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12

13 **BEFORE THE HEARING BOARD OF THE**
14 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**
15

16 **In The Matter Of:**

17 SOUTH COAST AIR QUALITY
18 MANAGEMENT DISTRICT,

19 Petitioner,

20 v.

21 BAKER COMMODITIES, INC.,

22 Respondent.
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Case No. 6223-2

**RESPONDENT BAKER COMMODITIES,
INC.'S APPEAL OF REVISED VERNON
FACILITY PERMIT INCORPORATION
OF RULE 415**

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1 Baker Commodities, Inc., appeals the South Coast Air Quality Management District's
2 December 12, 2024, issuance of a Title V/RECLAIM Facility Permit Revision for the Facility.¹
3 The Permit improperly requires compliance with District Rule 415, which applies exclusively to
4 rendering operations. But the Facility no longer performs rendering of any kind. The District's
5 inclusion in the Permit of blanket references to Rule 415 is an unlawful attempt to expand the
6 Rule's ambit to non-rendering activities. It is also unnecessary. Baker now operates the Facility
7 as a collection center under strict and carefully constructed odor control measures developed
8 jointly by Baker, the District, and the Hearing Board, as the July 22, 2024, Second Modified Order
9 ("Order") reflects.² Baker has done so without incident or substantiated odor complaint since
10 collection center operations commenced in October 2024 alongside extant cooking oil and trap
11 grease recycling and associated wastewater operations. In short, the Order's measures (many of
12 which track Rule 415 *verbatim*) are lawful and effective and were acceptable to the District when
13 it was forced to work cooperatively. The District's subsequent about-face to incorporate Rule 415
14 in the Permit should not be accepted.

15 The District's deviation from the Order's provisions mischaracterizes the nature of the
16 Facility's operations, improperly extends Rule 415 to activities it was never intended to regulate,
17 and threatens to revive disputes already put to rest through painstaking negotiations and costly
18 proceedings. Many of the Rule 415 conditions demanded are entirely unworkable for the Facility
19 and risks significant uncertainty for future compliance, effectively making Baker's compliance
20 impossible. This increasingly seems to be the point: the District is going to great lengths to punish
21 Baker—and the workers and communities that depend on Baker—for past disputes that should
22 be put to rest. Whatever its perceived justification, however, the District's conduct can only be
23 described as arbitrary and capricious. Baker now requests that the Hearing Board amend the
24 Revised Permit to remove references to Rule 415 and rendering and to replace them with the
25 Order's substantive operational requirements to fit the Facility's *actual* operations, the proper
26 scope of Rule 415, and the terms to which the District previously agreed.

27 _____
28 ¹ Baker timely submitted its Title V Permit renewal application, which is still pending with the District.

² Relevant portions of the Revised Permit are attached as Exhibit 1. The Order is attached as Exhibit 2.

1 **BACKGROUND**

2 **I. Baker Provides Essential Services While Complying with the Order.**

3 Baker remains committed to complying with District Rules and is dedicated to providing
4 its essential service to the community. The importance of Baker’s collection operations at the
5 Facility—even without rendering—was again underscored by Governor Newsom’s December 18,
6 2024 Proclamation of a State of Emergency regarding bird flu, which infects and kills cattle. Per
7 the Proclamation, despite efforts to contain the flu’s spread, “dairy cows at four Southern
8 California dairies tested positive,” and the State is “working with environmental protection
9 agencies to safely manage mass mortality material,” i.e., cattle carcasses.³ Without transport to
10 lawful rendering facilities, carcasses are left to rot in the sun, increasing the spread of disease.
11 Baker is among the last providers ensuring these remains are properly collected, managed, and
12 converted to useful products, helping mitigate health and safety impacts in our communities. The
13 District’s unlawful inclusion of Rule 415 in a permit for a non-rendering facility threatens those
14 efforts.

15 Baker’s operations are also key to California’s climate response infrastructure, which
16 requires low-carbon fuels and diversion of organic waste from landfills. Baker, a carbon-negative
17 operation, is an essential supplier of advanced biofuel feedstocks from used cooking oil and trap
18 grease. The Facility also reduces carbon emissions by diverting organic waste from landfills,
19 another key for California, which requires a 75% reduction of organic waste by 2025. *See* Health
20 & Safety Code § 39730.6.

21 **II. The Parties and This Hearing Board Carefully Built an Operational and Capital
22 Improvement Package for the Future of the Facility.**

23 In September 2022, the Hearing Board issued the Facility’s first Order for Abatement
24 (“Original Order”), requiring Baker to cease rendering, trap grease processing, and related
25 wastewater processing operations. In April 2023, the Hearing Board modified the Original Order

26 ³ *See* Exec. Dep’t State of Cal. Proc. of State of Emergency related to the Bird Flu (Dec. 18, 2025), available at
27 <https://bit.ly/GovBirdFluProcSOE>; *see also* Heath, Crystal & Baur, Gene, *It’s Time to End the Denial About Bird
28 Flu*, Time (Dec. 6, 2024) available at <https://time.com/7200002/bird-flu-outbreak-denial-essay/>; Douglas, Leah, *Cows dead from bird flu rot in California as heat bakes dairy farms*, Reuters (Oct. 17, 2024) available at <https://www.reuters.com/world/us/cows-dead-bird-flu-rotcalifornia-heat-bakes-dairy-farms-2024-10-17/>.

1 to allow trap grease and related wastewater operations to resume while the parties addressed their
2 ongoing dispute over rendering. At the April 2023 hearing, the Hearing Board noted that trap
3 grease operations are not subject to Rule 415 and that retaining reference to Rule 415 could lead
4 to confusion.⁴ The Hearing Board issued written findings on the Modified Order on June 21, 2023,
5 allowing Baker to resume trap grease operations and related wastewater processing.

6 Following extensive discussions about how best to serve the community and retain its
7 employees, Baker later determined not to resume rendering at the Facility. To avoid shuttering its
8 business and terminating all employees, and because California's need for rendering services is
9 essential, substantial, and remains unmet, Baker proposed instead to begin collection operations
10 after significant capital and operational improvements to the Facility. To implement the proposal,
11 on November 16, 2023, Baker first submitted to the District its permit applications as follows:

12 (1) **Main Plant PTE Extension** (Device ID C402): Baker originally designed the Main
13 Plant to comply with the Rule 415 PTE standards and seeks the ability to expand the PTE
14 structure. The District issued this permit.⁵

15 (2) **J&M Catch Basin Enclosure** (D269): Baker plans to enclose the catch basin, which
16 includes a screening bin with a screw conveyor to remove solids collected in the catch basin. The
17 proposed PTE would also enclose the catch basin and screening bin, but the top portion of the
18 sealed and closed screw conveyor will be located outside to address operational requirements,
19 and that portion will operate as a closed system. No raw rendering materials are received in this
20 area. The District issued this permit.⁶

21 (3) **Grease Pit Trash Enclosure** (D328): Also referred to as the wastewater treatment
22 plant enclosure, comprises an inclined trough leading to screens and screw conveyors that remove
23 debris from incoming trap water so that waste solids can drop into a waste bin located directly

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25 ⁴ See, e.g., April 19, 2023 Hearing Transcript (attached as Exhibit 3) at 297:2–6 (Mr. Pearman: “The whole point is
26 that if they somehow aren’t doing rendering and have that portion modified ... then the mere grease operations are
not subject to Rule 415. I think that’s pretty clear from the rules.”); 298:4–8 (Mr. Pearman: “but I think we have to
get 415 out. Because it just muddies the water for intentions here.”)

27 ⁵ Where the District’s demands for additional Device or Control ID Numbers on the Permit are derived from the
District’s misapplication of Rule 415 to these operations, Baker contests those changes.

28 ⁶ In addition to the improper Rule 415 and “rendering” statements in the Permit, Baker appeals the District’s use of
the term “sludge.” The grease trap collection bin collects “trash”, including utensils, rocks, etc., not sludge.

1 next to receiving pit. No raw rendering materials are received in this area. Baker plans to enclose
2 the area around the receiving pit waste bin. This permit is still pending.

3 (4) **Centrisys Trash Bin** (D368, D369): The Centrisys system is an elevated structure to
4 allow waste solids to drop into a waste bin below the Centrisys units. Baker plans to construct a
5 PTE enclosing the waste bin that collects centrifuge solids from the Centrisys horizontal drum
6 centrifuges. No raw rendering materials are received in this area. This permit is still pending.

7 On April 17, 2024, after reviewing the details in the permit applications and ironing out
8 most, but not all, operational and capital improvement details with the District, Baker petitioned
9 the Hearing Board to modify the Modified Order to allow collection operations consistent with
10 the submitted permit applications and other conditions.⁷ Despite Baker’s agreeing not to resume
11 rendering and the Hearing Board finding trap grease processing not subject to Rule 415 under the
12 Modified Order, the District sent Baker draft permit conditions on May 9 and May 16 with
13 inappropriate and unworkable blanket citations to Rule 415 throughout.

14 On May 29, June 11, and July 2, the Hearing Board heard evidence and argument to
15 support issuance of the Second Modified Order, ultimately issued on July 22. As the Hearing
16 Board knows, Baker was ready and able to commit to the essential housekeeping requirements
17 the District wished to impose from Rule 415 but not to import wholesale application of a Rule
18 having little to do with Baker’s new proposed operations. Thus, after careful discussion, the
19 parties agreed to list the specific rule provisions the District demanded instead of blanket
20 references to Rule 415 in the Facility’s operational requirements.⁸ Attachment A to the Order
21 reflects the numerous carefully crafted operational conditions, including that “Baker shall not
22 resume grinding, cooking and downstream operations related to rendering of animal products at
23 the Facility,” and extensive odor and housekeeping best management practices tailored to Baker’s
24 *actual* planned operations, which do not include rendering. Consistent with the Hearing Board

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26 ⁷ See Baker’s Request to Modify the Modified Order, Case No, 6223-1 (April 17, 2024).

27 ⁸ See e.g., May 29, 2024 Hearing Transcript (attached as Exhibit 4) at 191:21–192:2. (Ms. Hsu: “parties are aligned
28 on not needing to take the issue of Rule 415 applicability at this time, and we have been in discussion regarding
instead of a reference to say Rule 415(e), to take out specific provisions, and given that this is an abatement order
context, the hearing board does have flexibility in terms of what it is ordering.”); 22:6–8 (Mr. Dwyer: “the district
does not see a good reason why we need to continue to dig into continued applicability of Rule 415.”).

1 proceeding, Baker returned the draft permits to the District on July 16 (before the final Order
2 issued), with corrections to the District’s unlawful inclusion of Rule 415.

3 Notably, before the final Order issued, the District was already backtracking on its
4 agreement. The District’s engineering department reached out to Baker to explain its inclusion of
5 Rule 415 in the draft permits, ignoring the Order’s then-anticipated conditions. Given the
6 significance and timing of this backtracking, Baker’s counsel emailed District counsel to explain
7 the problems with the District’s proposed conditions and request a call so the permits could be
8 corrected consistent with the Board’s anticipated Order. On July 25, three days after the Board
9 issued its Order, District counsel declined even to meet, stating it would not be “fruitful” and that
10 the District engineer would finalize permit conditions, which Baker could appeal if it wished. On
11 August 1 and September 26, Baker and the District exchanged additional correspondence
12 concerning Rule 415 applicability, reiterating their positions.⁹

13 The District later gave Baker notice of the draft permit language—with the improper
14 Rule 415 conditions—before sending it to U.S. EPA for 45-day review, on the following dates:

- 15 • October 12 (Saturday): Application Nos. 648440 and 648441 Main Plant Extension,
16 screw conveyor, and the J&M skimmer trash bin enclosure.
- 17 • November 10: Application No. 648442 trap grease area enclosure.
- 18 • November 19: Application No. 648443, Centrisys enclosure.

19 As to each, Baker commented that the inappropriate reference to Rule 415 should be
20 removed, to no avail. On December 12, 2024, the District notified Baker of its final approval of
21 the permits to construct the Main Plant Extension, screw conveyor, and the J&M skimmer trash
22 bin enclosure, all of which continued to reflect the Rule 415 conditions and rendering, as well as
23 other problems.¹⁰ The District improperly and unnecessarily insists on citing Rule 415 and
24 rendering in Baker’s long-term operational permits.

24 **III. The Hearing Board is Authorized to Direct the District to Remove the Improper
25 Reference to Rule 415 in the Facility Permits.**

26 Baker appeals the first two of four permits to construct, and will appeal the second two
27 permits when issued, under Health & Safety Code § 42302.1 and District Rule 216, and is entitled

28 ⁹ Baker’s August 1, 2024 Letter is attached as Exhibit 5. The District’s Response Letter is attached as Exhibit 6.

¹⁰ See Exhibit 1, Revised Facility Permit.

1 to a hearing within 30 days. Baker requests that the Hearing Board remove references to Rule 415
2 and rendering, and to “sludge” when referencing the trash related to the grease trap, in all Facility
3 permits, and replace them with conditions consistent with the Order, under Rule 216, Health &
4 Safety Code §§ 42308, 42302.1.

5 ARGUMENT

6 I. Reference to Rule 415 in the Facility Permit is Unlawful, Improper, 7 Unnecessary, and Contrary to the Second Modified Order.

8 The District demands that the Facility Permits specifically reference Rule 415, departing
9 from the carefully crafted language by which the Hearing Board resolved Baker’s earlier dispute
10 with the District under the Order—language to which both Baker and the District agreed on the
11 record before the Hearing Board. The District’s position is wrong on the law and misreads
12 Rule 415’s plain text and history. And it wastes Baker’s and the Board’s time and resources
13 without conferring any additional benefit to the District or the community. Baker has expended
14 significant resources to work in good faith with the District and resolve its dispute. It has made
15 *significant* capital and operational improvements; ceased rendering; will build new enclosures on
16 non-rendering features; identified and implements a deodorizer; implemented expanded
17 employee training, housekeeping, and other protocols; and retained a compliance specialist, all
18 while continuing to keep as much of its staff employed as possible, even when revenue was
19 drastically reduced, to ensure the Facility’s long-term viability. Yet the District clings to its error
20 of applying Rule 415 to non-rendering operations for what seem like purely tactical and retaliatory
21 reasons. This undermines years of progress and risks reigniting and expanding a dispute that had
22 been put to rest, without legal or practical merit.

23 A. Rule 415 Does Not Apply to Collection Centers That Do Not Also Conduct 24 Inedible Rendering.

25 The only operations to which Rule 415 applies are “rendering facilities that process raw
26 rendering materials; and wastewater associated with rendering.” Rule 415(b). “Rendering” under
27 Rule 415 is limited to “operations and processes that *convert raw rendering materials into fat
28 commodities and protein commodities by heat and mechanical separation.*” Rule 415(c)(19).¹¹

¹¹ See also Rule 415(c)(17) (“Raw Rendering Materials means materials introduced into the receiving area at a

1 The Final Staff Report for Rule 415 further confirms that the Rule is intended to govern only
2 *facilities that conduct inedible rendering.*¹² Rule 415 goes further still and exempts “[f]acilities
3 that process trap grease *but do not* conduct inedible animal rendering operations.”
4 Rule 415(l)(1)(C) (emphasis added). Rule 415 also expressly exempts “[c]ollection centers that
5 do not conduct inedible rendering or handle or process trap grease.” Rule 415(l)(1)(B).¹³

6 Baker ceased all rendering operations at the Facility when the Original Order issued and
7 has since agreed not to resume such operations. The Order reflects this, prohibiting Baker from
8 resuming “grinding, cooking and downstream operations related to rendering” and ordering Baker
9 to “disconnect ... and keep disconnected any gas, fuel, and/or steam lines to cookers used for
10 rendering...” Order, Attachment A, Condition 1.¹⁴ This necessarily includes all equipment that
11 could be used to “convert raw rendering materials into fat commodities and protein commodities
12 by heat and mechanical separation.” Rule 415(c)(19). Nothing in Rule 415 justifies applying the
13 Rule to a collection center that conducts no operations related to rendering.

14 **B. The District’s Reading of Rule 415 Is Unsupported.**

15 The District advances three conflicting and confused arguments to unlawfully extend Rule
16 415 to facilities that perform collections and process trap grease without any inedible animal
17 rendering operations. First, it argues that the Facility is ineligible for applicable exemptions
18 because Baker operates as a collection center *and* processes trap grease. Second, the District
19 argues that trap grease “is considered a Raw Rendering Material”—a misreading of the Rule the
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21 rendering facility, and may include animal carcasses and parts, packing house or grocery store cuttings, out-of-date
22 products from grocery stores, blood, viscera, offal, feces and other organic matter generated by food processors. Raw
23 rendering materials does not include used cooking oil.”); Rule 415(c)(20) (“Rendering Facility means a facility
24 engaged in rendering operations.”).

25 ¹² See Final Staff Report at 3-6 (“The purpose of Proposed Rule (PR) 415 is to reduce odors from facilities rendering
26 animals and animal parts.”), 3-7 (“Applicability of the proposed rule is to rendering facilities that conduct inedible
27 rendering operations.”), A-78 (“PR 415 is applicable to new and existing rendering facilities that process raw
28 rendering materials; and trap grease wastewater associated with rendering or trap grease processing.”).

¹³ See also *id.* at 3-7 (“Collection centers for animal carcasses and parts that do not also conduct inedible rendering
operations” are exempt from Rule 415); A-70 (Rule 415’s definition of “collection center” was intended to “provide
for an exemption ... for collection centers that do not conduct inedible rendering or handle or process trap grease.”),
A-81 (“collection centers that do not conduct inedible rendering are exempt from the requirements of PR 415 under
subparagraph (l)(1)(B)”).

¹⁴ See also Exhibit 2, Findings of Fact, p. 2 (Baker has decided to cease cooking and downstream operations *related
to rendering of animal products (colloquially known as ‘rendering’) at the Facility[.]*) (emphasis added).

1 Hearing Board already rejected with the Modified Order.¹⁵ Third, the District argues Baker’s trap
2 grease processing *is* rendering subject to Rule 415 because it uses steam—again ignoring the
3 Rule’s plain language and common sense.¹⁶ None of these positions holds water. Indeed, the latter
4 two arguments contradict the first. The District’s inability to advance internally consistent
5 arguments thus negates any notion that its position is proper regulation or anything other than a
6 tactical attempt to target Baker and expand the ambit of Rule 415.

7 *First*, Rule 415(b) applies only to “rendering facilities that process raw rendering
8 materials; and wastewater associated with rendering.” The Facility does not, and expressly cannot
9 under the Order, render, which requires that “raw rendering materials” be converted “by heat and
10 mechanical separation.” Rule 415(c)(19). Baker therefore need not qualify for an exemption to
11 the Rule, because the Rule itself does not govern the Facility. Even so, the plain language of two
12 exemptions confirms that Rule 415 unequivocally does not extend to the Facility. “Facilities that
13 process trap grease but do not conduct inedible animal rendering operations” are exempt. Rule
14 415(l)(1)(C). That alone disposes of the question.

15 The District’s arbitrary reading of the Rule to negate the exemptions for collection centers
16 that also recycle trap grease fails. First, the Final Staff Report confirms that the reference to
17 handling or processing trap grease is a vestige of the February 18, 2015 draft of Rule 415. That
18 earlier draft expressly included trap grease operations within the Rule’s ambit. And it set forth
19 exemptions for non-rendering facilities that were phrased identically to those in the final Rule,
20 which (as the Final Staff Report repeatedly notes) does not apply to trap grease.¹⁷ Second, the
21 District’s reading cannot explain why the exemption at (C) uses the broader term “facilities,”

23 ¹⁵ See, e.g., Exhibit 3 at 309:13–16. (Member Balagopan: “The plain meaning of the rule is very clear, it’s plain. In
24 the rule in the staff report, it is plain as can be: Remove trap grease from PR 415, applicability”);

25 ¹⁶ See, e.g., *id.* at 317:18–19. (Member Balagopan: “So the trap grease operation is being – does not have to comply
26 with 415”); 309:20–310:6. (Member Balagopan: “What the District chose to do in the opening statement is . . .
27 referred to the . . . 415 staff report and as Exhibit 21 that Baker understood the trap grease was subject to 415. That
28 was based on early on discussion in the rule in the proposed rule making. But as you can see in table P-1, the
summary of changes, that was discarded. But the District has been disingenuous in saying hey, look. This is what
they had submitted and they knew this. I think it’s misleading. This in my mind is really straightforward”).

¹⁷ See, e.g., Final Staff Report at A-17 (“All requirements for trap grease have been removed from the staff
proposal.”); A-55 (“The requirements for trap grease have been removed from the proposal for PR 415.”); P-ii
 (“Removed trap grease from PR 415 applicability”).

1 which would clearly cover *the* Facility, while the exemption at (B) uses the narrower “collection
2 center” term. But understanding “trap grease” here as a vestige of a prior proposal that applied
3 broadly to trap grease resolves that question. Each exemption concerns *only* the combination of
4 some activity (trap grease handling or operating a “collection center”) *and* inedible rendering.
5 This reading also provides a consistent outcome between the two exemptions: the Facility is
6 exempt under both. The District’s view either strains to disqualify the Facility under both
7 exemptions (the broad language at (C) notwithstanding) or renders a nonsensical result: the
8 Facility is exempt and not exempt at the same time. That cannot be. *See Michaels v. State Pers.*
9 *Bd.* (2022) 76 Cal. App. 5th 560, 569–570 (interpreting a legal rule to comport with commonsense
10 and avoid absurdity and mischief).

11 Additionally, the Final Staff Report confirms that Rule 415 was expressly intended to
12 address the five rendering facilities in the South Coast Air Basin.¹⁸ Notably, no wastewater
13 treatment operations, including those handling trap grease, that were not also rendering were
14 involved in the report or the rulemaking process.¹⁹ This also comports with the District’s
15 disclaiming the Rule’s applicability to, and signaled a separate rulemaking to address, trap grease.

16 **Second**, in a confusing attempt to apply Rule 415 to collection centers that process trap
17 grease but do not render, the District argues that Trap Grease is a Raw Rendering Material, as the
18 Rule defines these terms. It claims that because Raw Rendering Material is defined to expressly
19 exclude used cooking oil but not trap grease, “[i]t is included as Raw Rendering Material because
20 Trap Grease is introduced in the receiving area.”²⁰ That conclusion makes no sense. Raw
21 Rendering Materials means “materials introduced into the receiving area at a rendering facility.”
22 Further, the Receiving Area is “the area, tank, or pit within a rendering facility where raw
23 rendering materials are unloaded from a vehicle or container, or transferred from another portion
24 of the facility *for the purpose of rendering these materials.*” Rule 415(c)(18) (emphasis added).
25 Each term has its own definition based on the act of rendering—i.e., the conversion of “raw

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27 ¹⁸ See Final Staff Report at 1-1 and 1-22.

28 ¹⁹ See Final Staff Report at A-107 (referring to facilities “that will be included during rule development of PR 416, which addresses odors from kitchen trap grease”)

²⁰ See Exhibit 6 at 1.

1 rendering materials into fat commodities and protein commodities by heat and mechanical
2 separation.” Rule 415(c)(19). By contrast, Trap Grease means “cooking grease, food waste, and
3 wastewater from a restaurant grease trap or interceptor.” Rule 415(c)(23). It lacks any reference
4 to rendering. The District’s attempt to read Trap Grease into the definitions of Raw Rendering
5 Material and Rendering is unsupported by the Rule’s plain language and would obviate many of
6 Rule 415’s definitions and terms.²¹ If Trap Grease were Raw Rendering Materials, Rule 415
7 would not need separate definitions, requirements, and exemptions for trap grease processing. As
8 just one example, the very exemption for “[f]acilities that process trap grease but do not conduct
9 inedible animal rendering operations” would make no sense.

10 *Third*, the District’s disingenuous assertion that trap grease processing is somehow
11 rendering because it believes the Facility is converting trap grease into a fat commodity using
12 heat (in the form of steam) and mechanical separation should be rejected.²² Baker’s trap grease
13 operations do not constitute rendering as Rule 415 defines it, and any argument to the contrary
14 cannot pass the straight-face test. Most obvious is that this argument contradicts the District’s
15 other stated position that the Facility should be regulated under Rule 415 only because it is
16 processing trap grease *and* operating as a collection center. If the District believed that Baker’s
17 trap grease operations actually constitute rendering, then the Hearing Board’s approval of the
18 Modified Order would make no sense.

19 The basic canon of construction against redundancy and surplusage forecloses a reading
20 of “processing trap grease” that falls within the definition of “inedible rendering.” *Thiara v. Pac.*
21 *Coast Khalsa Diwan Soc’y* (2010) 182 Cal. App. 4th 51, 57 (reversing judgment below construing
22 a statute such that some words were rendered surplusage). It is absurd to suggest that every
23 instance in the Rule where “rendering” is mentioned separately from and alongside the processing
24 or handling of trap grease is redundant or surplus. California Courts avoid such odd and strained

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27 ²¹ See e.g., Exhibit 3 at p. 316:20–317:5 (Member Balagopan: “I’m not sure why the District in there brought up the
28 definition of ‘rendering’ and food and agriculture code . . . they looked at the definition, they health and food
grease and the rendering. But that would have affected all the other non-rendering facilities. So the District chose to
change the definition and exclude that in its definition of ‘rendering’”).

²² See Exhibit 6 at 5.

1 constructions of administrative rules. *Jones v. Cal. Interscholastic Fed'n* (1988) 197 Cal. App.
2 3d 751, 758 (interpreting administrative rules using the same rules applicable to statutory
3 interpretation). Here, the only reasonable construction is that these are distinct activities, one of
4 which is the regulatory object of Rule 415 while the other is not.

5 It appears the District finds Rule 415 applicable also because the District inspector finds
6 trap grease “odorous.”²³ But this proves far too much. If the smell of trap grease processing were
7 sufficient to place it under Rule 415, then its combination with some activities would be beside
8 the point. *Id.* Under that view, simply processing trap grease without these other activities would
9 be sufficient to bring trap grease processes within the ambit of Rule 415. But that was precisely
10 the approach rejected in adopting the final rule.

11 That the Facility conducts trap grease operations and collections does not subject it to Rule
12 415. The District has no legal basis for demanding that the Permit cite Rule 415, which does not
13 apply to the Facility. Indeed, the District’s claim that it can enforce Rule 415 beyond its plain
14 meaning and intent amounts to an impermissible underground regulation. *Tidewater Marine*
15 *Western, Inc. v. Bradshaw* (1996) 14 Cal. 4th 557, 572 (finding agency policy constitutes
16 unlawful underground regulation because it applies generally, interprets or implements a law, and
17 was not adopted following formal rulemaking). Because the District’s interpretation of Rule 415
18 is contrary to law and standard canons of construction, and because upholding that position would
19 amount to underground regulation, the Board should revise the Facility’s Permit conditions and
20 hold the District to its prior representations.

21 **C. Applying Rule 415 to the Permit Is Unnecessary and Problematic and**
22 **Provides No Tangible Benefit, as Relevant Housekeeping and Operational**
23 **Conditions Already Apply Under the Order.**

24 While the Order promoted efficiency, fairness, and consistency with the substance of the
25 Rule, the blanket application of Rule 415 suggested in the Permit Conditions is unworkable. As
26 only one example, in the Permit’s Section H (Permit to Construct and Temporary Permit to
27 Operate), the District included a condition that the “Facility shall comply with Rule 415(e),
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²³ *Id.* at 2.

1 including the washdown provisions.”²⁴ These include, among others, that the Receiving Area “be
2 thoroughly washed to remove animal matter at least once each working day.” Rule 415(e)(10).

3 But as Baker has repeatedly reminded the District, multiple requirements of Rule 415(e),
4 including this washdown provision, are applicable *only* to rendering facilities and not to the
5 Facility. Including them in the Permit is not only inappropriate but problematic. Daily washdown
6 and full removal of animal matter from this area, particularly the pit, in its currently approved
7 configuration is impracticable and, in light of the successful deodorizer, unnecessary, as the
8 Hearing Board recognized in formulating the Order’s conditions to require washdowns twice per
9 week and expressly not to require the removal of all residue. *See* Order at 11f.

10 Similarly, the District’s citation to Rule 415(c)(4) when referring to odors from the
11 Facility is flawed.²⁵ Rule 415(c)(4) defines a “Confirmed Odor Event” as “the occurrence of a
12 rendering-related odor,” yet the Facility does not conduct rendering. Any verified odor complaints
13 can and must be appropriately addressed under Rule 402.

14 As with the Order, Baker seeks to revise the Permit to spell out relevant requirements
15 tailored to its actual planned operations so Baker can comply without waiving its rightful
16 opposition to Rule 415’s applicability.²⁶ Baker’s Permit would allow it to construct the three new
17 enclosures without delay, as requested by the District, and lawfully expand and improve the Main
18 Plant PTE. Baker would implement the many housekeeping measures and odor controls it has
19 committed to under the Order without conceding Rule 415 applies (because it does not), ensuring
20 an efficient permitting process so it can make Facility improvements benefiting the community
21 without further delay. Removing Rule 415 from the Permit while agreeing to applicable
22 conditions is a commonsense solution and was precisely how the Hearing Board previously
23 addressed the parties’ disagreement.²⁷

24 ²⁴ *See, e.g.*, Exhibit 1, Section H, page 16.

25 ²⁵ *Id.*

26 ²⁶ *See* Exhibit 7, which provides limited, non-exhaustive examples of proposed revisions to the Permit that conform
with the Order. Baker can provide a full redline of the Permit upon the Hearing Board’s request.

27 ²⁷ *See* Exhibit 3 at 312:5–9 (Member Balagopan: “The order abatement is binding. It overrides the permits in a lot
28 of cases when you issue an order of abatement for the condition may say some things but the order abatement may
override for the duration of the order.”)

1 Again, *Baker does not seek to dodge conditions*. Baker has demonstrated a commitment
2 to abiding by applicable, reasonable, and feasible conditions needed to restore the Facility to
3 productive operations and minimize potential odors, reassuring the District and the public.
4 Unfortunately, the moment it was out of the Hearing Board’s sight, the District jettisoned the
5 solution it accepted when appearing at the modification hearings. The District’s refusal to take
6 “yes” for an answer is now impeding progress and squandering resources. Incorporating the
7 necessary terms of Rule 415 without explicit rule references would, in substance, give the District
8 everything it has demanded.²⁸ It would also avoid unnecessary delays and bypass disagreements
9 that only hamper the resumption of useful services in the community. The District’s
10 gamesmanship is diverting time, effort, and other resources that the District, the Hearing Board,
11 and Baker could better spend elsewhere. Baker is unwilling to subordinate function to form and
12 concede a principle of law that the District continues to get wrong.

13 These considerations reflect the practicality of the approach Baker now asks the Hearing
14 Board to carry forward to its logical conclusion in the Permit—the issuance of permit conditions
15 that give the District what it wants in substance while avoiding a dispute on technical legal
16 distinctions that are—at least for the District—devoid of practical difference.

17 Thus, in addition to the correctness of Baker’s legal position, the Hearing Board should
18 grant Baker’s petition because the District will suffer no prejudice, the District’s substantive
19 demands will be met, and all involved could return to the useful courses of their work.

20 **D. The District Should Be Estopped from Contravening the Compromise by**
21 **Which the Hearing Board Resolved the Proceedings on the Order.**

22 The Board should also exercise its sound judgment in granting the petition on the basis
23 that the District is equitably estopped from taking a position with respect to the Permit
24 conditions that is contrary to the position it took in the context of modifying the Order—a
25 position on which Baker has already relied. *Times-Mirror Co. v. Superior Court of Los Angeles*
26 *County* (1935) 3 Cal. 2d 309 (equitable estoppel applied where the petitioner, acting in good
27 faith and relying on the city’s assurances and actions, undertook significant construction based
28 _____

1 on the understanding that its property would be acquired for public use). This would also serve
2 to deter gamesmanship that diminishes public trust in regulators like the District.

3 Here, Baker reasonably relied on the District's conduct during the order modification
4 proceedings to resolve the parties' dispute over the applicability of Rule 415. This reliance
5 included undertaking significant capital expenditures to bring the Facility into compliance. Baker
6 followed through on the operational requirements agreed upon in good faith, only to have the
7 District perform an about-face and demand unlawful conditions that Baker has already explained
8 it cannot accept. The District's bait-and-switch tactics not only harm Baker but undermine the
9 integrity of the regulatory process. The Hearing Board should not let that stand.

10 CONCLUSION

11 The District's attempt to make Rule 415 part of Permit is wrong on the law, contravenes
12 the District's prior agreements and representations, and undermines the integrity of the regulatory
13 process and the significant progress the parties had previously made. Baker has complied in good
14 faith with all operational requirements the Board and the District selected for and tailored to the
15 Facility. The District now seeks to rewrite the terms. Its reversal is improper, unnecessary,
16 counterproductive, and inherently arbitrary and capricious. The Board should thus end the
17 District's crusade, grant Baker's appeal, and revise the Facility Permit to replace improper
18 references to Rule 415 and rendering with the agreed-upon conditions of the Order.

19 I, George Gigounas, am a partner at the law firm DLA Piper LLP (US) and an authorized
20 agent of Petition Baker Commodities, Inc. I declare under penalty of perjury under the laws of
21 the state of California that the foregoing is true and correct to the best of my knowledge. Executed
22 this 9th day of January 2025, in San Francisco, California.

23
24 By: 

25 GEORGE GIGOUNAS, DLA PIPER LLP (US)
26 Attorney for BAKER COMMODITIES, INC.

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 555 Mission Street, Suite 2400, San Francisco, California 94105-2933.

On January 9, 2025, I served the foregoing document(s) described as:

**RESPONDENT BAKER COMMODITIES, INC.'S APPEAL OF REVISED
VERNON FACILITY PERMIT INCORPORATION OF RULE 415**

on interested parties in this action by the method of service indicated below.

(BY E-MAIL) I transmitted the document(s) listed above via e-mail to the person(s) at the email address(es) set forth below.

Clerk of the Board
South Coast Air Quality Management District
clerkofboard@aqmd.gov

Daphne Hsu
dhsu@aqmd.gov

Nicholas Dwyer
ndwyer@aqmd.gov

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 9, 2025, at San Francisco, California.



DENISE ELDER

EXHIBIT 1

From: Atul Kandhari <akandhari@aqmd.gov>
Sent: Thursday, December 12, 2024 4:46 PM
To: Cyril Jose <cjose@yorkeengr.com>
Cc: Jason Andreoli <jjandreoli@bakercommodities.com>; Jeff Wilson <JWilson@bakercommodities.com>; Frank Tavakoli <FTavakoli@bakercommodities.com>; Ozzy Olivera <OOlivera@bakercommodities.com>; Demetrios Chaconas <dchaconas@yorkeengr.com>; Corey Luth <cluth@yorkeengr.com>; John Furlong <jfurlong@yorkeengr.com>
Subject: Final copies of the Raw Material Area Enclosure and J & M Skimmer Enclosure

!!!CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the source of this email and know that the content is safe.

Please see attached. Original will be mailed tomorrow morning.

From: Atul Kandhari <akandhari@aqmd.gov>
Sent: Thursday, December 12, 2024 11:37 AM
To: Cyril Jose <cjose@yorkeengr.com>
Cc: Baker Commodities - Jason Andreoli <jjandreoli@bakercommodities.com>; Baker Commodities - Jeff Wilson <JWilson@bakercommodities.com>; Baker Commodities - Frank Tavakoli <FTavakoli@bakercommodities.com>; Baker Commodities - Ozzie Olivera <OOlivera@bakercommodities.com>; Demetrios Chaconas <dchaconas@yorkeengr.com>; Corey Luth <cluth@yorkeengr.com>; John Furlong <jfurlong@yorkeengr.com>
Subject: RE: Draft Version of the Permit for Centrisys Enclosure and Afterburner

Hello Cyril,

Both permits to construct listed below were approved on 12/10/2024. I am hoping the original will be mailed to the facility today. I will send you the electronic copy as well. Thanks.

AN 648440 Raw material area enclosure – sent to EPA on 10/25/24

AN 648441 J & M skimmer trash bin enclosure – sent to EPA on 10/25/24



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

December 11, 2024

Mr. Jason Andreoli
LA Plant Manager
Baker Commodities, Inc.
4020 Bandini Blvd.,
Los Angeles, CA 90058

SUBJECT: Title V/RECLAIM Facility Permit Revision (Facility ID: 800016)

Dear Mr. Andreoli:

Please find enclosed the revised Title Page, Table of Contents, Section D, and Section H of your Title V/RECLAIM Facility Permit.

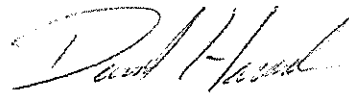
The revised sections reflect the approval of Permits to Construct for the Enclosures & Screw conveyor which were added to the facility permit.

The revisions are as shown below.

Application No.	Device ID(s)	Equipment Description	Process No. / System No. / Section No.	Permit Action
648440	D423 & C402	Screw Conveyor & Enclosure	1/1/H	Permit to Construct
648441	C425	Enclosure	6/4/H	Permit to Construct

Please review the enclosed sections carefully. Insert the enclosed sections into your RECLAIM/TV Facility Permit and discard the earlier version. Questions concerning changes to your permit should be directed to Mr. Atul Kandhari at (909) 396-2477.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Hauck".

David Hauck
Senior Air Quality Engineering Manager
Special Projects/Entertainment Team
Engineering & Permitting

DH:HD:ak

Attachments: Title V/RECLAIM Facility Permit

cc: Gerardo Rios, EPA Region IX
Crystal Villanueva, Senior Enforcement Manager, C & E



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

Title Page	
Facility ID:	800016
Revision #:	60
Date:	December 10, 2024

FACILITY PERMIT TO OPERATE


**BAKER COMMODITIES INC
4020 BANDINI BLVD
VERNON, CA 90058**

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR A COPY THEREOF MUST BE KEPT AT THE LOCATION FOR WHICH IT IS ISSUED.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT SHALL NOT BE CONSTRUED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCIES.

Wayne Natri
Executive Officer

By 
FOR Jason Aspell
Deputy Executive Officer
Engineering and Permitting



FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

TABLE OF CONTENTS

Section	Description	Revision #	Date Issued
A	Facility Information	23	07/01/2021
B	RECLAIM Annual Emission Allocation	32	07/01/2024
C	Facility Plot Plan	TO BE DEVELOPED	
D	Facility Description and Equipment Specific Conditions	27	12/10/2024
E	Administrative Conditions	9	12/07/2018
F	RECLAIM Monitoring and Source Testing Requirements	6	12/07/2018
G	Recordkeeping and Reporting Requirements for RECLAIM Sources	6	12/07/2018
H	Permit To Construct and Temporary Permit to Operate	20	12/10/2024
I	Compliance Plans & Schedules	4	12/07/2018
J	Air Toxics	3	12/07/2018
K	Title V Administration	3	12/07/2018
Appendix			
A	NOx and SOx Emitting Equipment Exempt From Written Permit Pursuant to Rule 219	4	12/07/2018
B	Rule Emission Limits	4	12/07/2018

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION A: FACILITY INFORMATION

LEGAL OWNER &/OR OPERATOR: BAKER COMMODITIES INC

LEGAL OPERATOR (if different than owner):

EQUIPMENT LOCATION: 4020 BANDINI BLVD
 VERNON, CA 90058

MAILING ADDRESS: 4020 BANDINI BLVD
 VERNON, CA 90058-4532

RESPONSIBLE OFFICIAL: JASON ANDREOLI

TITLE: LA GENERAL MANAGER

TELEPHONE NUMBER: (323) 268-2801

CONTACT PERSON: OZZY OLIVERA

TITLE: DRAFTSMAN

TELEPHONE NUMBER: (323) 268-2801

TITLE V PERMIT ISSUED: December 07, 2018

TITLE V PERMIT EXPIRATION DATE: December 06, 2023

TITLE V	RECLAIM
YES	NOx: YES SOx: NO CYCLE: 2 ZONE: COASTAL

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
System 1: RAW MATERIAL HANDLING					
PIT, ANIMAL MATTER, RECEIVING, 2 TOTAL A/N:	D1				E187.1, E448.15
CONVEYOR, SCREW, ANIMAL MATTER, RECEIVING PIT, 8 TOTAL A/N:	D3				E187.1
CONVEYOR, SCREW, ANIMAL MATTER, MAGNETS FEED A/N:	D11				E187.1
TANK, ANIMAL MATTER, MAGNET, ELECTRO-PLATE TYPE, 2 TOTAL A/N:	D12				E187.1
CONVEYOR, SCREW, ANIMAL MATTER, INCLINE, 24 INCH DIAMETER A/N:	D14				E187.1
CONVEYOR, SCREW, ANIMAL MATTER A/N:	D23				E187.1
System 2: RENDERING SYSTEM NO. 3					
CONVEYOR, SCREW, RATE CONTROL A/N: 155019	D26				E187.1
System 4: SCREENING, WASHING AND SEPARATING					
TANK, CLARIFIER A/N: 571187	D39	C391			C1.7, C1.8, C1.11
CYCLONE A/N: 571187	D383	C391			C1.7, C1.8, C1.11
TANK, DECANTER, SURGE TANK A/N: 571187	D60	C391			C1.7, C1.8, C1.11

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| <ul style="list-style-type: none"> * (1) (1A) (1B) Denotes RECLAIM emission factor (3) Denotes RECLAIM concentration limit (5) (5A) (5B) Denotes command and control emission limit (7) Denotes NSR applicability limit (9) See App B for Emission Limits | <ul style="list-style-type: none"> (2) (2A) (2B) Denotes RECLAIM emission rate (4) Denotes BACT emission limit (6) Denotes air toxic control rule limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.) (10) See section J for NESHAP/MACT requirements |
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** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
TANK, CENTRIFUGE, SURGE TANK A/N: 571187	D61	C391			C1.7, C1.8, C1.11
TANK, DECANTER A/N: 571187	D70	C391			C1.7, C1.8, C1.11
TANK, STICK WATER, HEIGHT: 19 FT 8 IN; DIAMETER: 9 FT A/N: 571187	D307	C391			C1.7, C1.8, C1.11
System 5: TALLOW PROCESSING					
TANK, NO. 7, HEIGHT: 14 FT ; DIAMETER: 10 FT 3 IN A/N: 634814	D76	C391			
CENTRIFUGE, 75 HP A/N: 634814	D372	C391			
CENTRIFUGE, 75 HP A/N: 634814	D373	C391			
TANK, SLURRY, WITH FILTER SOCK, HEIGHT: 9 FT ; DIAMETER: 5 FT A/N: 634814	D84	D90 C391		PM: (9) [RULE 404, 2-7-1986; RULE 405, 2-7-1986]	D322.1, D381.1, K67.2
DRYER, VACUUM, PICK HEATER A/N: 634814	D85	C391			
TANK, SURGE, VACUUM DRYER OVERFLOW, HEIGHT: 5 FT 9 IN; DIAMETER: 4 FT A/N: 634814	D86	C391			
TANK, PRECOAT, STEAM HEATED A/N: 634814	D87	C391			
TANK, SURGE, CENTRIFUGED TALLOW, HEIGHT: 24 FT ; DIAMETER: 11 FT 6 IN A/N: 634814	D90	D84			
System 6: BLOOD PROCESSING					
CONVEYOR, SCREW A/N: C31592	D97	C391			

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| <ul style="list-style-type: none"> * (1) (1A) (1B) Denotes RECLAIM emission factor (3) Denotes RECLAIM concentration limit (5) (5A) (5B) Denotes command and control emission limit (7) Denotes NSR applicability limit (9) See App B for Emission Limits | <ul style="list-style-type: none"> (2) (2A) (2B) Denotes RECLAIM emission rate (4) Denotes BACT emission limit (6) Denotes air toxic control rule limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.) (10) See section J for NESHAP/MACT requirements |
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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
SCREEN, CLASSIFYING, CLASSIFYING, SEPARATOR, VIBRATING A/N: C31592	D99	C391			
System 7: MEAT MEAL GRINDING SCREENING					
BUCKET ELEVATOR A/N: C33905	D101			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: C33905	D102			PM: (9) [RULE 405, 2-7-1986]	D323.1
BIN, BLENDING, PET FOOD GRADE, WIDTH: 20 FT ; HEIGHT: 24 FT ; LENGTH: 20 FT A/N: C33905	D103			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, DISTRIBUTION A/N: C33905	D104			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, UNLOADING A/N: C33905	D105			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, UNLOADING A/N: C33905	D106			PM: (9) [RULE 405, 2-7-1986]	D323.1
BUCKET ELEVATOR A/N: C33905	D107			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: C33905	D108			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: C33905	D109			PM: (9) [RULE 405, 2-7-1986]	D323.1
VESSEL, MAGNETIC SEPARATOR A/N: C33905	D110			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, MAGNETS DISCHARGE A/N: C33905	D112			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, BELT, MAGNET A/N: C33905	D113			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, CROSS A/N: C33905	D114			PM: (9) [RULE 405, 2-7-1986]	D323.1

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
CONVEYOR, SCREW, GRINDERS FEED A/N: C33905	D115			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, GRINDERS FEED A/N: C33905	D116			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, GRINDERS FEED A/N: C33905	D117			PM: (9) [RULE 405, 2-7-1986]	D323.1
GRINDER, HAMMERMILL TYPE A/N: C33905	D118			PM: (9) [RULE 405, 2-7-1986]	D323.1, E166.1, E202.1
GRINDER, HAMMERMILL TYPE A/N: C33905	D119			PM: (9) [RULE 405, 2-7-1986]	D323.1, E166.1, E202.1
GRINDER, HAMMERMILL TYPE A/N: C33905	D120			PM: (9) [RULE 405, 2-7-1986]	D323.1, E166.1, E202.1
CONVEYOR, SCREW A/N: C33905	D123			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, CLASSIFIER FEED A/N: C33905	D124			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, INCLINED, DISTRIBUTION A/N: C33905	D125			PM: (9) [RULE 405, 2-7-1986]	D323.1
SCREEN, CLASSIFYING, CLASSIFYING A/N: C33905	D126			PM: (9) [RULE 405, 2-7-1986]	D323.1
SCREEN, CLASSIFYING, CLASSIFYING A/N: C33905	D127			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, OVERS A/N: C33905	D128			PM: (9) [RULE 405, 2-7-1986]	D323.1

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| <ul style="list-style-type: none"> * (1) (1A) (1B) Denotes RECLAIM emission factor (3) Denotes RECLAIM concentration limit (5) (5A) (5B) Denotes command and control emission limit (7) Denotes NSR applicability limit (9) See App B for Emission Limits | <ul style="list-style-type: none"> (2) (2A) (2B) Denotes RECLAIM emission rate (4) Denotes BACT emission limit (6) Denotes air toxic control rule limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.) (10) See section J for NESHAP/MACT requirements |
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** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
CONVEYOR, SCREW, OVERS RETURN A/N: C33905	D129			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, FINISHED MEAL A/N: C33905	D130			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, ELEVATOR FEED A/N: C33905	D131			PM: (9) [RULE 405, 2-7-1986]	D323.1
BUCKET ELEVATOR A/N: C33905	D132			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, OVER BIN A/N: C33905	D133			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: C33905	D134			PM: (9) [RULE 405, 2-7-1986]	D323.1
BIN, STORAGE, FINISHED MEAL A/N: C33905	D135			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: C33905	D136			PM: (9) [RULE 405, 2-7-1986]	D323.1, E175.1
CONVEYOR, SCREW A/N: C33905	D137			PM: (9) [RULE 405, 2-7-1986]	D323.1, E175.1
System 8: PET FOOD BIN					
CONVEYOR, SCREW, BIN UNLOADING A/N: C02142	D138			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, BIN UNLOADING A/N: C02142	D139			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, ELEVATOR FEED A/N: C02142	D140			PM: (9) [RULE 405, 2-7-1986]	D323.1
BUCKET ELEVATOR, TRUCK LOADING A/N: C02142	D141			PM: (9) [RULE 405, 2-7-1986]	D323.1, E175.1

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| * (1) (1A) (1B) Denotes RECLAIM emission factor
(3) Denotes RECLAIM concentration limit
(5) (5A) (5B) Denotes command and control emission limit
(7) Denotes NSR applicability limit
(9) See App B for Emission Limits | (2) (2A) (2B) Denotes RECLAIM emission rate
(4) Denotes BACT emission limit
(6) Denotes air toxic control rule limit
(8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
(10) See section J for NESHAP/MACT requirements |
|--|--|

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
System 9: MEAT-MEAL LOADING					
HOPPER, UNDERGROUND, UNLOADING A/N: A12144	D142			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: A12144	D143			PM: (9) [RULE 405, 2-7-1986]	D323.1
BUCKET ELEVATOR A/N: A12144	D144			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, BOTTOM CROSS A/N: A12144	D145			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, BOTTOM CROSS A/N: A12144	D146			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, TOP CROSS A/N: A12144	D147			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, UNLOADING A/N: A12144	D148			PM: (9) [RULE 405, 2-7-1986]	D323.1
System 10: COCONUT OIL REFINING					
MIXER, CAUSTIC A/N: 145491	D149				
VESSEL, REFINING SEPARATOR A/N: 145491	D151				
VESSEL, REFINING SEPARATOR A/N: 145491	D152				
MIXER, WATER WASH A/N: 145491	D153				
VESSEL, WATER WASH SEPARATOR A/N: 145491	D154				
HOPPER, DUMP A/N: 145491	D155			PM: (9) [RULE 405, 2-7-1986]	C1.1, C1.2, C1.3, D323.1, E166.2

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|---|---|
| <p>* (1) (1A) (1B) Denotes RECLAIM emission factor
 (3) Denotes RECLAIM concentration limit
 (5) (5A) (5B) Denotes command and control emission limit
 (7) Denotes NSR applicability limit
 (9) See App B for Emission Limits</p> | <p>(2) (2A) (2B) Denotes RECLAIM emission rate
 (4) Denotes BACT emission limit
 (6) Denotes air toxic control rule limit
 (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (10) See section J for NESHAP/MACT requirements</p> |
|---|---|

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
CONVEYOR, SCREW A/N: 145491	D156			PM: (9) [RULE 405, 2-7-1986]	D323.1
TANK, FILTROL HOPPER A/N: 145491	D157			PM: (9) [RULE 405, 2-7-1986]	D323.1
DRYER, VACCUM A/N: 145491	D159			PM: (9) [RULE 405, 2-7-1986]	D323.1, E166.2
CONDENSER, DRIER A/N: 145491	D160			PM: (9) [RULE 405, 2-7-1986]	
TANK, SURGE, OIL A/N: 145491	D161				
TANK, FILTER PRECOAT, HEIGHT: 8 FT ; DIAMETER: 5 FT A/N: 145491	D162				
CONVEYOR, SCREW A/N: 145491	D163			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: 145491	D164			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: 145491	D165			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW A/N: 145491	D166			PM: (9) [RULE 405, 2-7-1986]	D323.1
TANK, EMERGENCY A/N: 145491	D167				
TANK, SOAP ACIDULATION, HEIGHT: 12 FT ; DIAMETER: 12 FT A/N: 145491	D168				
TANK, SOAP ACIDULATION, HEIGHT: 12 FT ; DIAMETER: 12 FT A/N: 145491	D169				
TANK, SOAP STOCK, HEIGHT: 14 FT 6 IN; DIAMETER: 8 FT A/N: 145491	D170				
Process 2: STORAGE: BAKER COMMODITIES					

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 (5) (5A) (5B) Denotes command and control emission limit
 (7) Denotes NSR applicability limit
 (9) See App B for Emission Limits
 (2) (2A) (2B) Denotes RECLAIM emission rate
 (4) Denotes BACT emission limit
 (6) Denotes air toxic control rule limit
 (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (10) See section J for NESHAP/MACT requirements

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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

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Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 5: AIR POLLUTION CONTROL: BAKER COMMODITIES					
BOILER, INCINERATOR, WITH HEAT RECOVERY, NO. 2 CENTER, FUEL OIL, NATURAL GAS, YELLOW GREASE, BABCOCK AND WILCOX, MODEL VC CD, 39.387 MMBTU/HR WITH A/N: 378516 BURNER, FUEL OIL, NATURAL GAS, YELLOW GREASE, TODD, WITH FLUE GAS RECIRCULATION, 3 TOTAL; 39.387 MMBTU/HR	C216	C370 C391	NOX: LARGE SOURCE**	CO: 2000 PPMV (5) [RULE 407, 4-2-1982]; NOX: 56 PPMV NATURAL GAS (3) [RULE 2012, 5-6-2005]; NOX: 56 PPMV YELLOW GREASE (3) [RULE 2012, 5-6-2005]; NOX: 56 PPMV FUEL OIL 2 (3) [RULE 2012, 5-6-2005]; PM: 0.1 GRAINS/SCF (5) [RULE 409, 8-7-1981]; SOX: 500 PPMV FUEL OIL (5) [RULE 407, 4-2-1982]	B59.6, C6.7, C8.1, D12.6, D328.1, D371.1, K67.3
CONDENSER, AIR COOLED, 77,508 SQ. FT. SURFACE AREA WITH A/N: 509114 BLOWER, FAN NO. 1, 50 HP BLOWER, FAN NO. 2, 50 HP	C391	D39 D60 D61 D70 D76 D81 D82 D84 D85 D86 D87 D97 D99 D181 D182 D183 D189 D190 C200 C215 C216 D307 C370 D372 D373 D383			C6.13
Process 6: RENDERING: J & M					P13.1
System 2: RENDERED PRODUCTS HANDLING					

* (1) (1A) (1B) Denotes RECLAIM emission factor
 (3) Denotes RECLAIM concentration limit
 (5) (5A) (5B) Denotes command and control emission limit
 (7) Denotes NSR applicability limit
 (9) See App B for Emission Limits
 (2) (2A) (2B) Denotes RECLAIM emission rate
 (4) Denotes BACT emission limit
 (6) Denotes air toxic control rule limit
 (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (10) See section J for NESHAP/MACT requirements
 ** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

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Process 6: RENDERING: J & M					P13.1
TANK, CLARIFIER A/N: 634815	D232	C401			E448.11
System 3: PET FOOD BLENDING					
HOPPER, MEAT-MEAL, RECEIVING A/N: C34012	D246			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW A/N: C34012	D247			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, INCLINED A/N: C34012	D248			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
SCREEN, CLASSIFYING, CLASSIFYING A/N: C34012	D249			PM: (9) [RULE 405, 2-7-1986]	D323.1
CONVEYOR, SCREW, OVERS A/N: C34012	D251			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
BIN, OVERS A/N: C34012	D252			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
BUCKET ELEVATOR A/N: C34012	D253			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, FEED A/N: C34012	D254			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, OVERBINS A/N: C34012	D255			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
BIN, SURGE, 7800 GALS A/N: C34012	D256			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, DISTRIBUTION A/N: C34012	D257			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, UNLOADING A/N: C34012	D258			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
BIN, SURGE, 7800 GALS A/N: C34012	D259			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, DISTRIBUTION A/N: C34012	D260			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1

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|--|---|
| * (1) (1A) (1B) Denotes RECLAIM emission factor | (2) (2A) (2B) Denotes RECLAIM emission rate |
| (3) Denotes RECLAIM concentration limit | (4) Denotes BACT emission limit |
| (5) (5A) (5B) Denotes command and control emission limit | (6) Denotes air toxic control rule limit |
| (7) Denotes NSR applicability limit | (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.) |
| (9) See App B for Emission Limits | (10) See section J for NESHAP/MACT requirements |

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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 6: RENDERING: J & M					P13.1
CONVEYOR, SCREW, CROSS A/N: C34012	D262			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, INCLINED A/N: C34012	D263			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
HOPPER, MEAT-MEAL, BAGGING A/N: C34012	D264			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
CONVEYOR, SCREW, UNLOADING A/N: C34012	D265			PM: (9) [RULE 405, 2-7-1986]	D323.1, E187.1
System 4: TRAP GREASE PROCESSING					
CLARIFIER, J & M AREA A/N:	D269				E448.8
VESSEL, CATCH BASIN, J & M AREA, WITH A SCREW CONVEYOR A/N:	D424				E448.13
TANK, DRYER NO. 1 A/N:	D271	C401			
System 5: GREASE DRYING					
TANK, GREASE, DRYING, STEAM HEATED, 8450 GALS; DIAMETER: 7 FT 7 IN; HEIGHT: 25 FT A/N: 127555	D272	C401			
TANK, VERTICAL DRYING, HEATED, 10000 GALS; DIAMETER: 7 FT 8 IN; HEIGHT: 31 FT 2 IN A/N: 273917	D273	C401			
System 6: GLYCEROLYSIS					
REACTOR, TANK, 8200 GAL A/N: 477180	D361				B59.4, C6.9
TANK, STORAGE, CRUDE GLYCERIN A/N: 477180	D362				
HEAT EXCHANGER, THERMAL OIL A/N: 477180	D363				

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|--|--|
| <ul style="list-style-type: none"> * (1) (1A) (1B) Denotes RECLAIM emission factor (3) Denotes RECLAIM concentration limit (5) (5A) (5B) Denotes command and control emission limit (7) Denotes NSR applicability limit (9) See App B for Emission Limits | <ul style="list-style-type: none"> (2) (2A) (2B) Denotes RECLAIM emission rate (4) Denotes BACT emission limit (6) Denotes air toxic control rule limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.) (10) See section J for NESHAP/MACT requirements |
|--|--|

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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 6: RENDERING: J & M					P13.1
HEATER, NATURAL GAS, PARKER BOILER, MODEL HT-1920L, 1.92 MMBTU/HR A/N: 477180	D364		NOX: PROCESS UNIT**	CO: 100 PPMV NATURAL GAS (4) [RULE 1303(a)(1)-BACT, 5-10-1996; RULE 1303(a)(1)-BACT, 12-6-2002]; CO: 400 PPMV NATURAL GAS (5A) [RULE 1146.2, 5-5-2006]; CO: 2000 PPMV NATURAL GAS (5) [RULE 407, 4-2-1982]; NOX: 20 PPMV NATURAL GAS (4) [RULE 2005, 6-3-2011; RULE 2005, 12-4-2015]; NOX: 130 LBS/MMBTU NATURAL GAS (1) [RULE 2012, 5-6-2005; RULE 2012, 12-4-2015]; PM: (9) [RULE 404, 2-7-1986]; PM: 0.1 GRAINS/SCF NATURAL GAS (5) [RULE 409, 8-7-1981]	
TANK, ACCUMULATOR, THERMAL OIL, 200 GAL A/N: 477180	D365				
TANK, EXPANSION, THERMAL OIL, 500 GAL A/N: 477180	D366				
CONDENSER, VAPOR A/N: 477180	D367				E71.1
Process 7: STORAGE: J & M					
System 1: TALLOW					S13.1
STORAGE TANK, STEAM HEATED, STAR NO. A, TALLOW, HEIGHT: 30 FT ; DIAMETER: 19 FT A/N: 634817	D274	C401			E448.12
STORAGE TANK, STEAM HEATED, STAR NO. B, TALLOW, HEIGHT: 30 FT ; DIAMETER: 19 FT A/N: 634817	D275	C401			E448.12

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

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Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 7: STORAGE: J & M					
STORAGE TANK, STEAM HEATED, STAR NO. 2, GREASE, HEIGHT: 20 FT ; DIAMETER: 11 FT A/N: 634817	D283	C401			E448.12
STORAGE TANK, STEAM HEATED, STAR NO. 7, FEED-FAT, HEIGHT: 18 FT ; DIAMETER: 20 FT A/N: 634817	D284	C401			E448.12
STORAGE TANK, FIXED ROOF, STEAM HEATED, E1, BLEND OF ANIMAL FAT AND VEGETABLE OIL, 26000 GALS; DIAMETER: 12 FT 6 IN; HEIGHT: 32 FT A/N: 634817	D313	C401			E448.12
STORAGE TANK, FIXED ROOF, STEAM HEATED, E2, BLEND OF ANIMAL FAT AND VEGETABLE OIL, 26000 GALS; DIAMETER: 12 FT 6 IN; HEIGHT: 32 FT A/N: 634817	D314	C401			E448.12
STORAGE TANK, FIXED ROOF, STEAM HEATED, E3, BLEND OF ANIMAL FAT AND VEGETABLE OIL, 26000 GALS; DIAMETER: 12 FT 6 IN; HEIGHT: 32 FT A/N: 634817	D315	C401			E448.12
System 2: GREASE					S13.1
STORAGE TANK, C3, TRAP GREASE, RECEIVING, HEIGHT: 23 FT 11 IN; DIAMETER: 9 FT 6 IN A/N:	D268	C401			E448.11
STORAGE TANK, C-1, TRAP GREASE, RECEIVING, HEIGHT: 25 FT ; DIAMETER: 11 FT A/N:	D278	C401			E448.11

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

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Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 7: STORAGE: J & M					
STORAGE TANK, C-2, TRAP GREASE, RECEIVING, HEIGHT: 25 FT ; DIAMETER: 11 FT A/N:	D279	C401			E448.11
STORAGE TANK, C-4, TRAP GREASE, RECEIVING, HEIGHT: 25 FT ; DIAMETER: 11 FT A/N:	D280	C401			E448.11
TANK, C-COOKER, HEIGHT: 35 FT 3 IN; DIAMETER: 7 FT 7 IN A/N:	D281	C401			E448.11
System 5: GREASE, TALLOW, OR WASTEWATER					
STORAGE TANK, STEAM HEATED, WASTE WATER, GREASE, TALLOW, HEIGHT: 27 FT ; DIAMETER: 12 FT A/N: 367129	D320	C401			C6.3, E54.3, E147.2
STORAGE TANK, NO. A-1, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 491622	D377	C401			C6.3, E54.3, E147.2, E166.3
STORAGE TANK, NO. A-2, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 491624	D378	C401			E54.3, E147.2, E166.3
STORAGE TANK, NO. A-3, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 491625	D379	C401			E54.3, E147.2, E166.3

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 (3) Denotes RECLAIM concentration limit
 (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit
 (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit
 (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits
 (10) See section J for NESHAP/MACT requirements

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Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 7: STORAGE: J & M					
STORAGE TANK, NO. A-4, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 491626	D380	C401			C6.3, E54.3, E147.2, E166.3
STORAGE TANK, NO. A-5, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 532948	D395	C401			C6.14, E54.4, E147.2, E166.3
STORAGE TANK, NO. A-6, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 532949	D396	C401			C6.14, E54.4, E147.2, E166.3
STORAGE TANK, NO. A-7, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 532950	D397	C401			C6.14, E54.4, E147.2, E166.3
STORAGE TANK, NO. A-8, STEAM HEATED, WASTE WATER, GREASE, TALLOW, 21432 GALS; DIAMETER: 12 FT ; HEIGHT: 22 FT 6 IN A/N: 532951	D398	C401			C6.14, E54.4, E147.2, E166.3
Process 8: GREASE RECEIVING: STAR GREASE PROCESSING					P13.1
BULK MATERIAL LOAD/UNLOAD STATION, BARREL DUMPER A/N: 478349	D290				E187.1

* (1) (1A) (1B) Denotes RECLAIM emission factor
 (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit
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 (5) (5A) (5B) Denotes command and control emission limit
 (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit
 (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
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FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

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The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 8: GREASE RECEIVING: STAR GREASE PROCESSING					P13.1
HOT POT/KETTLE, NATURAL GAS, GREASE, MELTING, 1.3 MMBTU/HR WITH A/N: 478349 BURNER, NATURAL GAS, MAXON, MODEL TYPE 13, 52 TOTAL; 1.3 MMBTU/HR	D356	C401	NOX: PROCESS UNIT**	CO: 100 PPMV NATURAL GAS (4) [RULE 1303(a)(1)-BACT, 5-10-1996; RULE 1303(a)(1)-BACT, 12-6-2002]; CO: 400 PPMV NATURAL GAS (5A) [RULE 1146.2, 5-5-2006]; CO: 2000 PPMV NATURAL GAS (5) [RULE 407, 4-2-1982]; NOX: 20 PPMV (4) [RULE 2005, 5-6-2005; RULE 2005, 12-4-2015]; NOX: 130 LBS/MMSCF NATURAL GAS (1) [RULE 2012, 5-6-2005; RULE 2012, 12-4-2015]; PM: (9) [RULE 404, 2-7-1986]; PM: 0.1 GRAINS/SCF NATURAL GAS (5A) [RULE 409, 8-7-1981]	C6.12, D323.1, E187.1
CONVEYOR, DRAG A/N: 478349	D292				E187.1
DRUM, WASHER, 10 FT L., 4 FT W., 4.5 FT H., SPRAY NOZZLE WITH A/N: 478349 PUMP, RECIRCULATION, WASH WATER, 10 HP	D358				E187.1
TANK, SURGE, 1269 GAL A/N: 478349	D360				
SCREEN, CLASSIFYING A/N: 478349	D295				E187.1
SCREEN, CLASSIFYING A/N: 478349	D357				E187.1

- * (1) (1A) (1B) Denotes RECLAIM emission factor
- (3) Denotes RECLAIM concentration limit
- (5) (5A) (5B) Denotes command and control emission limit
- (7) Denotes NSR applicability limit
- (9) See App B for Emission Limits
- (2) (2A) (2B) Denotes RECLAIM emission rate
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- (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
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** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

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The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 8: GREASE RECEIVING: STAR GREASE PROCESSING					P13.1
CONVEYOR, SCREW A/N: 478349	D293				E187.1
CONVEYOR, SCREW, REJECT A/N: 478349	D294				E187.1
Process 9: GREASE STORAGE: STAR GREASE PROCESSING					P13.1
STORAGE TANK, STEAM HEATED, STAR NO. 8, HEIGHT: 23 FT 4 IN; DIAMETER: 11 FT A/N: 634819	D282	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 3, HEIGHT: 17 FT ; DIAMETER: 11 FT 6 IN A/N: 634819	D296	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 1, HEIGHT: 17 FT ; DIAMETER: 6 FT A/N: 634819	D297	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 4, HEIGHT: 18 FT ; DIAMETER: 9 FT A/N: 634819	D298	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 9, 22000 GALS; DIAMETER: 11 FT 7 IN; HEIGHT: 34 FT 4 IN A/N: 634819	D299	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 5, HEIGHT: 29 FT ; DIAMETER: 10 FT A/N: 634819	D321	C401			E448.11
STORAGE TANK, STEAM HEATED, STAR NO. 6, HEIGHT: 27 FT ; DIAMETER: 10 FT A/N: 634819	D322	C401			E448.11

- * (1) (1A) (1B) Denotes RECLAIM emission factor
- (3) Denotes RECLAIM concentration limit
- (5) (5A) (5B) Denotes command and control emission limit
- (7) Denotes NSR applicability limit
- (9) See App B for Emission Limits
- (2) (2A) (2B) Denotes RECLAIM emission rate
- (4) Denotes BACT emission limit
- (6) Denotes air toxic control rule limit
- (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
- (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 10: APC SYSTEM: J & M/STAR GREASE PROCESSING					
CONDENSER, AIR COOLED, VERTICAL, 73000 SQ.FT. A/N: 611999	C401	D232 D268 D271 D272 D273 D274 D275 D278 D279 D280 D281 D282 D283 D284 D296 D297 D298 D299 C301 D313 D314 D315 D320 D321 D322 D356 D368 D369 D377 D378 D379 D380 D395 D396 D397 D398			
CONDENSER, SHELL AND TUBE, CYCLONE, WIDTH: 1 FT 4 IN; HEIGHT: 2 FT 4 IN; LENGTH: 3 FT A/N: 611999	C301	C302 C401			
AFTERBURNER, NATURAL GAS, 8 MMBTU/HR WITH A/N: BOILER, ECLIPSE, MODEL 3 HR, WASTE HEAT	C302	C301	NOX: PROCESS UNIT**	CO: 2000 PPMV NATURAL GAS (5) [RULE 407, 4-2-1982]; NOX: 130 LBS/MMSCF NATURAL GAS (1) [RULE 2012, 5-6-2005; RULE 2012, 12-4-2015] PM: (9) [RULE 404, 2-7-1986]; PM: 0.1 GRAINS/SCF NATURAL GAS (5A) [RULE 409, 8-7-1981]	C8.2, D323.1
Process 13: Rule 219 Exempt Equipment Subject to Source-Specific Requirements					

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: RENDERING: BAKER COMMODITIES					P13.1
System 1: RAW MATERIAL HANDLING					
CONVEYOR, SCREW, ANIMAL MATTER, AFTER MAGNETIC SEPARATOR TO OUTBOUND VEHICLE A/N: 648440 Permit to Construct Issued: 12/10/24	D423				E448.2
ENCLOSURE, ALTERNATIVE PERMANENT TOTAL (PTE), EXPANDED, FROM 5,200 SQ. FT. TO 10,000 SQ. FT. FOR RAW RENDERING MATERIAL RECEIVING A/N: 648440 Permit to Construct Issued: 12/10/24	C402				E448.2, E448.15
System 2: RENDERING SYSTEM NO. 3					
ENCLOSURE, CLOSED SYSTEM FOR MAIN PLANT A/N: 648440 Permit to Construct Issued: 12/10/24	C403				E448.3
Process 4: WASTEWATER TREATMENT: BAKER COMMODITIES					
ENCLOSURE, PERMANENT TOTAL, FOR PART OF WASTE WATER TREATMENT AREA A/N:	C404	C406			E448.4, E448.5
ENCLOSURE, CLOSED SYSTEM FOR PART OF WASTE WATER TREATMENT AREA A/N:	C405				E448.6

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 4: WASTEWATER TREATMENT: BAKER COMMODITIES					
SCRUBBER, PACKED BED, CUSTOM MADE, DUAL STAGE, WITH MIST ELIMINATOR, AIR FLOW RATE OF 3,500 CFM, 60 GPM WATER FLOW A/N:	C406	D202 D331 D332 D333 D334 D340 D341 D349 D350 D351 D352 D355 C404 C427			E448.5, E448.7
ENCLOSURE, FOR SLUDGE COLLECTION BIN IN TRAP GREASE RECEIVING AREA A/N:	C427	C406			E448.16
ENCLOSURE, PERMANENT TOTAL (PTE) FOR SLUDGE, VENTED TO APCD A/N:	C426	C401			E187.1, E448.14
Process 6: RENDERING: J & M					P13.1
System 4: TRAP GREASE PROCESSING					
ENCLOSURE, ALTERNATE, FOR CATCH BASIN AND SLUDGE COLLECTION BIN A/N: 648441 Permit to Construct Issued: 12/10/24	C425				E187.1, E448.13
Process 10: APC SYSTEM: J & M/STAR GREASE PROCESSING					
CONDENSER, AIR COOLED, VERTICAL, 73000 SQ.FT. A/N:	C401	C426			E448.1
CONDENSER, SHELL AND TUBE, CYCLONE, WIDTH: 1 FT 4 IN; HEIGHT: 2 FT 4 IN; LENGTH: 3 FT A/N:	C301	C302			

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 10: APC SYSTEM: J & M/STAR GREASE PROCESSING					
AFTERBURNER, J & M PLANT, NATURAL GAS, WITH LOW NOX BURNER, 6.3 MMBTU/HOUR WITH A/N:	C302	C301	NOX: PROCESS UNIT**	CO: 1000 PPMV NATURAL GAS (3) [RULE 1147, 9-9-2011; RULE 1147, 5-6-2022]; CO: 2000 PPMV NATURAL GAS (5) [RULE 407, 4-2-1982]; NOX: 20 PPMV NATURAL GAS (5) [RULE 1147, 9-9-2011; RULE 1147, 5-6-2022]; NOX: 130 LBS/MMSCF NATURAL GAS (1) [RULE 2005, 12-4-2015; RULE 2012, 2-5-2016]; PM: (9) [RULE 404 2-7-1986]; PM: 0.1 GRAINS/SCF NATURAL GAS (5A) [RULE 409, 8-7-1981]	C8.2, D29.3, D323.1, E448.17
BOILER, ECLIPSE, MODEL 3 HR, WASTE HEAT					
BURNER, LOW NOX, 6.3 MMBTU/HOUR, POWER FLAME ULTRA CMAX					

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

**FACILITY PERMIT TO OPERATE
BAKER COMMODITIES INC**

SECTION H: DEVICE ID INDEX

**The following sub-section provides an index
to the devices that make up the facility
description sorted by device ID.**

**FACILITY PERMIT TO OPERATE
BAKER COMMODITIES INC**

SECTION H: DEVICE ID INDEX

Device Index For Section H			
Device ID	Section H Page No.	Process	System
C301	2	10	0
C302	3	10	0
C401	2	10	0
C402	1	1	1
C403	1	1	2
C404	1	4	0
C405	1	4	0
C406	2	4	0
D423	1	1	1
C425	2	6	4
C426	2	4	0
C427	2	4	0

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

FACILITY CONDITIONS

- F9.1 Except for open abrasive blasting operations, the operator shall not discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:
- (a) As dark or darker in shade as that designated No.1 on the Ringelmann Chart, as published by the United States Bureau of Mines; or
 - (b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subparagraph (a) of this condition.
- [RULE 401, 3-2-1984; RULE 401, 11-9-2001]
- F14.1 The operator shall not burn liquid fuel containing sulfur compounds in excess of 500 ppm by weight.
- [RULE 431.2, 5-4-1990; RULE 431.2, 9-15-2000]
- F14.2 The operator shall not purchase diesel fuel containing sulfur compounds in excess of 15 ppm by weight as supplied by the supplier.
- [RULE 431.2, 5-4-1990; RULE 431.2, 9-15-2000]
- F14.3 The operator shall not burn natural gas containing sulfur compounds in excess of 16 ppmv, calculated as hydrogen sulfide.
- [RULE 431.1, 6-12-1998]
- F52.2 This facility is subject to the applicable requirements of the following rules or regulation(s):

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

South Coast AQMD. Applicant shall follow the Best Management practices listed in Rule 415 including maintaining proper records. For any rendered material processed at this facility, applicant shall follow the limitations set forth in Rule 415 (e) (2) & Rule 415 (e) (5) whether the material is processed in main rendering plant or J & M plant.

Within 120-150 days after from the date of issuance of the permits to construct and for the enclosure, scrubber and closed systems, applicant shall send an email to the assigned inspector and the permitting engineer providing the highlights of the progress of the construction of the permanent total enclosure, scrubber, and the closed systems which are listed in section H of the permit. An email shall be sent every 120-150 days from the date of previous email.

Sending of emails shall be discontinued after construction of the closed systems, scrubber, and the permanent total enclosure have been completed and these systems have been put in operation.

[RULE 402, 5-7-1976; RULE 415, 11-3-2017]

F67.1 The facility operator shall comply with all terms and conditions specified below;.

The drainage system associated with the active operations in the facility shall be maintained in good operating condition. Upon discovery, immediate action shall be taken to resolve any clogs or accumulated material that prevent proper drainage.

Until unloaded into an approved enclosure, all Raw Material shall be stored in approved closed containers that prevent exposure of the material to atmosphere and minimize associated odors.

Each piece of permitted/exempt equipment identified in the facility permit with a Device ID shall be clearly labeled with the appropriate device number listed in the permit.

PROCESS CONDITIONS

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

P13.1 All devices under this process are subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
Odor	District Rule	472

[RULE 472, 5-7-1976]

[Processes subject to this condition : 1, 6, 8, 9]

SYSTEM CONDITIONS

S13.1 All devices under this system are subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
Odor	District Rule	472

[RULE 472, 5-7-1976]

[Systems subject to this condition : Process 2, System 2, 3; Process 6, System 1; Process 7, System 1, 2, 3]

DEVICE CONDITIONS

C. Throughput or Operating Parameter Limits

C8.2 The operator shall use this equipment in such a manner that the temperature being monitored, as indicated below, is not less than 1202 Deg F.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The operator shall operate and maintain a temperature measuring and recording system to continuously measure and record the combustion chamber temperature pursuant to the operation and maintenance requirements specified in 40 CFR Part 64.7. Such system shall have an accuracy of within 1% of the temperature being monitored and shall be inspected, maintained, and calibrated on an annual basis in accordance with the manufacturer's specifications..

For the purpose of this condition, a deviation shall be defined as when the combustion chamber temperature of less than 1,202 degrees Fahrenheit occurs during the normal operation of the equipment it serves. The operator shall review the records of the combustion chamber temperature on a daily basis to determine if a deviation occurs or shall install an alarm system to alert the operator when a deviation occurs.

Whenever a deviation occurs, the operator shall inspect this equipment to identify the cause of such a deviation, take immediate corrective actions to maintain the combustion chamber temperature at or above 1,202 degrees Fahrenheit, and keep records of the duration and cause (including unknown cause, if applicable) of the deviation and the corrective actions taken.

All deviations shall be reported to the South Coast AQMD pursuant to the requirements specified in 40 CFR Part 64.9 and Condition Nos. 22 and 23 in Section K of this permit. The report shall include the total operating time of this equipment and the total accumulated duration of all deviations for each semi-annual reporting period specified in Condition No. 23 in Section K of this permit.

The operator shall submit an application with a Quality Improvement Plan (QIP) in accordance with 40 CFR Part 64.8 to the South Coast AQMD if an accumulation of deviations exceeds 5 percent duration of this equipment's total operating time for any semi-annual reporting period specified in Condition No. 23 in Section K of this permit. The required QIP shall be submitted to the South Coast AQMD within 90 calendar days after the due date for the semi-annual monitoring report.

The operator shall inspect and maintain all components of this equipment on an annual basis in accordance with the manufacturer's specifications.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The operator shall keep adequate records in a format that is acceptable to the South Coast AQMD to demonstrate compliance with all applicable requirements specified in this condition and 40 CFR Part 64.9 for a minimum of five years.

[RULE 1303(a)(1)-BACT, 5-10-1996; RULE 1303(a)(1)-BACT, 12-6-2002; RULE 472, 5-7-1976]

[Devices subject to this condition : C302]

D. Monitoring/Testing Requirements

D29.3 The operator shall conduct source test(s) for the pollutant(s) identified below.

Pollutant(s) to be tested	Required Test Method(s)	Averaging Time	Test Location
NOx concentration	District method 100.1	15 minutes	Outlet
CO concentration	District Method 100.1 or 10.1	District-approved averaging time	Outlet

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The owner or operator shall conduct Source Tests to prove compliance with the applicable NO_x and CO limits as per the guidelines in Section (h) of Rule 1147 within 90 days of the installation of the new burner unless approved otherwise by the South Coast AQMD.

A source test protocol shall be submitted to the South Coast AQMD no later than 90 days after the initial start-up of this equipment unless otherwise approved in writing by the South Coast AQMD. The test protocol shall be approved in writing by the South Coast AQMD before the test commences.

The test protocol shall include the proposed operating conditions of the equipment during the test, the identity of the testing laboratory, a statement from the testing laboratory certifying that it meets the criteria in South Coast AQMD Rule 304(k), and a description of the sampling and analytical procedures to be used.

The tests shall measure NO_x, CO, oxygen content, moisture content, temperature, and the exhaust flow rate at the outlet of this equipment, at the normal operating load, using appropriate test methods specified in Rule 1147. The report shall present the emission data in pounds per hour, and parts per million on a dry basis corrected to 3% oxygen.

The tests shall determine the firing rate (as percent of the rated heat input capacity) of the burner when the equipment is tested at its normal operating load.

An additional compliance determination test shall be conducted pursuant to section (h) of Rule 1147 by either:

- i. Using a heat input of less than 35% of the rated heat input capacity; or
- ii. Testing for at least 30 consecutive minutes after unit start up using the lowest operating temperature that may be used during normal operation of the unit.

A testing laboratory certified by the South Coast AQMD Laboratory Approval Program in the required test methods for each criteria pollutant to be measured, and in compliance with South Coast AQMD Rule 304 (no conflict of interest)

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

shall conduct the test.

Sampling facilities shall comply with the South Coast AQMD guidelines for construction of sampling and testing facilities pursuant to Rule 217.

A written notice of the source test date shall be submitted to the South Coast AQMD via mail (Attn: Atul Kandhari, 21865 Copley Dr., Diamond Bar, CA 91765) or e-mail (akandhari@aqmd.gov) within 14 days prior to testing commencement so that an observer from the South Coast AQMD may be present.

The source test reports shall be submitted to the South Coast AQMD via mail (addressed to South Coast AQMD, Attn: Atul Kandhari, 21865 Copley Dr., Diamond Bar, CA 91765) or e-mail (akandhari@aqmd.gov) within 60 days after completion of the source test, unless otherwise approved in writing by the South Coast AQMD. The source test report shall include, but not be limited to, all testing data required by this permit.

[RULE 1147, 5-6-2022; RULE 2012, 11-3-2023]

[Devices subject to this condition : C302]

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

D323.1 The operator shall conduct an inspection for visible emissions from all stacks and other emission points of this equipment whenever there is a public complaint of visible emissions, whenever visible emissions are observed, and on an annual basis, at least, unless the equipment did not operate during the entire annual period. The routine annual inspection shall be conducted while the equipment is in operation and during daylight hours.

If any visible emissions (not including condensed water vapor) are detected that last more than three minutes in any one hour, the operator shall verify and certify within 24 hours that the equipment causing the emission and any associated air pollution control equipment are operating normally according to their design and standard procedures and under the same conditions under which compliance was achieved in the past, and either:

- 1). Take corrective action(s) that eliminates the visible emissions within 24 hours and report the visible emissions as a potential deviation in accordance with the reporting requirements in Section K of this permit; or
- 2). Have a CARB-certified smoke reader determine compliance with the opacity standard, using EPA Method 9 or the procedures in the CARB manual "Visible Emission Evaluation", within three business days and report any deviations to AQMD.

The operator shall keep the records in accordance with the recordkeeping requirements in Section K of this permit and the following records:

- 1). Stack or emission point identification;
- 2). Description of any corrective actions taken to abate visible emissions;
- 3). Date and time visible emission was abated; and
- 4). All visible emission observation records by operator or a certified smoke reader.

[RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997]

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

[Devices subject to this condition : C302]

E. Equipment Operation/Construction Requirements

E187.1 The operator shall wash all exposed surfaces free of animal matter at least once each working day.

[RULE 402, 5-7-1976]

[Devices subject to this condition : C425, C426]

E448.1 The operator shall comply with the following requirements:

At least one of the condensers (C300 or C401) shall be in full operation at all times. All of the devices which are currently being vented to shell and tube condenser as per permit requirements (C300) shall continue to be vented to any of the condensers (C300 or C401) in operation whenever these devices are in operation. Applicant shall inform South Coast AQMD in writing within 30 days of removal of C300 (water cooled condenser) from service.

[RULE 1304(c)-Offset Exemption, 6-14-1996]

[Devices subject to this condition : C401]

E448.2 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

This enclosure/closed system shall support the main Raw Rendering Material receiving area and screw conveyor (Device No. 423). This area shall have five roll up doors as listed below equipped with air curtains complying with specifications listed in Rule 415(f)(5)(F)(ix). Compliance shall be achieved in accordance with Rule 415 (f)(5), Sections D, E, and F. Applicant shall be responsible for compliance as per Rule 415(f)(3), Section G, if applicable.

The eastern wall of the PTE shall be equipped with two roll-up doors each measuring 18' W. x 30' H. and 18' W. x 24' H. The roll-up doors shall be equipped with air curtains.

The northern wall of the PTE shall be equipped with two roll-up doors each measuring 13' W. x 15' H. and 10' W. x 12' H. respectively. The roll-up doors shall be equipped with air curtains.

The western wall of the PTE shall be equipped with one roll-up door measuring 18' W. x 30' H. and the door shall be equipped with air curtain.

No more than two roll-up doors shall be kept open simultaneously at any given time for more than five minutes.

The facility shall successfully commission the roll up doors identified above, including the air curtains, prior to using the expanded area of C402 for storing Raw Rendering Materials.

The total amount of Raw Rendering Material stored in C402 shall not exceed 175,000 pounds prior to completion of the expansion and 400,000 pounds after the completion of the expansion of the C402.

The maximum amount of Raw Rendering Material which can be stored on the floor of C402 (excluding the Raw Rendering Material in D1) shall not exceed 60,000 pounds prior to the completion of the expansion and 260,000 pounds after completion of the expansion.

At least 48 hours prior to the start of operation of the pit (D1) to store Raw Rendering Material, the Applicant shall notify the South Coast AQMD via email

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

confirming the date of initial operation.

D423 shall be configured as closed system as per the guidelines in Rule 415 (f) (3) except the portion inside the C402.

Raw Rendering Material received shall not remain at the facility for more than 72 hours from the time of receipt including the received Raw Rendering Material placed inside the sealed bins after receipt.

Facility shall comply with Rule 415(e), including the washdown provisions.

The facility shall inspect the exterior of the Raw Rendering Material Enclosure daily to ensure that no material is leaked outside of the enclosure.

If the Raw Rendering Material is discovered to have been leaked outside the enclosure, the facility shall promptly clean up such material, investigate how such material was leaked, and take corrective actions to prevent material from leaking in the future.

Facility shall not load or unload any Raw Rendering Material outside of the Enclosure.

Facility shall keep records, in the form of weight tickets from the Facility scale, of the inbound and outbound material to demonstrate compliance with applicable Raw Rendering Material Enclosure storage limits. The records shall be made readily available during any inspection or upon any request from South Coast AQMD personnel.

Facility shall send the previous month's material records to South Coast AQMD (Attn: Paolo Longoni at plongoni@aqmd.gov) within 10 calendar days of the previous month.

If odors from this facility are detected beyond the property line by South Coast AQMD compliance staff as defined in Rule 415 (c)(4), Executive officer shall require facility to undertake some or all of the following additional mitigation measures or other measures deemed necessary including but not limited to;

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

Reducing the hours of operation, or the amount of Raw Rendering Material which can be stored inside the enclosure.

The Permit to Construct listed in Section H shall expire one year from the Permit to Construct issuance date unless an extension has been granted by the South Coast AQMD in writing or unless the equipment has been constructed and the operator has notified the South Coast AQMD prior to the operation of the equipment.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C402, D423]

E448.3 The operator shall comply with the following requirements:

This closed system shall support the main rendering area. Applicant shall comply with closed system standards listed in Rule 415 (f) (3) (A-F). Applicant shall be responsible for complying with closed system standards.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C403]

E448.4 The operator shall comply with the following requirements:

Applicant shall comply with Permanent Total Enclosure (PTE) and Ventilation Standards listed in Rule 415 (f)(2). The PTE shall at least measure 9,300 Cubic Feet and shall support dewatering press equipment in the wastewater treatment area. Dewatering press and both filter presses shall be located inside this permanent total enclosure. This enclosure shall be vented to scrubber (Device ID C406) whenever any of the devices inside the enclosure are in operation.

Exposed surfaces of all the devices inside the permanent enclosure system shall be maintained free of animal matter by washing upon discovery of animal matter on exposed surfaces.

[RULE 415, 11-3-2017]

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

[Devices subject to this condition : C404]

E448.5 The operator shall comply with the following requirements:

Applicant shall construct and operate the permanent total enclosure in compliance with Rule 415 requirements.

The combined area of all routine enclosure openings through which odors can escape from a permanent total enclosure shall not exceed 5% of the enclosure envelope.

As per Rule 415 (f)(4) requirements, within 180 days after the issuance of the Permit to Construct, an odor control device or system serving a PTE's C404 & C427 shall be tested by an independent third-party to determine control efficiency as per Rule 415 requirements to show compliance with 0.3 lb/day and 0.15 lb/day limit for NH₃ and H₂S respectively.

Source test for measuring the mass emissions limits for NH₃ and H₂S specified in Condition No. E448.16 shall be completed as per approved test protocol by South Coast AQMD. The test protocol shall be sent for approval within 90 days after completion of construction of the C427 to the attention of Atul Kandhari, Senior Air Quality Engineer, South Coast AQMD via email akandhari@aqmd.gov. The Source test shall be completed within 60 days of the approval of the protocol.

The Source test report shall be submitted to the South Coast AQMD within 60 days of completion of the test.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C404, C406]

E448.6 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

This closed system shall support the wastewater treatment area. Applicant shall comply with closed system standards listed in Rule 415 (f) (3) (A-F). Applicant shall provide the complete list of Device ID's which shall be configured as closed system within six months of the issuance of the Permit to Construct under Application no. 648442.

Exposed surfaces of all the devices inside the permanent enclosure system shall be maintained free of animal matter by washing upon discovery of animal matter on exposed surfaces.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C405]

E448.7 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The recirculation flow rate in the scrubber shall not be less than 60 Gallons per Minute (GPM). Applicant shall install and maintain a flow meter in the recirculation line. The recirculation flow rate shall be monitored and recorded at least twice a week with two readings at least two days apart when the scrubber is in operation. The flow meter shall be maintained as per the manufacturer specifications.

A flow meter shall be maintained to measure the make-up water line. The flow meter shall be maintained as per the manufacturer specifications. Applicant shall monitor and record the flow in the make-up water line at least twice a week with two readings at least two days apart.

Applicant shall monitor and record the pH at the inlet of the acidic and basic stages of the scrubber at least twice a week with two readings at least two days apart. pH at the inlet stage of the acidic stage shall be maintained below 7.0. pH at the inlet stage of the basic stage shall be maintained above 7.0.

The amount of NH₃ and H₂S emitted from C406 shall not exceed 9.0 lbs/month and 4.5 lbs/month respectively.

Applicant shall monitor the concentration of Ammonia and H₂S at the exhaust of scrubber at least once every 30 weeks of operation with two readings at least two weeks apart using Draeger Tubes or South Coast AQMD approved instruments/methods. Applicant shall obtain written approval from Engineering & Permitting staff at South Coast AQMD regarding the types of instruments/methods which can be used to measure the concentration of Ammonia and H₂S.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C406]

E448.13 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The enclosure shall have dimensions as: Width 8 feet, 8 inches, Length 23 feet, 9 inches, and Height 6 feet, 10 inches.

The enclosure shall enclose the catch basin (D424) including the transfer duct from the clarifier (D269).

The enclosure shall enclose the portable sludge collection bin downstream of the screw conveyor (D423) transferring sludge out of the catch basin.

The enclosure shall be constructed to comply with closed system standards listed in Rule 415 (f) (3) (A-F) to the maximum extent possible.

The enclosure shall be equipped with at least one access door to remove the portable bin.

The enclosure shall be equipped with at least one look-out window with clear vision to check the level of sludge in the portable bin.

Sludge from the screw conveyor in the catch basin shall be discharged into a sludge collection bin within the enclosure on a continual basis while the conveyor is in operation.

The access door to the enclosure shall be kept closed unless the sludge collection bin is being checked or removed because it is full, or for other maintenance, repair, or the catch basin is not in operation.

For the purpose of this condition, not in operation means when there is no feed entering the catch basin and the screw conveyor has been manually shut down.

Sludge level in the bin shall be checked every 4 hours when the screw conveyor is in operation or no more than 12 hours from the time of the previous inspection.

Whenever the sludge bin is full, the facility shall close the lid of the bin and swap the full bin with an empty bin.

Filled sludge bin that is swapped out with empty bin shall be kept closed with a lid,

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

such that the lid fully encloses the contents of the bin.

After the sludge collection bin is emptied into the Roll-off Bin, a lid shall be placed immediately to cover the bin and on the Roll-off Bin and return the sludge collection bin to its previous location in or near the D424.

Any sludge that is spilled within the sludge bin enclosure shall be collected and placed in the bin or washed down daily to drains within the enclosure and be pumped over through a closed system to the water plant for processing. Any sludge that is spilled outside of C425 shall be washed and cleaned immediately upon discovery.

[RULE 402, 5-7-1976; RULE 415, 11-3-2017]

[Devices subject to this condition : C425]

E448.14 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The PTE shall have dimensions of 11'-5" L x 7'-2" W x 6'-11" H.

The PTE shall enclose the portable sludge collection bin used for collecting sludge from the centrifuges (D368 & D369) including the final sludge drop off point to the bin.

The PTE shall be constructed to comply with the Permanent Total Ventilation System Standards specified in Rule 415 (f)(2).

The PTE shall be vented to the condenser operating under Device C401 as per Rule 415 (f)(2).

The owner or operator shall install a flow meter or gauge in the exhaust line to indicate the air flow from the enclosure to the condenser (C401).

The PTE shall be equipped with at least one access door to remove the portable bin.

The PTE shall be equipped with at least one look-out window with clear vision to check the level of sludge in the portable bin.

The access door to the enclosure shall be kept closed unless the sludge collection bin is being checked or removed because it is full, or for other maintenance, repair, or both centrifuges are not in operation.

For the purpose of this condition, not in operation means when there is no feed entering the centrifuges.

Sludge level in the bin shall be checked every 4 hours when the screw conveyor is in operation or no more than 12 hours from the time of the previous inspection.

Whenever the sludge bin is full, the facility shall close the lid of the bin and swap the full bin with an empty bin.

Filled sludge bins that are swapped out with empty bins shall always be kept closed to fully enclose the contents of the bins.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

After the sludge collection bin is emptied into the Roll-off Bin, a lid shall be placed immediately to cover the bin and, on the Roll-off bin and return the sludge collection bin to its previous location in or near the PTE (C427).

Any sludge that is spilled within the sludge bin enclosure shall be collected and placed in the bin or washed down daily to drains within the enclosure and be pumped over through a closed system to the water plant for processing. Any sludge that is spilled outside of PTE shall be washed and cleaned immediately upon discovery.

[RULE 402, 5-7-1976; RULE 415, 11-3-2017]

[Devices subject to this condition : C426]

E448.15 The operator shall comply with the following requirements:

Raw material cannot be store inside the raw material receiving area pit (D1) unless the applicant has completed one of the following;

Constructed the screw conveyor (D423) to load the raw material downstream of magnetic separator (D12) to the outbound trucks inside the Raw Material area enclosure portion prior the expansion OR removed the screw rollers used to move Raw Material to the center from the pit and placement of metal plates in the pit.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C402]

E448.16 The operator shall comply with the following requirements:

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

The PTE shall be constructed with minimum dimensions of 7' L. x 5'-4" W. x 10' H.

The PTE shall enclose the portable sludge collection bin used for collecting sludge from the discharge conveyor (Device D329) of the liquid receiving pit including the final sludge drop off point to the bin.

The enclosure shall be constructed to comply with the Permanent Total Ventilation System Standards specified in Rule 415 (f)(2).

The portion of Device D329 outside the enclosure (C427) shall be configured as closed system as per Rule 415 (f)(3).

The enclosure (C427) shall be vented to C406 as per Rule 415 (f)(2).

The PTE shall be equipped with at least one access door to remove the portable bin.

The PTE shall be equipped with at least one look-out window with clear vision to check the level of sludge in the portable bin.

Sludge from the screw conveyor (D329) shall only be discharged into the sludge collection bin within the enclosure on continual basis while the conveyor is in operation.

The access door to the enclosure shall be kept closed unless the sludge collection bin is being checked or removed because it is full, or for other maintenance, repair, or the screw conveyor (D329) is not in operation.

For this condition, not in operation means when there is no feed entering the receiving pit (D328) and the screw conveyor (D329) has been manually shut down.

Sludge level in the bin shall be checked every 4 hours when the screw conveyor is in operation or no more than 12 hours from the time of the previous inspection.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

Whenever the sludge bin is full, the facility shall close the lid of the bin and swap the full bin with an empty bin.

Filled sludge bins that are swapped out with empty bins shall always be kept closed to fully enclose the contents of the bins.

After the sludge collection bin is emptied into the Roll-off Bin, a lid shall be placed immediately to cover the bin and, on the Roll-off bin and return the sludge collection bin to its previous location in or near the PTE (C427).

Any sludge that is spilled within the sludge bin enclosure shall be collected and placed in the bin or washed down daily to drains within the enclosure and be pumped over through a closed system to the water plant for processing. Any sludge that is spilled outside of PTE shall be washed and cleaned immediately upon discovery.

[RULE 415, 11-3-2017]

[Devices subject to this condition : C427]

E448.17 The operator shall comply with the following requirements:

The owner or operator shall not operate this unit that exceeds the applicable NO_x and CO emission limits no later than 12 months after a permit to construct is issued to replace the burner for C302.

[RULE 1147, 9-9-2011; RULE 1147, 5-6-2022]

[Devices subject to this condition : C302]

EXHIBIT 2

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

In The Matter Of:

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

v.

BAKER COMMODITIES, INC.,

[Facility ID no. 800016]

Respondent.

Case No. 6223-1

**FINDINGS AND DECISION GRANTING
SECOND MODIFIED ORDER FOR
ABATEMENT**

Dates: May 29, June 11, and July 2, 2024

Time: 9:30 a.m.

Place: Hearing Board Room
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Br, CA 91765

Baker Commodities Inc.'s ("Baker" or "Respondent") request to modify the June 21, 2023 Modified Order for Abatement ("First Modified Order for Abatement") to allow the facility located at 4020 Bandini Boulevard, Vernon, CA (the "Facility"), subject to certain improvements being constructed, to operate as a collection center for the receipt and short-term storage of raw rendering material within a Permanent Total Enclosure before transportation of the material offsite to a licensed rendering or processing facility, was heard on May 29, June 11, and July 2, 2024, pursuant to notice provided in accordance with the provisions of California Health and Safety Code, sections 40823 and 42451, subdivision (a), the South Coast Air Quality Management District's ("District" or "South Coast AQMD") Rule 812, and the Hearing Board Rules and Procedures, Rule 8, subdivision (k).

BACKGROUND

1. In 2022, the Hearing Board found Baker in violation of Rules 415, 2004, and 3002, and its permit conditions as set forth in the Hearing Board's Order for Abatement ("Original Order"). The Original Order shut down Baker's rendering, trap grease, and wastewater processing operations, until the Facility put certain operations or equipment into a permanent total enclosure or closed system. In 2023, the Hearing Board issued the First Modified Order for Abatement to allow the Facility to operate equipment necessary for its trap grease and used cooking oil operations and its associated wastewater treatment systems.

FINDINGS OF FACT

The Hearing Board finds and decides as follows:

1. Baker has decided to cease cooking and downstream operations related to rendering of animal products (colloquially known, as “rendering”) at the Facility and memorialize that in the relevant permits. Instead, Baker will utilize the Facility as a collection center for the receipt and short-term storage of raw rendering material within a Permanent Total Enclosure before transportation of the material offsite to a licensed rendering or processing facility and will make certain substantial capital and operational improvements at the Facility as further described in the Order and Conditions below.

CONCLUSIONS

1. Good cause exists to issue this Second Modified Order to allow Baker to operate, at the Facility, a collection center for the receipt and short-term storage of raw rendering material within a Permanent Total Enclosure before transportation of the material offsite to a licensed rendering or processing facility. This is in addition to its existing used cooking oil and trap grease recycling and associated wastewater operations.
2. The Second Modified Order will allow Baker, subject to the conditions set forth in Attachment A, to operate a collection center while it is constructing three new capital improvements described in Section 8 of Attachment A.
3. This Second Modified Order’s termination conditions shall be established by the Board in a subsequent status hearing.
4. Upon termination of the Second Modified Order and subject to permitting, Baker may continue to operate as a collection center with permanent capital and operational improvements in effect, in addition to its used cooking oil and trap grease recycling and associated wastewater operations.

ORDER AND CONDITIONS

THEREFORE, based on the Findings of Fact and evidence and testimony presented at the hearing, and good cause appearing, the Hearing Board orders Baker to abide by the modified conditions set forth in Attachment A. This Second Modified Order fully replaces both the First

Modified Order of Abatement and the Original Order.

This Second Modified Order is not and does not act as a variance; Baker is subject to all rules and regulations of the District and to all applicable provisions of California law. Nothing herein shall be deemed or construed to limit the authority of the District to issue Notices of Violation, to seek civil penalties or injunctive release, or to other administrative legal relief. The Findings of Fact are based on evidence presented by the Executive Officer and Baker as of the date hereof.

Good cause appearing, it is so ordered.

BOARD MEMBER: Robert C. Pearman

Robert Pearman, Esq., Vice Chair

DATE: July 22, 2024

ATTACHMENT A

Second Modified Conditions for Baker Commodities

1. Baker shall not resume grinding, cooking and downstream operations related to rendering of animal products at the Facility. Baker shall disconnect (if not already) and keep disconnected any gas, fuel, and/or steam lines to cookers used for rendering, including but not limited to Device D-411 and D-224. Within 14 days of the Second Modified Order's effective date, Baker shall pay expedited permit application fees and submit any necessary additional permit applications to modify other processes as may be necessary to operate as a collection center.
2. If Baker's permit application related to its raw materials receiving area enclosure expansion is withdrawn, denied or rejected, Baker shall submit a new permit application to operate as a collection center within 7 days from the date of withdrawal, denial or rejection.
3. Baker may use the Facility as a collection center, which is the receipt of raw rendering material for the purpose of short-term storage within a Permanent Total Enclosure (PTE) before transportation of the material offsite to another licensed rendering plant or pet food processor. The location of the collection center operation involved is identified in **Exhibit A**.
4. Baker shall cease operating as a collection center if the applications are denied and shall submit a new permit application (or applications) within 7 days of the denial or rejection. Baker may resume operating as a collection center once all three permits to construct for capital improvements described in Section 8 (below) have been issued.

Baker shall within 5 working days of this Order submit information on the use of the raw material receiving area pit for storing Hard Materials to supplement Application No. 648440 submitted for the PTE expansion.

Baker shall not modify the pit in the raw materials receiving area until Baker receives a permit to construct for such modification.

5. Baker shall not use the Open-Air Pit to store any "sludge" or water-bearing waste generated from the Facility unless such water-bearing waste is in an enclosure, covered container, or within a closed system.
6. Baker may operate its wastewater treatment system per its permit conditions and the abatement order.
7. Baker shall continue to comply with all obligations to operate its trap grease deliveries or process trap grease, including any current permit requirements for fully enclosing or putting into a closed system elements of the wastewater treatment system.
8. Baker shall implement the following capital improvements:

New Capital Improvements: Baker shall construct enclosures over the (i) grease pit trash area, (ii) J&M skimmer trash bin, and (iii) Centrisys trash bin, the locations of which are identified in **Exhibit A**. Baker shall apply for any other permits that may be necessary to construct such features within 30 days of approval of this Second Modified Order. Baker shall complete construction of the three enclosures within 120 calendar days of the issuance of District Permits to Construct and notify the District

of completion of each enclosure. If the enclosures cannot be completed within those 120 days, and if Baker and the District are unable to reach agreement regarding an extension to time, either party may submit a request to the Hearing Board for extension to Baker's time to complete the enclosures, or for suspension of collection operations until such enclosures are complete.

If the District requests additional information to process the applications for enclosures and the raw material area expansion, Baker shall provide such additional information within 5 working days, or within the timeframe requested by the District, whichever is later.

9. All trash or wastewater, digested sludge shall be disposed of in roll-off bins that will remain covered except when such bins are being filled. This condition applies to devices, including but not limited to D-269, D-329, D-234, D-368, and D-369. When material is dropped into Baker bins (that is, the initial sludge collection bins), the bins shall have their freefall height enclosed.
10. For any equipment that discharges trash materials or digested sludge from trap grease wastewater operations into trash bins via a freeboard drop. Baker shall cover the free board drop.
11. Collections Operations Conditions
 - a) Baker shall not use the Facility as a collection center until (1) it has conducted a demonstration of the use of loading and unloading equipment with rollup doors closed and truck inside the enclosure, and (2) applications for the permit to construct the three enclosures in 8.a. have been submitted, and (3) its Environmental Compliance Specialist (ECS) and other personnel with responsibility for compliance with the collections operations conditions of this Order have received training regarding its requirements (and Baker shall certify to AQMD when this condition has been satisfied).
 - b) "Hard Material" is defined as animal fat and bone, including animal carcasses and parts, packing house or grocery store cuttings and out-of-date products, viscera, offal, feces and other organic matter generated by food processors, but expressly excluding any trap or restaurant grease material. Prior to modification of the pit (removal of rollers and placement of panels or installation of permitted screw conveyor system), Baker shall store a maximum of 60,000 lbs. of Hard Material on the slab within the Raw Material Enclosure at any time. After modification of the pit, Baker may store a maximum of 175,000 lbs. of Hard Material in its Raw Material Enclosure at any time, prior to completion of the extension of the Raw Material Enclosure. No other raw material shall be stored in the Raw Material Enclosure.
 - c) Hard Material shall only be received from 6:00 am to 9:00 pm, except for an emergency (only six days of emergency every 90 days shall be allowed) in which event Baker shall promptly advise AQMD of this circumstance (by calling 1-800-CUT-SMOG and emailing plongoni@aqmd.gov) and keep a log of the reason for

the emergency. Emergency days cannot be taken consecutively without the approval of AQMD.

- d) Baker shall only receive 20 deliveries of Hard Material each day, except that number may be exceeded one time every 90 days in case of an emergency, in which event Baker shall promptly advise AQMD of this circumstance.
 - e) No storage of Hard Material shall remain overnight at the facility, unless contained in the PTE or, in the event the PTE lacks capacity, in covered containers. No long-term storage of Hard Material shall occur at the facility. All Hard Material shall leave the as soon as practicable and, in any case, within two days of its arrival at the latest, except in the event of an emergency in which case, the material must be removed the following day by midnight. Emergency days cannot be taken consecutively without the approval of AQMD. Only six days of emergency every 90 days shall be allowed, in which event Baker shall promptly advise AQMD of this circumstance (by calling 1-800-CUT-SMOG and emailing plongoni@aqmd.gov) and keep a log of the reason for the emergency.
 - f) Before the screw conveyor in the Facility's Raw Material Enclosure is permitted and operating, Baker shall wash down the pit of its Raw Material Enclosure twice per week, on Wednesday or Thursday and Saturday or Sunday. In performing these washdowns, Baker is not required to remove all residue of animal matter from the pit, but must clean the pit to the extent reasonably practicable. Baker shall inspect the exterior of the Raw Material Enclosure daily, to ensure that no Hard Material escapes from the Raw Material Enclosure to the exterior.
 - g) If Hard Material is discovered to have escaped from the Raw Material Enclosure to the exterior, Baker shall promptly clean up such material, investigate how such material escaped, and take corrective action to prevent Hard Material from escaping in the future.
 - h) Baker shall not load or unload any Hard Material outside of the Raw Material Enclosure.
 - i) Baker shall keep records, in the form of weight tickets from the Facility scale, of the inbound and outbound material to demonstrate compliance with the Hard Material limit in its Raw Material Enclosure, as specified above. The records shall be made readily available during any inspection or upon any request from South Coast AQMD personnel.
 - j) Baker shall send the previous month's material records to South Coast AQMD (Attn: Paolo Longoni at plongoni@aqmd.gov) on the first Tuesday of each month.
12. Odor Best Management Practices
- a. Baker shall do the following:
 - i. Covering of Incoming Transport Vehicles. Transport vehicles delivering raw rendering materials shall not be permitted past the first point of contact at a rendering facility for incoming trucks, such as a guard shack or weigh station, unless the cargo area of the vehicle is completely enclosed or fully tarped.
 - ii. Delivery of Raw Rendering Materials. If raw rendering materials arrive at the Facility uncovered, the owner or operator shall ensure those incoming raw

- rendering materials are transferred into the raw rendering receiving area enclosure or covered containers (including truck trailers with fully covered beds, e.g., by secured tarp) within 60 minutes after the inbound truck enters the facility.
- iii. Washing of Outgoing Transport Vehicles. Where raw rendering materials come directly into contact with a transport vehicle and the cargo area is exposed to the air, the cargo area shall be washed before exiting the enclosure. In addition, at the end of each working day, equipment and vehicles used to load and unload raw rendering material shall be washed inside the enclosure.
 - iv. Washing of Drums and Containers. Open drums or containers holding raw rendering materials shall be washed prior to leaving Baker.
 - v. Washdown of Receiving Area. Walls, floors, and other surfaces of the receiving area of a rendering facility, and any equipment operated in the receiving area, shall be thoroughly washed to remove animal matter before the start of collections on Monday, Wednesday, and Friday, except that (i) Baker shall not be required to wash the interior of the Facility's Raw Material Enclosure screw conveyor; and (ii) Baker shall only be required to wash the pit of the Facility's Raw Material Enclosure twice per week, in compliance with Section 11.a.f above.
 - vi. Cleaning Floor Drains. Accessible interior and exterior floor drains shall be inspected and cleaned not less frequently than twice per month to remove accumulation of raw materials.
 - vii. Odor Detection. If an odor is detected at or beyond the property line of the Facility by South Coast AQMD personnel and/or site staff, Baker shall complete the odor determination and remedial steps listed in its "Odor Response Plan" for "Response for Unknown Odors or General Complaints" within 2 hours of when Baker first noticed or is notified of such odor. If Baker is closed (that is, no staff is on-site) at the time of notification, Baker shall complete such steps within 6 hours. If the sources were identified as related to the collection center or transloading operations, and after remedial measures are taken an odor is still detected at or beyond the property line of the Facility, Baker shall take additional remedial measures as reasonably requested by the South Coast AQMD personnel, but *not* including immediately foregoing receipt of additional materials for collection or removal of existing materials within 3 hours unless under the circumstances of subpart 'a' below.
 - a) if the District issues a Notice of Violation to the Facility related to receiving Hard Material after odor complaints, for the next 30 calendar days after such issuance, the additional remedial measures that may be reasonably requested by the South Coast AQMD personnel *may include* immediately foregoing receipt of additional materials for collection or removal of existing materials within 3 hours.
 - viii. Odor Log. If South Coast AQMD personnel and/or on-site staff detect odors at or beyond the property line of the Facility, Baker shall keep a contemporaneous daily log of those odors and any remedial measure(s) taken. Such records shall be available to South Coast AQMD staff upon request.
 - ix. Environmental Compliance Specialist ("ECS"). a) Qualifications; this position is to be held by a person who has technical training and/or experience in this field.

- b) an ECS or other responsible Baker agent shall be available on call to the Facility to respond to odor issues, take remedial measures and respond to AQMD requests. The name, email address, and phone number of this agent shall be provided to AQMD.
- x. Baker shall investigate within two (2) weeks of the date this Order is granted, the use of positive deodorant food-grade suppressant for the raw materials with the potential to produce nuisance odor conditions and all raw materials that have exceeded 24 hours of on-site storage time (*See Exhibit 2, Page 59 of Rule 415 Staff Report, dated November 3, 2017, for this reference on odor suppressant*). Baker shall report the results of this investigation and feasibility analysis to plongoni@aqmd.gov, dhsu@aqmd.gov, and the Clerk of the Hearing Board at clerkofboard@aqmd.gov.
13. Baker's standard operating procedures and Odor Response Plan (contained in exhibits to Baker's petition for modified order and related filings) shall be deemed incorporated as necessary to facilitate compliance with this Order, and if there is a conflict between the standard operating procedures and Odor Response Plan and the conditions in Attachment A, the conditions in this Attachment A prevail and must be followed. It is expressly stated that the reference in the Transloading SOP, General Conditions 1) "After the enclosure extension is permitted and construction is completed, the total maximum capacity shall be 400,000 lbs." is NOT incorporated into this Order.
14. Baker shall keep a copy of the abatement order, standard operating procedures, and Odor Response Plan onsite and available.
15. Baker shall notify the Clerk of the Hearing Board (ClerkofBoard@aqmd.gov) and South Coast AQMD inspector (plongoni@aqmd.gov) within 7 calendar days of achieving final compliance.
16. A hearing on the status on the matter and possible modification of the order shall be heard on October 24, 2024, or as soon thereafter as the Hearing Board and the parties may schedule. Upon the stipulation of both parties, the hearing may be requested to be taken off calendar.
17. This Second Modified Order's termination conditions shall be established by the Board in a subsequent status hearing.

EXHIBIT 3

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

IN THE MATTER OF

SOUTH COAST AIR QUALITY)
MANAGEMENT DISTRICT,)
)
Petitioner,)
)
vs.) CASE NO. 6223-1
)
)
BAKER COMMODITIES INC.,)
)
Respondent.)

TRANSCRIPT OF PROCEEDINGS

DATE: Wednesday, April 19, 2023

REPORTER: Jennifer A. Hines, CSR No. 6029/RPR/CRR/CLR

LOCATION: 21865 Copley Drive
Diamond Bar, California 91765



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<p>1 implicating Rule 415.</p> <p>2 The whole point is that if they somehow</p> <p>3 aren't doing rendering and have that portion modified</p> <p>4 and activated whatever term you use, then the meer trap</p> <p>5 grease operations are not subject to Rule 415. I think</p> <p>6 that's pretty clear in the rules.</p> <p>7 If your witness felt the other way, I don't</p> <p>8 see the basis for that.</p> <p>9 So I think that's a bit overbroad and harsh.</p> <p>10 It's kind of like you're really still nailing them on</p> <p>11 the rendering requirements which is not the propose of</p> <p>12 the proposed request.</p> <p>13 So I think the better terminology is to</p> <p>14 simply say they would have to fully enclose or put in an</p> <p>15 enclosed system any and all wastewater treatment systems</p> <p>16 necessary for the trap grease operations to satisfy all</p> <p>17 applicable rules and laws.</p> <p>18 And, again, applicable, whatever that may</p> <p>19 be. We don't have to pass that. But I don't think you</p> <p>20 should put that 415 reference in there because it's too</p> <p>21 harsh and takes away the whole purpose which is to get</p> <p>22 this out of 415 if they don't do rendering and activate.</p> <p>23 Any comment?</p> <p>24 MS. HSU: In terms of activation, that's why</p> <p>25 we have 9(c). I think that's what we're trying to</p> <p style="text-align: right;">Page 297</p>	<p>1 MS HSU: No. That was just -- no, they</p> <p>2 would not.</p> <p>3 MEMBER PEARMAN: Okay. All right.</p> <p>4 So then I'm going to try and figure out.</p> <p>5 13 talks about relating to condition 9, trap</p> <p>6 grease prior to commencement of operations they shall</p> <p>7 notify you.</p> <p>8 So if you don't have to be notified about</p> <p>9 the cooking oil, then what does 14 relate to unless it</p> <p>10 relates to the rendering? That's the only thing left.</p> <p>11 MS HSU: That would be related to item</p> <p>12 number 9, so because 13 is just more -- we want to know</p> <p>13 that construction is complete and then when they</p> <p>14 commence operations.</p> <p>15 MEMBER PEARMAN: Okay. So the distinction</p> <p>16 there is -- see, it says prior to commencement of</p> <p>17 operations in 13 then you talk about compliance with</p> <p>18 permits to construct and then you talk about operations</p> <p>19 again in 14. So it's kind of odd.</p> <p>20 You're talking about construction notice,</p> <p>21 you wouldn't say prior to commencement of operations in</p> <p>22 13. You'd say prior to commencing construction. So I'm</p> <p>23 kind of confused here why we have these two operation</p> <p>24 prior notices.</p> <p>25 MS. HSU: I think -- it could -- it was</p> <p style="text-align: right;">Page 299</p>
<p>1 address what you are saying, that if they were to</p> <p>2 inactivate rendering, that they may not -- that's what</p> <p>3 where we are trying to address it.</p> <p>4 MEMBER PEARMAN: I agree. That was probably</p> <p>5 while you were trying to give and take away. I think</p> <p>6 that's the wrong way, but I would say keep (c) in there,</p> <p>7 but I think we have to get 415 out. Because it just</p> <p>8 muddies the water for intentions here.</p> <p>9 And then it looks like in item 9, we never</p> <p>10 discussed the cooking oil issue. And then when we go</p> <p>11 down, you -- 13, you talk about commencement operations</p> <p>12 as to condition 9 which is just trap grease. And then</p> <p>13 item 14 talks about commencement operations again. So</p> <p>14 I'm trying to find out first the used cooking oil</p> <p>15 process, the only reference is in 8. I don't see it</p> <p>16 discussed elsewhere. So am I missing something about</p> <p>17 your intentions as far as that's concerned?</p> <p>18 MS HSU: No. That's correct. This way if</p> <p>19 they haven't done any of the enclosures per item 9, they</p> <p>20 could still operate their wastewater operations for rain</p> <p>21 water, wash down water and the cooking oil because there</p> <p>22 was a carve out in cooking oil in Rule 415. So we</p> <p>23 wanted to honor that and make that explicit in item 8</p> <p>24 MR. PEARMAN: And do they need to notify you</p> <p>25 if they simply start the used cooking operations?</p> <p style="text-align: right;">Page 298</p>	<p>1 inartfully stated.</p> <p>2 Basically we wanted to know when</p> <p>3 construction was complete and when they wanted to start</p> <p>4 operations because there could be a gap in time.</p> <p>5 MEMBER PEARMAN: Okay. So prior to</p> <p>6 commencing operations, tell us when you finish</p> <p>7 construction. But then tell us before you start</p> <p>8 commencement again?</p> <p>9 MS HSU: Correct.</p> <p>10 MEMBER PEARMAN: Okay. And should this be</p> <p>11 stricken from both 13 and 14?</p> <p>12 MS HSU: No. He should remain on. It's</p> <p>13 just a typo on 14. There's just an H that's not part of</p> <p>14 his e-mail address.</p> <p>15 MEMBER PEARMAN: Okay. Okay. All right.</p> <p>16 And what else did I have here.</p> <p>17 And if I may, Madam Chair, I forgot to ask</p> <p>18 -- if I can ask Baker now just as we're discussing</p> <p>19 conditions -- maybe I'll ask Ms. Hsu first.</p> <p>20 The May 18th timeframe, in 9(a) and 9(b),</p> <p>21 could you elaborate on that and why that's there, how</p> <p>22 you limited it, et cetera, et cetera.</p> <p>23 MS HSU: We just believe approximately 30</p> <p>24 days would be sufficient to -- to submit permit</p> <p>25 applications. They're welcome to submit it earlier. If</p> <p style="text-align: right;">Page 300</p>

1 Ms. Taber?
 2 MEMBER BERNSTEIN: So May 18th --
 3 MS. TABER: Yes, thank you.
 4 MEMBER BERNSTEIN: 4th of July?
 5 MR. DWYER: Yes.
 6 THE CHAIRWOMAN: All right. Mr. Balagopan,
 7 did you want to start deliberations?
 8 MEMBER BALAGOPAN: Yes. After hearing all
 9 the testimonies and so forth, I am now -- I'm inclined
 10 to propose modification based on what Baker proposed and
 11 disregard the District's change for the modification.
 12 I will go through the reasons why. I think
 13 the District said the plain meaning of the rule. The
 14 plain meaning of the rule is very clear, it's plain. In
 15 the rule in the staff report, it is plain as can be:
 16 Remove trap grease from PR 415, applicability; remove
 17 2BEM 415 odor best management practice. That is in the
 18 2017 staff report that was adopted by the governing
 19 board.
 20 What the District chose to do in the opening
 21 statement is then -- I don't know why they did this, but
 22 they referred to the comment on page -- comment 18, page
 23 833 of 415 staff report and as Exhibit 21 that Baker
 24 understood the trap grease was subject to 415.
 25 That was based on early on discussion in the

1 rule in the proposed rule making. But as you can see in
 2 table P-1, the summary of changes, that was discarded.
 3 But the District has been disingenuous in saying hey,
 4 look. This is what they had submitted and they knew
 5 this. I think it's misleading.
 6 This in my mind is really straightforward.
 7 So we would ask and I think I'm jumping all
 8 over the place. We would ask to -- and I'll -- because
 9 I wrote it down, the order.
 10 We would ask about the credibility of the
 11 manager was the manager, and I would defer to the
 12 permitting manager on permitting issues. I would defer
 13 to the process of the general manager on process issues.
 14 You know, and I think he testified there is vapors
 15 coming from the tank. I would -- the engineer wasn't
 16 sure. If you heard the testimony initially then she had
 17 to correct it that she -- yellow grease was being
 18 incinerated and then after that, it was corrected I
 19 think that it was as fuel.
 20 So, again, I think it's very difficult
 21 sometimes for the permitting engineer to know all the
 22 nuances of the permitting at the facility. The people
 23 who do day-to-day operation are familiar with it.
 24 But on the permitting side, yes. I think
 25 the facilities don't understand all the nuances of

1 permitting. You know, those issues of permitting and so
 2 forth. Yes, I would defer to that.
 3 Now, the other -- the thing that I found is
 4 to -- the condition that the District proposes to submit
 5 applications all over again. You have to recall that
 6 this application was submitted, they were reviewed and
 7 approved and were sub- -- and the facility permit was
 8 issued in 2021 for the wastewater treatment operation.
 9 Now, I want to clarify that. They are two
 10 different things: Trap grease and wastewater treatment.
 11 I think that's the proper way, not processing as per the
 12 rule.
 13 Trap grease requirement is that -- the
 14 requirement in Rule 415 that was adopted was that you
 15 put it into -- into -- directly into the wastewater
 16 system and then everything else -- then you -- basically
 17 exempt of 415. However, 415 require -- the wastewater
 18 operation has to comply with 415, which is what the
 19 facility did. They submitted applications and they got
 20 the permit to operate to construct for the wastewater
 21 operation with the enclosure.
 22 So the District would not have issued the
 23 permit to construct/permit to operate unless they had
 24 evaluated all the information in the application that
 25 was submitted and made the determination, yes, I think

1 if they do this and this as outlined in the permit, they
 2 would comply with rule -- the applicable rule.
 3 So I think that to say now hey, you are then
 4 ordered abatement, I take offense at the fact that, you
 5 know, the order abatement is not a good tool. The order
 6 abatement is binding. It overrides the permits in a lot
 7 of cases when you issue an order of abatement for the
 8 condition may say some things but the order abatement
 9 may override for the duration of the order.
 10 So the order is very clear, do not conduct
 11 any operation. What they're asking for is to conduct
 12 trap grease operation, wastewater operation and cooking
 13 grease.
 14 So the rendering and they are -- and they
 15 have conditions which I thought -- which will reinforce
 16 the fact that they will not conduct rendering because
 17 the lines -- the gas lines to the cookers will be turned
 18 off and so that they -- they will be -- essentially
 19 without that, you cannot do any rendering.
 20 So but regardless of that, the order is
 21 already there saying you cannot do rendering until you
 22 modify -- if you choose to modify. To submit
 23 application again -- I don't think -- realize what -- I
 24 said part of the reason why I ask the engineer, you
 25 know, what the permit, some of these permits, that

1 particular permit and I didn't check fine. I looked at
 2 Exhibit X. There was an equipment list. That -- the
 3 ren- -- where they say trap grease, that was issued in
 4 1978. It's almost -- almost --
 5 MEMBER ALI: 45 years.
 6 MEMBER BALAGOPAN: -- 50 years ago. And
 7 some of these are like gold. I mean, but -- and you
 8 don't surrender the permits or inactivate a permit
 9 unless, you know, you're not operating it, per se. But
 10 here the intent is for them to go back.
 11 They are working towards a path of coming
 12 back and operating the rendering facility.
 13 So for them to say you inactivate a permit,
 14 re-apply does not make total sense at all.
 15 Plus in the application you submit, you have
 16 emission reduction permits and all that stuff associated
 17 with it. You don't just inactivate a permit, you know.
 18 You -- those -- some of these permits have a lot of
 19 credits available.
 20 So the fact -- oh, just inactivate, re-apply
 21 again does not make any sense to -- to any business. I
 22 think businesses who come before us have been say oh,
 23 you're under abatement. Submit -- inactivate your
 24 permit because you are under an order abatement. And
 25 reply again. When you re-apply, you're subject to new

Page 313

1 source review all over again, you know, new source for
 2 toxic, new source for criteria which are -- can be very
 3 onerous.
 4 So I can -- you know, to say hey, surrender,
 5 re-apply and do it again, why do it again when you
 6 already did it? Just in 20 -- it was just issued with
 7 the engineer reviewing and approving it.
 8 Now --
 9 THE CHAIRWOMAN: That's why I was asking
 10 those questions because I wanted it to come out that
 11 okay, there's a cost here.
 12 MEMBER BALAGOPAN: Right.
 13 And then you know, I object because -- and
 14 we heard actually testimony from the engineer clearly
 15 that the open pit was not in the permit. You know,
 16 there was not.
 17 And we also heard testimony they're not
 18 operating the open pit and they're willing to take
 19 conditions and nothing goes into the open pit, any
 20 waste, trash, et cetera will go into closed bins.
 21 I do propose that where they are putting
 22 into the operating bins, that they have free board, that
 23 it should be covered. Even if a simple thing as a
 24 plastic covering around the shoot so when it free-falls,
 25 and I -- I was getting at I went to a brewery with some

Page 314

1 engineers and with a Jerome monitor when they were
 2 dumping the yeast waste from the brewery into these
 3 trucks for hauling out to a landfill, you stand upwind
 4 from the -- the activity, you don't smell anything and
 5 the reading is zero. You go downwind, the meter went
 6 crazy. So there's a wind sheering effect with the
 7 free-fall.
 8 So that has to be -- it's a simple, you
 9 know, solution until they come up with some elaborate
 10 thing that goes directly underneath. But if you don't
 11 have free -- if you have free-fall, put some plastic
 12 sheets. Make sure that the wind sheering does not take
 13 the smell. So that is one thing I would make, you know.
 14 And we looked at -- we talked about D-269.
 15 Clearly they're willing, however, to wait until the
 16 permit is issued to operate that clarifier as a closed
 17 system. So that is a condition that I think we can put
 18 because there's -- there's an issue about the
 19 permitting.
 20 And so the debate on whether that should be
 21 covered, you know, by a different permit or the existing
 22 permit, you know.
 23 They applied for the -- I think we heard
 24 testimony they applied for the PTE enclosure because
 25 they initially planned to have -- for the receiving

Page 315

1 area. So the receiving area that's a J&M plant, so --
 2 and I don't think I need to go into that. They applied
 3 because -- because they changed the -- initially I think
 4 they proposed a larger PTE. Now they narrowed its scope
 5 so then the inspector told them you need to apply, they
 6 applied, and so this was tied up with that.
 7 So that -- the other thing I thought which
 8 was somewhat -- the plain -- I think the District talks
 9 about the plain meaning of the rule. The plain meaning
 10 of the rule, as I said before, it's not ambiguous.
 11 Let's not complicate the issue with what is already the
 12 rule. The rule is clear, the staff report is very
 13 clear.
 14 The permit that was issued is also very
 15 clear. There was no reference to trap grease processing
 16 in -- except in the permit that was issued 50 years ago
 17 actually there was. But the recent one and the -- there
 18 isn't. But the -- the wastewater treatment is subject
 19 to 415. And so that's what they have to comply with.
 20 So let's see. There was a few other -- I'm
 21 not sure why the District in there brought up the
 22 definition of "rendering" and food and agriculture code.
 23 Saying almost -- but clearly as they indicated, when the
 24 -- they looked at the definition, they health and food
 25 and agriculture, it did include processing kitchen

Page 316

<p>1 grease and the rendering. 2 But that would have affected all the other 3 non-rendering facilities. So the District chose to 4 change the definition and exclude that in its definition 5 of "rendering." 6 So we go by what is in the current rule, you 7 know, the current rule is what we have to go by. 8 So the rule applies -- it says wastewater 9 from rendering. Correct? And for -- and trap grease 10 processing. The only requirement in the rule is that 11 you -- and I'll read that -- is -- and if you do that, 12 I'm sorry, is under L 8: "Trap grease unloading." 13 Again, they're talking about just the unloading "shall 14 not be subject to the requirement for PTE provided the 15 trap grease is unloaded only through a hose in a 16 wastewater tank or separator" which we heard testimony 17 and which is -- that is what they're doing. 18 So the trap grease operation is being -- 19 does not have to comply with 415. Enclosure all the 20 odor management, or what do you call it, not the odor 21 management, the odor BMP, the best management practice 22 for orders under that because that's what -- F, it 23 refers to F which -- and I think we have to follow the 24 rule. I'm sorry. I keep emphasizing the rule. 25 Permanent total enclosure and odor control standards.</p> <p style="text-align: right;">Page 317</p>	<p>1 cooking oil, do trap grease processing and any 2 wastewater that is generated at the facility through the 3 system that is -- has been already permitted. And they 4 complied with the permit conditions. 5 If -- we heard about the boiler, you know, 6 the boiler is subject to -- then they have to comply 7 with the boiler standard if it changes. So that's what 8 I'm proposing, that they -- we adopt with the additional 9 conditions that they propose, the five conditions. 10 That's what I was getting to, that we -- 11 THE CHAIRWOMAN: There are actually 8 that I 12 counted. 13 MEMBER BALAGOPAN: What's that? 14 THE CHAIRWOMAN: I have 8. 15 MEMBER PEARMAN: That Baker proposed? 16 MEMBER BALAGOPAN: Baker proposes 5 I think. 17 THE CHAIRWOMAN: Okay. 18 MEMBER BALAGOPAN: I am actually completely 19 disregarding the District's proposal. I did glance at 20 it, but I'm disregarding it. 21 THE CHAIRWOMAN: In its entirety of all the 22 conditions; is that correct? 23 MEMBER BALAGOPAN: Yes, that they propose in 24 the modification. 25 THE CHAIRWOMAN: Okay. Thank you,</p> <p style="text-align: right;">Page 319</p>
<p>1 So it says if you do that, you're not -- you 2 don't have to comply with the permanent enclosure and 3 odor control standards. 4 Now, the conditions that the District's 5 proposing is draconian in a sense, I believe. You know 6 that is predicated on -- again, I think it was pointed 7 out not knowing what rules -- the rule have already -- 8 it's clear what applied. That's why te permit was 9 issued. To say resubmit it again and re-evaluate it on 10 a rule that has not been adopted -- one of the staff -- 11 the staff report in chapter 3, page 7 had clearly had 12 indicated that trap grease processing will -- facilities 13 that only process trap grease, will be -- there's a 14 separate rule for cooking oil and trap grease, but it's 15 not been adopted yet. So there's no regulation in 16 place. The regulation in place is 415 which -- 17 THE CHAIRWOMAN: Okay. May I ask you, 18 though, if you can kind of cut to the chase. 19 MEMBER BALAGOPAN: Sure. Cut to the chase. 20 THE CHAIRWOMAN: What so -- 21 MEMBER BALAGOPAN: I My -- I would propose, 22 you know, a modification to order to allow them to 23 process -- you know, to remove certain conditions that 24 they asked for and I'll go through those conditions when 25 the time comes and to put the -- to allow them to use</p> <p style="text-align: right;">Page 318</p>	<p>1 Mr. Balagopan. 2 Mr. Pearman. 3 MEMBER PEARMAN: I think both sides gave us 4 kind of a -- too much on the past that was decided. 5 MEMBER ALI: Exactly. 6 MEMBER PEARMAN: And a lack of clarity about 7 the specific challenge here was how to handle a 8 non-rendering operation situation, which is what Baker 9 came to us before for. 10 It's a unique case. There's no history of 11 anything like this that we've heard of inactivate a 12 rendering process to then go and just trap grease. It's 13 a governing board rule so we're kind of limited in 14 trying to add our own interpretation to it. 15 But I do think in general, you know, with 16 Baker's -- in their original proposal is trying to pass 17 go and by taking advantage of their found violations of 18 permits and rules just start up trap grease processing 19 without any real restrictions. That certainly is 20 improper. 21 So I do think, though, that we should try 22 and impose some conditions that can be flexible. They 23 can use open air pit or not, things of that nature. And 24 that the District should not be too draconian in how 25 they deal with that to allow them to institute just</p> <p style="text-align: right;">Page 320</p>

1 But we really do have very strict
2 constraints on that. And I would definitely suggest
3 that you have some good conversations with the engineers
4 and the staff of the AQMD.
5 So I want to thank all of you, Ms. Hsu,
6 Mr. Dwyer, Ms. Taber, and I know I'll mess up your name
7 so I'm not even going to try.
8 But thank you to all of your staff and your
9 witnesses.
10 So -- and my colleagues, thank you so much.
11 We all worked real hard and thought long and hard on
12 this. And like I said, it wasn't easy, but I think we
13 got it done to the best of our ability. And I think
14 that both sides should be happy with us.
15 Thank you and the matter is closed and we
16 are adjourned.
17 MS HSU: Chair --
18 THE CHAIRWOMAN: Yes.
19 MS HSU: Sorry. I know you had wanted to
20 ask one of the parties to draft the Proposed Findings
21 and Decision.
22 THE CHAIRWOMAN: Yes. Yes, I do. And who's
23 going to volunteer?
24 MR. SOMASUNDARAM: As the moving party, we
25 would volunteer.

Page 361

1 STATE OF CALIFORNIA.)
2) SS
3 COUNTY OF LOS ANGELES)
4 I, JENNIFER A. HINES, Certified Shorthand Reporter
5 qualified in and for the State of California, do hereby
6 certify:
7 That the foregoing transcript is a true and
8 correct transcription of my original stenographic notes.
9 I further certify that I am neither attorney or
10 counsel for, nor related to or employed by any of the
11 parties to the action in which this proceeding was
12 taken; and furthermore, that I am not a relative or
13 employee of any attorney or counsel employed by the
14 parties hereto or financially interested in the action.
15 IN WITNESS WHEREOF, I have hereunto set my hand
16 this 24th day of April, 2023.
17
18
19 JENNIFER A. HINES
20 CSR No. 6029/RPR/CRR/CLR
21
22
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24
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Page 363

1 THE CHAIRWOMAN: Okay. Thank you.
2 MEMBER ALI: And just a reminder, Madam
3 Chair, both of them are paying for the court reporter.
4 THE CHAIRWOMAN: Yes. I got agreement on
5 that.
6 MEMBER ALI: And her happy hour. All right.
7 THE CHAIRWOMAN: Thanks again, everybody.
8 Have a safe trip home .
9 (Whereupon, the proceedings concluded
10 at the hour of 3:38 p.m.)
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Page 362

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EXHIBIT 4

Transcript of Proceedings

May 29, 2024

South Coast Air Quality Management District

vs.

Baker Commodities



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Transcript of Proceedings

Page 1	Page 3
<p>1 BEFORE THE HEARING BOARD OF THE</p> <p>2 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT</p> <p>3</p> <p>4</p> <p>5 In the Matter of,)</p> <p>6 SOUTH COAST AIR QUALITY)</p> <p>7 MANAGEMENT DISTRICT,) CASE NO. 6223-1</p> <p>8 Petitioner,)</p> <p>9 VS.)</p> <p>10 BAKER COMMODITIES, INC.)</p> <p>11 [Facility ID No. 800016])</p> <p>12 Respondent.)</p> <p>13</p> <p>14</p> <p>15 TRANSCRIPT OF PROCEEDINGS in the above-entitled</p> <p>16 matter held at the South Coast Air Quality Management</p> <p>17 District, 21865 Copley Drive, Diamond Bar, California,</p> <p>18 beginning at 9:33 a.m. and ending at 3:50 p.m. on</p> <p>19 Wednesday, May 29, 2024.</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 JOB NO. 10142931</p> <p>25 REPORTED BY LAUREN SPEARS, CA CSR NO. 14185</p>	<p>1 EXAMINATION</p> <p>2</p> <p>3 WITNESS PAGE</p> <p>4 JASON ANDREOLI</p> <p>5 Direct Examination by Mr. Gigounas..... 27</p> <p>6 Cross-Examination by Ms. Hsu..... 95</p> <p>7 PAOLO LONGONI</p> <p>8 Direct Examination by Mr. Dwyer..... 182</p> <p>9 Cross-Examination by Mr. Gigounas..... 198</p> <p>10 ATUL KANDHARI</p> <p>11 Direct Examination by Mr. Dwyer..... 214</p> <p>12 Cross-Examination by Mr. Gigounas..... 218</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 APPEARANCES:</p> <p>2 HEARING BOARD:</p> <p>3 CHAIR CYNTHIA VERDUGO-PERALTA, PUBLIC MEMBER</p> <p>4 VICE-CHAIR ROBERT PEARMAN, ATTORNEY MEMBER</p> <p>5 MICAH ALI, PUBLIC MEMBER</p> <p>6 MOHAN BALAGOPALAN, ENGINEER MEMBER</p> <p>7 JERRY P. ABRAHAM, MD, MPH, CMQ, MEDICAL MEMBER</p> <p>8</p> <p>9 FOR PETITIONER SOUTH COAST AIR QUALITY MANAGEMENT</p> <p>10 DISTRICT:</p> <p>11 OFFICE OF THE GENERAL COUNSEL SCAQMD</p> <p>12 BY: DAPHNE HSU, ESQ.</p> <p>13 NICHOLAS DWYER, ESQ.</p> <p>14 21865 COPLEY DRIVE</p> <p>15 DIAMOND BAR, CA 92765</p> <p>16 909-396-2163</p> <p>17 NDWYER@AQMD.GOV</p> <p>18 DHSU@AQMD.GOV</p> <p>19</p> <p>20 FOR RESPONDENT BAKER COMMODITIES, INC.:</p> <p>21 DLA PIPER</p> <p>22 BY: GEORGE J. GIGOUNAS, ESQ.</p> <p>23 ISABELLA NEAL, ESQ.</p> <p>24 555 MISSION ST.</p> <p>25 SUITE 2400</p> <p>SAN FRANCISCO, CA 94105</p> <p>415-615-6005</p> <p>GEORGE.GIGOUNAS@DLAPIPER.COM</p> <p>ISABELLA.NEAL@DLAPIPER.COM</p> <p>ALSO PRESENT:</p> <p>DALE LARSON - COUNSEL FOR THE HEARING BOARD</p> <p>ROSALINDA DIAZ - DEPUTY BOARD CLERK II</p> <p>JOHANNA GONZALEZ - INTERPRETER CERT. #301778</p> <p>JUAN CARLOS JUAREZ - INTERPRETER CERT. #369990</p>	<p>1 DISTRICT'S EXHIBITS</p> <p>2</p> <p>3 NO. DESCRIPTION PAGE</p> <p>4 Exhibit 35 Declaration of Atul Kandhari 12</p> <p>5 Exhibit 36 Declaration of Paolo Longoni 12</p> <p>6 Exhibit 37 Redline Version of Finding and 12</p> <p>7 Decision</p> <p>8 Exhibit 38 Clean Copy Version of Findings and 12</p> <p>9 Decision</p> <p>10 Exhibit 39 NOV Report for NOV P63824 194</p> <p>11 Previously Marked Exhibit 17 134</p> <p>12</p> <p>13 BAKER'S EXHIBITS</p> <p>14</p> <p>15 NO. DESCRIPTION PAGE</p> <p>16 Exhibit EE Declaration of Jason Andreoli 12</p> <p>17 Exhibit FF Baker's Proposed Findings and 13</p> <p>18 Decision</p> <p>19 Exhibit GG Demonstratives 27</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Page 21

1 place to limit potential odor as Baker takes on this new
 2 venture. On Friday, May 24th, 2024, Baker's counsel
 3 filed stipulated facts. The 15 facts in that document
 4 are agreed upon by the parties.
 5 My counsel has recognized that Micah is no
 6 longer in the --
 7 CHAIR VERDUDO-PERALTA: They can hear back
 8 there.
 9 MR. DWYER: Okay. Further evidencing the
 10 amount of agreement between the parties are the two
 11 proposed findings and decisions submitted by the parties.
 12 On May 24th, this past Friday, district's counsel
 13 submitted the district's proposed findings and decision,
 14 and included in that submittal was a comparison document
 15 showing the differences between what Baker has proposed
 16 and what the district is proposing. There is a lot of
 17 similarities between the two parties' proposals.
 18 One of the first differences you will see when
 19 reviewing that comparison document is that the district
 20 disagrees that Baker has given up all rendering at its
 21 facility. Baker has not ceased rendering used cooking
 22 oil or trapped grease at its facility. As a business
 23 decision, Baker has decided to cease traditional type
 24 rendering, where it would cook and further process the
 25 animal -- raw animal parts at the facility. And as a

Page 22

1 part of that business decision, Baker has decided to
 2 start collection services at the facility, which it
 3 refers to as transloading.
 4 Now, I think it's really important here to
 5 understand that Baker has not completely given up
 6 rendering at its facility. **At this point, the district**
 7 **does not see a good reason why we need to continue to dig**
 8 **into continued applicability of Rule 415.** That could be
 9 an inefficient use of our time today, but if the topic
 10 does need to be further explored here, I suggest that we
 11 have further briefing on that issue. It would be a
 12 better use of everyone's time, if that was necessary.
 13 Back to the proposed findings and decision.
 14 The second biggest difference concerns the district's
 15 desire to have enforceable order for abatement conditions
 16 for Baker's collection services. Now, as my colleague,
 17 Baker's counsel, has pointed out, there are differences
 18 of opinion, as you have gathered from reviewing Baker's
 19 witness' declaration and the district witnesses'
 20 declarations. There was apparent confusion and
 21 misunderstanding as to whether the parties wanted Baker's
 22 standard operating procedures to be part of the abatement
 23 order.
 24 It's now clear that both parties are asking the
 25 hearing board to put in the order enforceable operational

Page 23

1 conditions. The district still favors specific
 2 enforceable conditions, rather than several standard
 3 operating procedures that provide too much flexibility,
 4 and some of which are too uncertain to enforce. The
 5 conditions being proposed by the district are for the
 6 interim period where Baker will be operating in its
 7 collection center before the extension is permitted to
 8 operate. These limits consider the fact during this
 9 interim period, Baker will not have a permitted conveyor
 10 to take material from raw rendering material pits and
 11 load it into trucks.
 12 Given the time it takes to load trucks without
 13 using a screw conveyer, it stretches the imagination to
 14 see how they can manage 200,000 pounds. The district
 15 views that fact as very important for why the 200,000
 16 maximum limit proposed by Baker is unrealistic, and poses
 17 an unacceptable risk of potential odor. The district has
 18 received far less odor complaints in the Vernon area
 19 since the September 2020 order for abatement. We must
 20 tread carefully here to not unreasonably increase
 21 potential odor. The district remains open to hearing
 22 from Baker's witness on how he envisions the collections
 23 operation will operate during this interim period, where
 24 permits related to the conveyor and the extension of the
 25 permanent total enclosure are pending.

Page 24

1 Representing the public, we have an obligation
 2 to understand how Baker is proposing to operate, and to
 3 set limits on those operations to ensure we minimize the
 4 potential for odors. The district put forth its reasons
 5 why, and considered Baker's requests for flexibility.
 6 The declarations of Paolo Longoni and Atul Kandhari set
 7 forth the district's reasons for limiting the amount of
 8 materials stored in the permanent total enclosure to
 9 60,000 pounds, and requiring a cutoff time where all
 10 material must be out of the permanent total enclosure, to
 11 ensure the equipment and services that come into contact
 12 with the raw material are cleaned daily.
 13 The district is seeking for this board to keep
 14 the proposed conditions intact that set forth fair
 15 limitations on Baker's operations, while they transition
 16 their operations to something entirely new at this
 17 location. Again, most of these are already agreed upon
 18 by the parties, but the district sees a specific
 19 limitation or specific limitations related to the
 20 collection center activities as necessary here.
 21 That's all I have for my opening statement.
 22 Thank you.
 23 CHAIR VERDUDO-PERALTA: Thank you.
 24 Okay. Call your first witness.
 25 MR. GIGOUNAS: Yes, Madam Chair. We would like

Page 189

1 And so I am going to request that both sides give us a
2 two-pager or a three-pager that we can look at and see
3 what the differences are, because that is going to have
4 some relevance, because the district believes that some
5 parts still belong under 415, and I know that Baker does
6 not. So --
7 Were you going to say something, Mr. Pearman?
8 MR. PEARMAN: Yeah. I don't know, but if the
9 thought was the cleaning condition of 415(e), I would
10 just say there's a possibility that it's just a question
11 of what the conditions are. You could come up with
12 conditions, taking some from 415(e), but not relying on
13 that, and let the parties fight another day if they think
14 415 applies. So that possibly might exist, and that's
15 one solution perhaps, but we'll see how it goes.
16 MR. GIGOUNAS: I don't mean to interject, but I
17 might propose something, if the board is willing to hear
18 it.
19 So first of all, Mr. Pearman, I think we all
20 agree, one thing we've tried to do is avoid the entire
21 fight about the applicability of 415 by specifying the
22 specific subject matter that would go in. So in other
23 words, instead of Baker shall comply with 415(e), it
24 would be Baker shall do X, Y, and Z, or A, B, and C. And
25 within Rule 415(e), nearly all of those provisions, Baker

Page 190

1 is able to do with this proposed -- with this proposed
2 business.
3 The district -- or excuse me, the board, in
4 questioning our witness, had raised some questions and
5 some issues. And so if it appears that we will need to
6 continue to a further date, we might consider -- and I'm
7 just raising this for some discussion at some point,
8 whether Baker can make a proposal to the board, because
9 we have been discussing in good faith collaboration with
10 the district for a long time, if we were able to make a
11 proposal to the board that perhaps gave voice to some of
12 the concerns that the board members have raised, and the
13 questions that the board members have raised, it might
14 give the board something concrete to consider in between
15 the two proposals that were made.
16 And of course, the district can do the same
17 thing, if they wish. But that might be some way to sort
18 of, you know, avoid the necessity of coming back and sort
19 of completing -- not an adversarial process, but a formal
20 hearing process.
21 MR. BALAGOPALAN: I'm just going to add that in
22 the district's proposed finding and decision, they did
23 propose the 415(g), you know, in one condition. So there
24 is some reference to 415. They could have teased out --
25 and I thank you for the suggestion, the elements of it

Page 191

1 without referencing the rule, you know.
2 MR. GIGOUNAS: Yes, sir. And indeed, we have
3 discussed that and we're trying to continue to discuss
4 that. I don't know that Baker and the district will come
5 to complete agreement. For instance, 415(e) is where the
6 washout provision is contained, and that, as the board
7 members have seen, is one of the points of contention
8 here. We certainly -- as I've said, most of those
9 provisions are things that regardless of the
10 applicability of Rule 415, Baker is able to do and
11 willing and wants to do in this process. But there are a
12 few things that are different.
13 This is not a rendering facility, or at least
14 our position is that. So yes, the parties have been
15 discussing, look, let's not -- let's avoid this fight.
16 The issue is, I don't know that we will ultimately get to
17 where we agree on all of the provisions that are within
18 415 that could be done, which could lead to the board
19 needing to make that determination. We would like to
20 avoid it, though.
21 MS. HSU: We are -- both parties are aligned on
22 not needing to take the issue of Rule 415 applicability
23 at this time, and we have been in discussion regarding
24 instead of a reference to say Rule 415(e), to take out
25 specific provisions, and given that this is an abatement

Page 192

1 order context, the hearing board does have more
2 flexibility in terms of what it is ordering.
3 CHAIR VERDUDO-PERALTA: Okay. All right. So
4 therefore, we can go ahead and you can -- if you want to
5 go ahead and go down -- I don't want to see you go down
6 the path of going over history again. I want to see --
7 let's go forward. And I understand you want to layout a
8 foundation, but if we can do that as briefly as possible,
9 with still giving us the picture of how we are going to
10 see this company still try to operate, without rendering,
11 of course, and then where the -- where we're going to
12 find a solution for both sides.
13 MR. ALI: Madam Chair, just one quick comment,
14 perhaps in colloquy with you. If they seem to be in much
15 agreement on many things, then why could they not
16 caucus -- we recess, they caucus, they come back with a
17 proposal. Perhaps they can work amicably. I mean,
18 everybody seems to be getting along here today, and so
19 perhaps they would even want to waive their closing, and
20 we move right to their proposal, and we can then
21 deliberate based upon that.
22 Now, again, that's just my suggestion, the
23 board has to make a determination. And perhaps both
24 parties would have to agree, but it just stands to
25 reason, let's try to find a path to a solution so we can

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

2

3 I, the undersigned Certified Shorthand Reporter in
4 and for the State of California, do hereby certify:

5 That the foregoing proceedings were taken before
6 me at the time and place therein set forth, at which time
7 the witnesses were put under oath; that the testimony of
8 the witnesses and all objections made at the time of the
9 proceedings were recorded stenographically by me and were
10 thereafter transcribed under my direction; that the
11 foregoing is a true record of the testimony and of all
12 objections made at the time of the proceedings.

13 I further certify that I am a disinterested person
14 and am in no way interested in the outcome of said action
15 or connected with or related to any of the parties in
16 said action or to their respective counsel.

17 The dismantling, unsealing, or unbinding of the
18 original transcript will render the reporter's
19 certificate null and void.

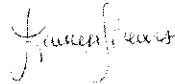
20 In witness whereof, I have subscribed my name on
21 05/29/2024.

22

23

24

25



Lauren B. Spears, CSR No. 14185

EXHIBIT 5

August 1, 2024

Atul Kandhari
SCAQMD
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Baker Commodities, Inc. Rule 415 Applicability

Dear Atul:

This letter has been prepared regarding the permitting for the J&M catch basin/skimmer enclosure and Centrisys enclosure at Baker Commodities, Inc.'s (Baker) facility located at 4020 Bandini Boulevard, Vernon, California (the "Facility") and in regards to Rule 415 applicability in general. This letter was prepared with assistance from Baker and their legal team.

The South Coast Air Quality Management District (District) provided draft permits for these enclosures on May 9 and 16, 2024, respectively. Baker provided revisions to those permits on July 16, 2024, removing references to District Rule 415. As we—and the SCAQMD Hearing Board—have explained to the District, Rule 415 does not apply to the Facility.

Though the Facility is clearly outside the scope of Rule 415, a disagreement pertaining to Rule 415 applicability is unnecessary. Even though Baker is not required to do so, the Facility has in large part agreed to follow the intent of Rule 415's requirements at the Facility. Baker has done so in a good faith attempt to ensure the permitting process proceeds efficiently and Baker can begin providing much needed transloading services to the community without delay. Baker's revisions to the permits at issue incorporate the language of Rule 415 where possible, while removing explicit references to the Rule. By incorporating the intended requirements of Rule 415 without explicit rule references, we can bypass unnecessary delays or disagreements. Baker will follow the Rule's intended requirements as set forth in the permits, and the processing of the permits should continue as quickly as possible. Baker and the District took this approach during the hearings on Baker's Request for Modification, and there is no need to reverse course at this juncture.

Regarding rule applicability, we firmly believe there is no basis to assume Rule 415 applies to the Facility since Baker no longer conducts any operations relating to rendering at the Facility. Rule 415 specifies the *only* operations to which it applies is: "rendering facilities that process raw rendering materials; and wastewater associated with rendering." Rule 415(b). Under the Rule, "rendering" is limited to "operations and processes that *convert raw rendering materials into fat commodities and protein commodities by heat and mechanical separation.*" Rule 415(c)(19).¹

¹ See also Rule 415(c)(17) ("Raw Rendering Materials means materials introduced into the receiving area at a rendering facility, and may include animal carcasses and parts, packing house or grocery store cuttings, out-of-date products from grocery stores, blood, viscera, offal, feces and other organic matter generated by food processors. Raw rendering materials does not include used cooking oil."), (c)(20) ("Rendering Facility means a facility engaged in rendering operations.").

The Final Staff Report for Rule 415 similarly confirms that it is intended to govern only *facilities that conduct inedible rendering*.²

Baker has ceased rendering operations at the Facility and decommissioning all equipment that could be used to “convert raw rendering materials into fat commodities and protein commodities by heat and mechanical separation.” Rule 415(c)(19). Furthermore, Baker no longer generates wastewater, or processes trap grease, associated with rendering. The Hearing Board recognized as much in its July 26, 2024 Findings and Decision Granting Second Modified Order for Abatement (“Order”), finding that “Baker has decided to cease cooking and downstream operations *related to rendering of animal products (colloquially known as ‘rendering’)* at the Facility[.]” Order at 2.

In place of rendering, Baker will operate the Facility as a collection center. Collections operations are specifically exempted from Rule 415, which provides that “[c]ollection centers that do not conduct inedible rendering or handle or process trap grease” are “not subject to Rule 415.” Rule 415(l)(1)(B).³ Nothing in Rule 415 justifies subjecting a collection center such as the one Baker will operate at the Facility—which conducts no operations related to rendering—to the Rule’s requirements.

To the extent the District’s position is that the Facility’s trap grease operations subject it to Rule 415, this reading of the Rule is incorrect. As with collection centers, Rule 415 explicitly exempts “[f]acilities that process trap grease *but do not conduct inedible animal rendering operations*” from its ambit. Rule 415(l)(1)(C).⁴ The reference to handling or processing trap grease in Rule 415(l)(1)(B)’s exemption for collection centers is clearly a vestige of the February 18, 2015 draft of Rule 415—which extended to trap grease operations—in which exemptions for non-rendering facilities were phrased identically to those in the final rule. However, the Rule was later revised to specifically exclude processing of trap grease unrelated to rendering. *See* Rule 415(l)(1)(C).⁵ Even the February 2015 draft of the Rule only extended to trap grease operations when related to rendering. PR 415(b) (Feb. 18, 2015) (“applies to new and existing facilities that cook raw rendering materials; *facilities that process trap grease in addition to rendering*, and treatment of wastewater from processes associated with rendering or processing of trap grease at these facilities.”). The mere fact that the Facility conducts trap grease operations does not subject it to Rule 415’s requirements, because the trap grease operations have nothing to do with rendering.

² *See* Final Staff Report at 3-6 (“The purpose of Proposed Rule (PR) 415 is to reduce odors from facilities rendering animals and animal parts.”), 3-7 (“Applicability of the proposed rule is to rendering facilities that conduct inedible rendering operations.”), A-78 (“PR 415 is applicable to new and existing rendering facilities that process raw rendering materials; and trap grease wastewater associated with rendering or trap grease processing.”).

³ *See also* Final Staff Report at 3-7 (“Collection centers for animal carcasses and parts that do not also conduct inedible rendering operations” are exempt from Rule 415); A-70 (Rule 415’s definition of “collection center” was intended to “provide for an exemption . . . for collection centers that do not conduct inedible rendering or handle or process trap grease.”), A-81 (“collection centers that do not conduct inedible rendering are exempt from the requirements of PR 415 under subparagraph (l)(1)(B)”).

⁴ The Final Staff Report confirms this. Final Staff Report at 3-7 (“Facilities that process trap grease” are exempt from Rule 415).

⁵ *See also* Final Staff Report at A-17 (“All requirements for trap grease have been removed from the staff proposal.”), A-55 (“The requirements for trap grease have been removed from the proposal for PR 415.”).

Atul Kandhari, SCAQMD

August 1, 2024

Page 3 of 3

The plain text and rulemaking history of Rule 415 definitively establish that it does not apply to the Baker Facility and there should be no references to Rule 415 in Baker's permits. Furthermore, there should be no dispute over this common-sense conclusion—indeed, at the hearings on Baker's Request for Modification to the Order for Abatement governing the Facility, multiple Hearing Board members stated in no uncertain terms that Rule 415 does not apply to the Facility. Forcing Baker to appeal the permit conditions that reference Rule 415 only to confirm what the Board has already said would be an inappropriate use of resources and would delay the overall process.

We look forward to your response regarding the issues set forth above. Please do not hesitate to reach out by e-mail at JFurlong@YorkeEngr.com or telephone at (949) 248-8490.

Sincerely,

John Furlong
Principal Scientist
Yorke Engineering, LLC
JFurlong@YorkeEngr.com

EXHIBIT 6



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

John Furlong
Principal Scientist
Yorke Engineering, LLC

September 26, 2024 .

Subject: Baker Commodities, Inc. Rule 415 Applicability

South Coast AQMD staff responds to Baker's letter dated August 1, 2024, requesting Rule 415 not apply to Baker's operations at its Vernon plant. A facility is subject to Rule 415 when it operates a Collection Center and processes Trap Grease. Staff appreciates Baker walking through the Trap Grease process on the September 4, 2024 site visit to identify points where heat is introduced to the Trap Grease process and identify points of mechanical separation for the Rule 415 applicability determination.

Rule Language and Background

The Rule 415 applicability section in 415(b) states "This rule applies to new and existing rendering facilities that process raw rendering materials; and wastewater associated with rendering."

Rule 415(c)(19) defines Rendering as "operations and processes that convert raw rendering materials into fat commodities and protein commodities by heat and mechanical separation." Rule 415(c)(17) defines Raw Rendering Materials as "materials introduced into the receiving area at a rendering facility, and may include animal carcasses and parts, packing house or grocery store cuttings, out-of-date products from grocery stores, blood, viscera, offal, feces and other organic matter generated by food processors. Raw rendering materials does not include used cooking oil."

Used Cooking Oil and Trap Grease each have their own definitions in Rule 415(c)(24) and 415(c)(23), respectively. Unlike Used Cooking Oil, which is specifically identified, Trap Grease is not excluded from Rule 415(c)(17) definition of Raw Rendering Material, and it is not entirely exempted from the rule. That Used Cooking Oil was specifically identified in 415(c)(17) demonstrates that different types of materials were contemplated to be excluded from the definition. Trap Grease was not specifically excluded. It is included as Raw Rendering Material because Trap Grease is introduced in the receiving area. The definition for Receiving Area includes "tank . . . within a rendering facility where raw rendering materials are unloaded... ." (Rule 415(c)(18).)

Other provisions support Trap Grease operations as subject to the rule unless specifically exempted: the Permanent Total Enclosure exemption for Trap Grease unloading where "trap

grease is unloaded only through a hose into a wastewater tank” (Rule 415(I)(8))¹; and the definition of “wastewater treatment” (Rule 415(c)(26)). Similar to other rendering operations, generally, Trap Grease processing must be conducted within a Permanent Total Enclosure or Closed System. “Trap grease processing needs to be closed from the point of delivery, through separation and into wastewater treatment, or conversely, these processes need to be conducted within a permanent total enclosure.” (Staff Report, A-13.) Further, rendering, trap grease processing, and used cooking processing are all rendering under state law. (Food and Agricultural Code section 19213 (“Rendering” means “all recycling, processing, and conversion of animal and fish materials and carcasses and inedible kitchen grease into fats, oils, proteins, and other products that are used in the animal, poultry, and pet food industries and other industries.”)²

When Trap Grease handling or processing is conducted along with either edible rendering (I)(1)(A), or a Collection Center (I)(1)(B), or inedible animal rendering (I)(1)(C), then the facility is not exempt from 415. While Baker has ceased its inedible animal cooking portion of its rendering process, it continues its Trap Grease processing and has proposed a Collection Center process to be conducted in the Main Plant. Thus, it cannot take advantage of the exemption afforded to “[c]ollection centers that do not conduct inedible rendering or handle or process trap grease . . .” (Rule 415(I)(1)(B).

The exemptions are a recognition that some types of rendering facilities or processes when not conducted along with other types of rendering have less odor potential. (Staff Report, 3-7.) In fact, staff’s observations from a site visit on September 4, 2024, was that the open container holding the Trap Grease waste was very odorous. The processing, mechanical separation, and addition of heat to Trap Grease increases the odor potential of the rendering process. The District recognized when writing Rule 415, there were certain rendering facilities in its jurisdiction that would not be subject to the rule because of an exemption.³ Where a facility conducts Trap Grease processing and Collection Center activities, it is subject to Rule 415. The plain language that a facility acting as a Collection Center and processing Trap Grease is subject to Rule 415 is further supported by the Staff Report, which provides a response to comment about why collection centers were included in the rule.

Comment: The definition of Collection Center is unclear. Under the Food and Agricultural Code sections 19300-19306, rendering facilities and collection centers have the same requirements. Please consider exempting

¹ “Based on a visit to one of the rendering facilities in September 2017, staff observed the trap grease unloading operations and provided an exemption from the requirement for PTE for this operation, provided the trap grease is unloaded only through a hose into wastewater tank or separator with an access or viewing hatch that is not open except during unloading operations or for maintenance.” (Staff Report, 3-8.)

² District recognized this definition in the Comparative Analysis section of the Staff Report. (4-3.) Further, in response to comments, the District responded “PR 415’s ‘Rendering’ definition is not inconsistent with the State law definition for rendering operations.” (A-91-92.)

³ See Staff Report, A-92 and A-107, discussing Stiles Animal Removal and Co-West Commodities not meeting the criteria for the rule to apply to them, since they do not conduct inedible rendering.

collection centers under 415, since it is part of the overall process of rendering and is included in the definition of rendering operations.

Response: The definition of “collection center” was taken from Vehicle Code Section 2460(j). Food and Agricultural Code section 19300-19306 pertain to the California Department of Food and Agriculture’s licensing requirements for rendering plant and collection center operations. **The purpose for including a “collection center” in PR 415(c)(3) is to provide for an exemption under PR 415(l)(1)(B) for collection centers that do not conduct inedible rendering or handle or process trap grease.** Therefore, it would not be appropriate to define “collection center” in a manner which would include (and therefore exempt) the entire rendering operation.

(Staff Report, A-70. Bold added.)

Baker’s Trap Grease Processing is Rendering

Trap Grease processing, as conducted by Baker, is rendering under Rule 415. The facility is not exempt from the rule when Trap Grease processing is conducted along with Edible Rendering, a Collection Center, or Inedible Rendering. If Baker only processed Trap Grease at its facility, then it would be exempt from Rule 415 pursuant to Rule 415(l)(1)(C). If Baker only performed Collection Center activities, then it would be exempt from Rule 415 pursuant to Rule 415(l)(1)(B). However, Baker is proposing to do both, so it is not exempt, and Rule 415 is applicable to its operations.

District disagrees with Baker’s conclusion that it has ceased all rendering operations at the facility and decommissioned all equipment used to “convert raw rendering materials into fat commodities and protein commodities by heat and mechanical separation” (Rule 415(c)(19). Rather Baker has only ceased its cooking operations which is one type of operation captured in the Rendering definition in Rule 415; cooking does not encompass all of Rendering. Baker’s operations fall squarely in the definition of Rendering: Baker continues to process its Trap Grease equipment that converts the Raw Rendering Materials into Fat Commodities by heat and mechanical separation.

Baker Converts Trap Grease into a Fat Commodity

Processed and/or recovered grease from Trap Grease is a Fat Commodity, commonly known as brown grease, as opposed to Used Cooking Oil, which is commonly referred to as yellow grease. “Fat commodity” is defined under Rule 415 as “a finished fat product from rendering and derived from animal fat or plant sources.” (Rule 415(c)(9).)

Baker Processes Trap Grease Using Heat and Mechanical Separation

[REDACTED]

[REDACTED]

District Engineering and Permitting staff visited the facility on September 4, 2024, and observed the following with regards to Trap Grease processing operations:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Conclusion

In conclusion, Trap Grease is considered a Raw Rendering Material and since the facility uses both mechanical separation and heat (in the form of steam) to process Trap Grease, Baker's proposal meets the definition of Rendering in Rule 415(c)(19) and therefore is considered a Rendering Facility in Rule 415(c)(20) subject to Rule 415 requirements. A Trap Grease processing facility that also operates as a Collection Center is not exempt from Rule 415. Staff intends to continue processing Baker's permit applications and evaluate for compliance under Rule 415.

Sincerely,

Atul Kandhari

Atul Kandhari
Senior Air Quality Engineer
Special Projects/Entertainment Team
Engineering & Permitting

Cc: Jason Andreoli via email: jjandreoli@bakercommodities.com

EXHIBIT 7

Baker provides the following example of proposed revisions to the Facility Permit that would remove Rule 415 in favor of the conditions agreed to under the Order. This example does not represent all aspects of the Facility Permit subject to Baker's Appeal.

**FACILITY PERMIT TO OPERATE
 BAKER COMMODITIES INC**

SECTION A: FACILITY INFORMATION

LEGAL OWNER 8L/OR OPERATOR: BAKER COMMODITIES INC

LEGAL OPERATOR (if different than owner):

EQUIPMENT LOCATION: 4020 BANDINI BLVD
 VERNON, CA 90058

MAILING ADDRESS: 4020 BANDINI BLVD
 VERNON, CA 90058-4532

RESPONSIBLE OFFICIAL: JASON ANDREOLI

TITLE: LA GENERAL MANAGER

TELEPHONE NUMBER: (323) 268-2801

CONTACT PERSON: OZZY OLIVERA

TITLE: DRAFTSMAN

TELEPHONE NUMBER: (323) 268-2801

TITLE V PERMIT ISSUED: December 07, 2018

TITLE V PERMIT EXPIRATION DATE: December 06, 2023

TITLE V	RECLAIM
YES	NOx: YES SOx: NO CYCLE: 2 ZONE: COASTAL

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions" And Requirements	Conditions
Process 1: RENDERING-COLLECTION CENTER: BAKER COMMODITIES					P13.1
System 1: RAW MATERIAL HANDLING					
CONVEYOR, SCREW, ANIMAL MATTER, AFTER MAGNETIC SEPARATOR TO OUTBOUND VEHICLE A/N: 648440 Permit to Construct Issued: 12/10/24	D423				E448.2
ENCLOSURE, ALTERNATIVE PERMANENT TOTAL (PTE), EXPANDED, FROM 5,200 SQ. FT. TO 10,000 SQ. FT. FOR RAW RENDERING-HARD MATERIAL RECEIVING A/N: 648440 Permit to Construct Issued: 12/10/24	C402				E448.2, E448.15
System 2: RENDERING SYSTEM NO. 3					
ENCLOSURE, CLOSED SYSTEM FOR MAIN PLANT A/N: 648440 Permit to Construct Issued: 12/10/24	C403		This does not represent a device, rather it lists a control measure. This "device" represents the collection of devices that will be configured as a closed system		E448.3
Process 4: WASTEWATER TREATMENT: BAKER COMMODITIES					
ENCLOSURE, PERMANENT TOTAL, FOR PART OF WASTE WATER TREATMENT AREA A/N:	C404	C406			E448.4, E448.5
ENCLOSURE, CLOSED SYSTEM FOR PART OF WASTE WATER TREATMENT AREA A/N:	C405				E448.6

- * (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions" And Requirements	Conditions
Process 4: WASTEWATER TREATMENT: BAKER COMMODITIES					
SCRUBBER, PACKED BED, CUSTOM MADE, DUAL STAGE, WITH MIST ELIMINATOR, AIR FLOW RATE OF 3,500 CFM, 60 GPM WATER FLOW A/N:	C406	D202 D331 D332 D333 D334 D340 D341 D349 D350 D351 D352 D355 C404 C427			E448.5, E448.7
ENCLOSURE, FOR <u>SLUDGE-TRASH</u> COLLECTION BIN IN TRAP GREASE RECEIVING AREA A/N:	C427	C406			E448.16
ENCLOSURE, <u>CENTRYSIS</u> , PERMANENT TOTAL (PTE) FOR <u>SLUDGE-TRASH</u> , VENTED TO APCD A/N:	C426	C401			E187.1, E448.14
Process 6: <u>RENDERING</u>: J & M <u>PROCESSING</u>					P13.1
System 4: TRAP GREASE PROCESSING					
ENCLOSURE, ALTERNATE, FOR CATCH BASIN AND <u>SLUDGE-TRASH</u> COLLECTION BIN A/N: 648441 Permit to Construct Issued: 12/10/24	C425				E187.1, E448.13
Process 10: APC SYSTEM: J & M/STAR GREASE PROCESSING					
CONDENSER, AIR COOLED, VERTICAL, 73000 SQ.FT. A/N:	C401	C426			E448.1
CONDENSER, SHELL AND TUBE, CYCLONE, WIDTH: 1 FT 4 IN; HEIGHT: 2 FT 4 IN; LENGTH: 3 FT A/N:	C301	C302			

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
 (3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
 (5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
 (7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
 (9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

Date: December 10, 2024

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

1. "Hard Material" is defined as animal fat and bone, including animal carcasses and parts, packing house or grocery store cuttings and out-of-date products, viscera, offal, feces and other organic matter generated by food processors, but expressly excluding any trap or restaurant grease material.
2. This enclosure/closed system shall support the main ~~Raw Rendering Material~~ **Hard Material** receiving area and screw conveyor (Device No. 423). This area shall have five roll up doors as listed below equipped with air curtains ~~complying with specifications listed in Rule 415(f)(5)(F)(ix). Compliance shall be achieved in accordance with Rule 415 (f)(5), Sections D, E, and F. Applicant shall be responsible for compliance as per Rule 415(f)(3), Section G, if applicable.~~ mounted on the interior of the roll up door opening with a design velocity of 3,000 feet per minute, that is operated continuously when the associated roll-up door is open.
 - a. Compliance shall include the following:
 - i. Access doors shall not be open except during ingress and egress of vehicles, equipment or people;
 - ii. Opening on opposite ends of a building where air movement can pass through both openings shall not be simultaneously open for more than 5 minutes; and
 - iii. All routine openings for vehicles or equipment ingress and egress shall use one of the following:
 1. Automated doors with an air curtain mounted on the interior of the opening with a design velocity of 3,000 feet per minute, that is operated continuously when the door is open.;
 2. Vestibule;
 3. Air lock system; or

4. An alternative method to minimize release of odors from each enclosure opening of the building enclosure may be used if the owner or operator can demonstrate to the Executive Officer (an) equivalent or more effective method.

~~complying with specifications listed in Rule 415(f)(5)(F)(ix). Compliance shall be achieved in accordance with Rule 415 (f)(5), Sections D, E, and F. Applicant shall be responsible for compliance as per Rule 415(f)(3), Section G, if applicable.~~

The eastern wall of the PTE shall be equipped with two roll-up doors each measuring 18' W. x 30' H. and 18' W. x 24' H. The roll-up doors shall be equipped with air curtains.

The northern wall of the PTE shall be equipped with two roll-up doors each measuring 13' W. x 15' H. and 10' W. x 12' H. respectively. The roll-up doors shall be equipped with air curtains.

The western wall of the PTE shall be equipped with one roll-up door measuring 18' W. x 30' H. and the door shall be equipped with air curtain.

No more than two roll-up doors shall be kept open simultaneously at any given time for more than five minutes.

The facility shall successfully commission the roll up doors identified above, including the air curtains, prior to using the expanded area of C402 for storing ~~Raw Rendering-Hard~~ Materials.

The total amount of ~~Hard -Raw Rendering~~ Material stored in C402 shall not exceed 175,000 pounds prior to completion of the expansion and 400,000 pounds after the completion of the expansion of the C402.

The maximum amount of ~~Raw Rendering~~Hard Material which can be stored on the floor of C402 (excluding the Raw Rendering Material in D1) shall not exceed 60,000 pounds prior to the completion of the expansion and 260,000 pounds after completion of the expansion.

At least 48 hours prior to the start of operation of the pit (D1) to store ~~Raw Rendering~~ Hard Material, the Applicant shall notify the South Coast AQMD via email

FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION H: PERMIT TO CONSTRUCT AND TEMPORARY PERMIT TO OPERATE

The operator shall comply with the terms and conditions set forth below:

confirming the date of initial operation.

Except the portion inside the C402, D423 shall be configured as closed system as per the guidelines in Rule 415 (f) (3) except the portion inside the C402, and the enclosure shall be constructed to comply with the following requirements, to the maximum extent possible:

- (a) Each component of a closed system shall be maintained in a manner that minimizes leaks and odors from escaping from the system.
- (b) Material conveyors and troughs that are components of a closed system shall be completely enclosed on all sides, except for doors or panels for maintenance and personnel access.
- (c) Bins and hoppers that are components of a closed system shall be enclosed on all sides, except for doors or panels, and maintenance and personnel access.
- (d) Mating metal surfaces on doors or access panels under this paragraph shall be sealed with gasket material or caulk or sealant.

Raw Rendering-Hard Material received shall not remain at the facility for more than 72 hours from the time of receipt including the received Raw Rendering-Hard Material placed inside the sealed bins after receipt.

Facility shall ~~comply with Rule 415(e), including the washdown provisions.~~ implement all applicable odor Best Management Practices (BMPs), including:

Covering of Incoming Transport Vehicles. Transport vehicles delivering Hard Material shall not be permitted past the first point of contact for incoming trucks, such as a guard shack or weigh station, unless the cargo area of the vehicle is completely enclosed or fully tarped.

Delivery of Hard Materials. If Hard Materials arrive at the Facility uncovered, the owner or operator shall ensure those incoming Hard Materials are transferred into the receiving area enclosure or covered containers (including truck trailers with fully covered beds, e.g., by secured tarp) within 60 minutes after the inbound truck enters the facility.

Washing of Outgoing Transport Vehicles. Where Hard Materials come directly into contact with a transport vehicle and the cargo area is exposed to the air, the cargo area shall be washed before exiting the enclosure. In addition, at the end of each working day, equipment and vehicles used to load and unload Hard Material shall be washed inside the enclosure.

Washing of Drums and Containers. Open drums or containers holding Hard Materials shall be washed prior to leaving Baker.

Washdown of Receiving Area. Walls, floors, and other surfaces of the receiving area, and any equipment operated in the receiving area, shall be thoroughly washed to remove animal matter before the start of collections on Monday, Wednesday, and Friday, except that (i) Baker shall not be required to wash the interior of the Facility's Hard Material Enclosure screw conveyor; and (ii) Baker shall only be required to wash the pit of the Facility's Hard Material Enclosure twice per week. In performing these washdowns, Baker is not required to remove all residue of animal matter from the pit, but must clean the pit to the extent reasonably practicable.

Cleaning Floor Drains. Accessible interior and exterior floor drains shall be inspected and cleaned not less frequently than twice per month to remove accumulation of raw materials.

The facility shall inspect the exterior of the ~~Raw Rendering Hard~~ Material Enclosure daily to ensure that no material is leaked outside of the enclosure.

If the ~~Raw Rendering Hard~~ Material is discovered to have been leaked outside the enclosure, the facility shall promptly clean up such material, investigate how such material was leaked, and take corrective actions to prevent material from leaking in the future.

Facility shall not load or unload any ~~Raw Rendering Hard~~ Material outside of the Enclosure.

Facility shall keep records, in the form of weight tickets from the Facility scale, of the inbound and outbound material to demonstrate compliance with applicable ~~Raw Hard Rendering~~ Material Enclosure storage limits. The records shall be made readily available during any inspection or upon any request from South Coast AQMD personnel.

Facility shall send the previous month's material records to South Coast AQMD (Attn: Paolo Longoni at plongoni@aqmd.gov) within 10 calendar days of the previous month.

~~If odors from this facility are detected beyond the property line by South Coast AQMD compliance staff as defined in Rule 415 (c)(4), Executive officer shall require facility to undertake some or all of the following additional mitigation measures or other measures deemed necessary including but not limited to;~~

Odor Detection. If an odor is detected at or beyond the property line of the Facility by South Coast AQMD personnel and/or site staff, Baker shall complete the odor determination and remedial steps listed in its "Odor Response Plan" for "Response for Unknown Odors or General Complaints" within 2 hours of when Baker first noticed or is notified of such odor. If Baker is closed (that is, no staff is on-site) at the time of notification, Baker shall complete such steps within 6 hours. If the sources were identified as related to the collection center or transloading operations, and after remedial measures are taken an odor is still detected at or beyond the property line of the Facility, Baker shall take additional remedial measures as reasonably requested by the South Coast AQMD personnel, but *not* including immediately foregoing receipt of additional materials for collection or removal of existing materials within 3 hours unless under the circumstances of subpart 'a' below.

a) if the District issues a Notice of Violation to the Facility related to receiving Hard Material after odor complaints, for the next 30 calendar days after such issuance, the additional remedial measures that may be reasonably requested by the South Coast AQMD personnel *may include* immediately foregoing receipt of additional materials for collection or removal of existing materials within 3 hours.

Odor Log. If South Coast AQMD personnel and/or on-site staff detect odors at or beyond the property line of the Facility, Baker shall keep a contemporaneous daily log of those odors and any remedial measure(s) taken. Such records shall be available to South Coast AQMD staff upon request.