participating by phone who would like to make a comment can use the “raise hand”
24 feature by dialing “*9”. To receive the full Zoom experience, please make sure your application is up
25 to date. **Individuals representing the parties will receive special links to the hearing at a later**
26 **date, if they wish to participate via Zoom.**

27 You may be, but need not be, represented by counsel. You may present any relevant evidence
28 and will be given full opportunity to cross-examine all testifying witnesses. You are entitled to the


1 issuance of subpoenas to compel the attendance of witnesses and the production of books, documents,
2 and other things by applying to the Clerk of the Boards.

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

8 **A request for a continuance of a scheduled matter must be received by the Clerk no less**
9 **than four (4) business days prior to the scheduled hearing. If the request is filed with less notice,**
10 **good cause must be shown why it could not have been filed four business days prior to the**
11 **hearing, pursuant to Hearing Board Rules § 15.13(c).**

12 The hearing will be conducted in accordance with the Hearing Board Rules to the extent
13 feasible, available via the District website at [http://www.baaqmd.gov/about-the-air-district/hearing-](http://www.baaqmd.gov/about-the-air-district/hearing-board/rulesforms)
14 [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.

15
16 DATED: October 21, 2024

17 
18 _____
19 Marcy Hiratzka
20 Clerk of the Boards

21 Facility Location:

22 2807 Mission College Blvd, Santa Clara, California (Santa Clara County)
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CERTIFICATE OF SERVICE



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

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 Hearing** on:

Paul Carver, VP of Facilities Operations Quality Investment Properties Santa Clara, LLC 2807 Mission College Blvd Santa Clara, CA 95054 paul.carver@qtsdatacenters.com	Alissa DiSciascio ERM Alissa.DiSciascio@erm.com (email only)
	Bennett Wildey ERM Bennett.Wildey@erm.com (email only)

by depositing same via email and in the United States certified mail, return receipt requested,
on October 21, 2024 and on:

Haley de Genova, Esq., Staff Attorney
Bay Area Air Quality Management District
hdegenova@baaqmd.gov

via email October 21, 2024

DATED: October 21, 2024



Marcy Hiratzka
Clerk of the Boards