

RESPONDENT'S REQUEST FOR
MODIFICATION OF AN EXISTING ORDER FOR ABATEMENT
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

SOUTH COAST AQMD
CLERK OF THE BOARD
2024 APR 18 PM 12:33

RESPONDENT: Baker Commodities, Inc.

CASE NO: 6223-1

FACILITY ID: 800016

FACILITY ADDRESS (where the violation is occurring): 4020 Bandini Blvd.

CITY, STATE, ZIP: Vernon, CA 90058

1. TYPE OF MODIFICATION REQUESTED

- (a) **EXTENSION OF A FINAL COMPLIANCE DATE:** If you are operating under an existing Order for Abatement and will not be in full compliance by the final compliance date, you may request an extension of the ending date. **A petition requesting such an extension must be filed at least 21 days prior to the existing ending date in order to meet the legal notice requirement.** (Hearing will be held approximately 21 days from date of filing--10-day published notice required.)
- (b) **MODIFICATION OF CONDITIONS:** If you are unable to comply with one or more conditions of an existing Order for Abatement, you may request a modification of conditions. (Hearing will be held approximately 21 days from date of filing--10-day published notice required)
- (c) **OTHER:** Specify Baker requests to amend the June 21, 2023 Modified Order for Abatement to allow Baker to conduct collections/transloading operations as described in Attachment 1.

2. CONTACT: Name, title, company, address and phone number of person(s) authorized to receive notices regarding this Petition (no more than two authorized persons).

Jeff Wilson, Vice President and General Counsel

George Gigounas

Baker Commodities, Inc.

DLA Piper LLP

4020 Bandini Blvd.

555 Mission Street, Suite 2400

Vernon, CA Zip 90058

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Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.

If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

3. List the equipment and/or activity that are the subject of this request, if different from the existing order. **(You must attach a copy of last Minute Order and Findings and Decision regarding this Order for Abatement)**

Equipment/Activity	RECLAIM Device No.	Application/Permit No.
Please refer to Attachment 1 for a complete description of Baker's request for modification.		

4. If you are seeking to extend your final compliance date, what date are you requesting? N/A
5. If you are unable to comply with any conditions or compliance dates in the existing Order for Abatement, identify each condition or date, and explain why you cannot comply.

Please refer to Attachment 1 for a complete description of Baker's request for modification.

6. Describe each new condition or compliance date you are proposing for the Order for Abatement. Include any dates, time periods, or other specific changes to the Order for Abatement that you are requesting.

Please refer to Attachment 1 for a complete description of Baker's request for modification.

7. Is it necessary to obtain permits, reviews, approvals, etc. from any other public agency before compliance with this order can be achieved? Yes No

If you answered yes, for each approval needed: list the full name of the agency, the type of permit and/or approval required, the expected timetable, and whether the agency has a provision or statute allowing for expedited review.

8. Explain the steps taken since the last hearing to achieve compliance, including how you have met each of your existing conditions.

Please refer to Attachment 1 for a complete description of Baker's request for modification. Please also refer to the August 15, 2023 Status Report for further description of compliance with the June 21, 2023 Modified Order for Abatement.

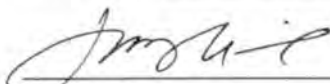
9. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six (6) months? Yes No

Date of Complaint	Number of Complainant(s)	Nature of Complaint

10. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning the subject equipment or activity since the last hearing? Yes No If yes, you must attach a copy of each notice.

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on April 17, 2024, at Vernon, California


Signature

Jeff Wilson
Print Name

Vice President and General Counsel
Title

SMALL BUSINESS: To be eligible for reduced fees (see District Rule 303), you must complete the following.

Declaration Regarding Small Business

1. I am an officer, partner or owner of the petitioner herein, or a duly authorized agent of the petitioner authorized to make the representations set forth herein.
2. The petitioner is a business that meets the following definition of Small Business as set forth in District Rule 102:

SMALL BUSINESS means a business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of both concerns shall meet these criteria:

- (a) the number of employees is 10 or less; **AND**
- (b) the total gross annual receipts are \$500,000 or less or
- (c) not-for-profit training center.

3. Therefore, I believe the petitioner qualifies as a small business for purpose of filing fees and excess emission fee calculations, in accordance with Rule 303.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at _____, California

Signature

Print Name

Position with Company

ATTACHMENT 1

1 **DLA PIPER LLP (US)**
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17 Attorneys for Respondent
18 BAKER COMMODITIES, INC.

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**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.,

Respondent.

Case No. 6223-1

**RESPONDENT BAKER COMMODITIES
INC.'S REQUEST TO MODIFY THE
JUNE 21, 2023 MODIFIED ORDER FOR
ABATEMENT**

1 **I. INTRODUCTION**

2 Respondent Baker Commodities, Inc., requests that the South Coast Air Quality
3 Management District Hearing Board amend the June 21, 2023 Modified Order for Abatement to
4 (i) reflect that Baker will cease rendering operations at its Facility located at 4020 Bandini
5 Boulevard, Vernon, CA and (ii) allow the Facility, subject to certain improvements being
6 constructed, to operate as a collection center for the receipt and short-term storage of raw
7 rendering material within a Permanent Total Enclosure before transportation of the material
8 offsite to a licensed rendering or processing facility.

9 On September 29, 2022, the Hearing Board's Original Order shut down Baker
10 Commodities, Inc.'s rendering and restaurant trap grease operations and corresponding
11 wastewater treatment at its Vernon Facility. Since then, no rendering or other hard material
12 operations have occurred at the Facility. On April 19, 2023, as memorialized in the June 21,
13 2023 written order, the Hearing Board approved a modification of the Original Order allowing
14 Baker to resume its restaurant trap grease and wastewater processing operations, which allows
15 Baker to minimally serve its customers and bring minimal revenue in to pay its employees and
16 overhead. For over eighteen months, Baker has struggled to continue employing as much of its
17 loyal staff as possible with the revenue coming in, while sustaining substantial monthly losses.
18 Baker has been working in good faith with the South Coast Air Quality Management District to
19 resolve the District's relevant Notices of Violations (which Baker contests¹) so that it may
20 resume operations and save its business.

21 Baker has decided to cease its rendering operation in Vernon entirely. Yet, the economic
22 and environmental need for rendering services from butcher and animal processing businesses is
23 greater than ever. Since the Hearing Board's Original Order shut down Baker's rendering
24 operation, there is now *only one* facility in Southern California that performs the critical
25 rendering services needed by the State's food services businesses.

26 _____
27 ¹ Baker filed a Petition for Writ of Mandate and Complaint on October 5, 2022, challenging the
28 issuance of the Original Order. Baker reserves its rights under the Petition/Complaint, and any
other rights or claims, and waives no positions, rights, or claims, by its compliance with the
Original Order, Modified Order, or its request for a Second Modified Order.

1 To avoid shuttering its business and terminating all employees, and because the need for
2 rendering services in California is substantial and remains unmet, Baker plans to modify its
3 Vernon Facility—including major capital improvements and operational changes, such as an
4 improved and expanded Permanent Total Enclosure for hard material—to provide only
5 *transloading*, i.e., gathering hard material and trucking it to other rendering facilities outside the
6 area. In this way, Baker can avoid rendering in Vernon but still meet the needs of its Southern
7 California businesses customers and remain an employer in the community.

8 Baker requests that the Hearing Board amend the June 21, 2023 Modified Order for
9 Abatement to reflect that Baker will cease rendering operations at the Facility and instead allow
10 for operation as a collection center for transloading. Baker proposes to begin transloading
11 operations in addition to its existing used cooking oil and trap grease recycling and associated
12 wastewater operations.

13 Immediately beginning transloading operations within its existing PTE will allow Baker
14 to fulfill the critically important need for rendering operations within the larger community and
15 the West Coast. It will also balance community and District concerns to minimize odorous
16 operations, prevent Baker's business losses from becoming irretrievable, and preserve the
17 livelihood of many of its employees, the majority of whom are union members. In this Second
18 Request to Modify, Baker offers a comprehensive proposal for its transloading operations that
19 includes significant capital and operational improvements, satisfying contested issues
20 underlying the Original and First Modified Orders, and ensuring the Facility continues to
21 operate in accordance with District Rules.

22 Baker asks the Hearing Board to approve this Second Request to Modify and adopt the
23 enclosed Proposed Findings and Decision that removes the condition that "Respondent shall
24 stop receiving raw rendering materials" at the Facility.

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1 **II. THE FACILITY WOULD CONDUCT TRANSLOADING OPERATIONS AND**
2 **IMPLEMENT CAPITAL AND OPERATIONAL IMPROVEMENTS.**

3 The Hearing Board's September 29, 2022 Original Order shut down Baker's rendering
4 and restaurant trap grease operations and corresponding wastewater treatment at the Facility. On
5 October 5, 2022, Baker filed a Petition for Writ of Mandate and Complaint challenging the
6 issuance of the Original Order, which is currently pending in Los Angeles Superior Court.² The
7 Hearing Board approved a modification of its Original Order on April 19, 2023 to allow Baker
8 to resume its restaurant trap grease and wastewater processing operations, and issued written
9 Findings and Decision on June 21, 2023.

10 As requested here, Baker would begin transloading operations, make significant capital
11 and operational improvements as discussed in detail below (and as requested by the District),
12 and, upon completion of those improvements, Baker proposes that the Second Modified Order
13 would terminate. In so doing, Baker hopes to recover and service some portion of its customer
14 base at *other* rendering facilities while maintaining most of its employees and longstanding
15 business presence in the community.

16 Attached as **Exhibit A** is a Facility Figure identifying the key features discussed below
17 and the details of the proposed modification are as follows:

18 **A. Transloading Operations Procedures**

19 Baker proposes to begin transloading/collection operations at the Facility promptly after
20 the Hearing Board's approval of a Second Modified Order lifting the condition that no raw
21 rendering materials are allowed onsite. In full compliance with District Rules, Baker would
22 bring inedible fat and bone material to the Facility in covered trucks, unload it within the raw
23 material receiving area PTE, load it onto covered trucks within the PTE, and then send it offsite
24 to other facilities for rendering. No rendering operations would occur at the Facility and all
25

26 ² That Petition/Complaint protects and asserts Baker's legal positions regarding the Original
27 Order, while Baker concurrently seeks to comply with District and Hearing Board rulings and
28 orders at the Facility. Baker therefore reserves its rights under the Petition/Complaint, and any
other rights or claims, and waives no positions, rights, or claims, by its compliance with the
Original Order, Modified Order, or its request for a Second Modified Order.

1 transloading operations would occur within the PTE. Baker has developed Standard Operating
2 Procedures (SOPs) for its transloading operations, which would be strictly adhered to and are
3 attached as **Exhibit B**.

4 **B. Extension of PTE**

5 While Baker would immediately begin transloading operations within the existing raw
6 material receiving area PTE, it will also promptly extend this area to allow for additional room
7 to pull its trucks within the enclosure. The PTE extension is identified on the Facility Figure,
8 **Exhibit A**. At the District's request Baker has already submitted a permit application and paid
9 the required fees to extend the enclosure and will apply for any other permits that may be
10 necessary to construct the extension within 30 days of the effective date of the Second Modified
11 Order, if not sooner. Upon the District's full permit approval and receipt of other approval(s)
12 that may be necessary from other governmental entities to construct each of the PTE extension,
13 Baker anticipates it will complete construction of the PTE extension within 90 days.

14 Construction of the extension can occur while the Facility has begun its transloading
15 operations because it will impact only one side of the existing PTE receiving area. The
16 extension will be constructed while the existing walls remain intact. Once the new enclosure is
17 complete, a portion of the former exterior wall (now interior wall) will be removed.

18 **C. Construction of Three New Enclosures Requested by the District**

19 Baker will construct three new enclosures as requested by the District over the locations
20 of which are identified in **Exhibit A**, including over the (i) grease pit trash area, (ii) J&M
21 skimmer trash bin, and (iii) Centrisys trash bin. The Device ID Numbers related to these
22 enclosures and photographs of each feature are set forth in **Exhibit C**.

23 At the District's request, Baker has already submitted its permit applications and paid the
24 required fees to construct these three capital improvement enclosures. Baker will apply for any
25 other permits that may be necessary to construct such features within 30 days of the effective
26 date of the Second Modified Order, if not sooner. The District has indicated it will expedite
27 permitting approval processes as much as possible. Upon the District's full permit approval and
28 receipt of any other approval(s) from other governmental entities to construct each of the three

1 features, Baker anticipates it will complete construction of these three features within 30 days.

2 Baker will notify the District when construction is complete for each of the three new
3 capital improvements. If Baker has not completed construction within 90 days of receipt of all
4 permits necessary to construct, Baker will cease its collection operations, unless otherwise
5 agreed with the District, and shall notify the District. Unless otherwise agreed with the District,
6 Baker may submit a request for extension to the Hearing Board. Baker will suspend collection
7 operations until such enclosures are complete or until the Hearing Board has approved its
8 request for extension of time.

9 **D. Additional Operational Improvements**

10 Baker has made additional commitments to enhance Facility operations, as follows:

- 11 1. Water-Bearing Waste Offloading and Containment SOP: Enforced requirement
12 that "sludge" or water-bearing waste receptacles throughout the Facility remain covered or
13 within an enclosure when not being filled or unfilled. Baker will comply with SOP for
14 offloading and containment of such material as set forth in **Exhibit D** and will implement
15 immediately upon beginning its transloading operations.
- 16 2. Housekeeping SOP: One employee on each operating shift will be dedicated to
17 addressing housekeeping issues. Baker will comply with Housekeeping SOP as set forth in
18 **Exhibit E** and will implement immediately upon beginning its transloading operations.
- 19 3. Environmental Compliance Specialist position: Maintenance of one full time ECS
20 employee, with the scope of work attached in **Exhibit F**. Baker has already retained an
21 environmental compliance specialist employee and will commit to maintaining this position
22 upon beginning Transloading Operations.
- 23 4. Odor Response Plan: Implementation of an Odor Response Plan as set forth in
24 **Exhibit G**.
- 25 5. Cease Use of the Open-Air Pit: Baker shall not use the Open-Air Pit to store any
26 "sludge" or water-bearing waste generated from the Facility unless such water-bearing waste is
27 in an enclosure, covered container, or within a closed system. Baker agrees this shall be a
28 permanent limitation on the use of the Open-Air Pit as a condition in its operating permit.

1 6. Cease Use of the Star Dock Area: Baker shall not use the area on the far west of
2 portion of the property, near the grease dock, known as the "star dock area" to receive raw
3 rendering materials, including butcher trimmings. Baker agrees to have this permanent
4 prohibition on the use of the star dock area to receive raw rendering materials as a condition in
5 its operating permit.

6 7. Submit Permit Applications to Cease Rendering: Baker will submit permit
7 applications to inactivate its permits associated with rendering operations within 7 days of the
8 effective date of the Second Modified Order, if not sooner.

9 **III. PROPOSED FINDINGS AND DECISION OF THE HEARING BOARD**

10 Baker requests that the Hearing Board issue a Second Modified Order that is consistent
11 with the Proposed Findings and Decision as set forth in **Exhibit H**.

12 **IV. TIMEFRAME**

13 Baker requests that the Hearing Board set a hearing on this matter at the earliest possible
14 date available.

15 **V. TERMINATION OF THE SECOND MODIFIED ORDER:**

16 Baker proposes that the Second Modified Order terminate following the completion and
17 operation of the three new capital improvements detailed under Section II.C above. Baker will
18 notify the Clerk of the Hearing Board and the District of final compliance, within 7 calendar
19 days of achieving final compliance. The District will confirm final compliance in writing within
20 14 days of Respondent's notification, and the Second Modified Order would automatically
21 terminate following District's written approval of Baker's final compliance.

22 In addition to the capital improvements, Baker commits to continue to implement its
23 operational improvements while conducting transloading operations in addition to used cooking
24 oil and trap grease recycling and associated wastewater operations.

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1 **VI. COMPLIANCE UPDATE ADDRESSING MODIFIED ORDER CONDITION 6**

2 Setting aside and reserving the parties' dispute whether these issues constitute
3 violations, Baker's proposal has addressed each of the items under Condition 6 of the Original
4 Order and Modified Order as follows:

5 **Modified Order Attachment A, Condition 6:**

- 6 a. **Wastewater equipment or operations that are not within a permanent total enclosure or within a closed system:**
- 7 i. **Open-air pit:** Baker stopped using the open-air pit upon issuance of the Original
8 Order and will commit to not use the area to store any "sludge" or water-bearing
9 waste generated from the Facility unless such water-bearing waste is in an
10 enclosure, covered container, or within a closed system.
- 11 ii. **Wastewater operations that are associated with grease processing beginning
12 with the screw conveyor and ending with the Open-Air Pit:** Baker has enclosed
13 its wastewater operations or maintains them within a closed system.
- 14 iii. **Water-bearing waste / sludge handling:** Baker will maintain all water-bearing
15 waste, or "sludge," within receptacles that are either covered, closed, or within a
16 closed system or enclosure when such receptacles are not being loaded or
17 unloaded.
- 18 iv. **Process from centrifuge to Open-Air Pit:** Baker will maintain all "sludge" or
19 water-bearing materials within closed containers, a closed system, or an enclosure.
- 20 b. **Rendering equipment or operations that are not within a permanent total enclosure or within a closed system:**
- 21 i. **Receipt of butcher trimmings:** Baker does not and will continue to not receive
22 butcher trimmings at the Star Dock area. The materials received for transloading
23 will occur within the PTE.
- 24 ii. **Conveyors:** All conveyors that are not within PTE will be closed. Baker's
25 commitment to maintaining one employee on all shifts focused on housekeeping
26 issues will address any potential ongoing concerns related to the conveyors.
- 27 iii. **Raw Material Grinders:** Item is no longer applicable given Baker will not
28 continue rendering operations.
- iv. **Access door to magnet:** Baker will add a kill switch to the loading screws so that
if door or magnet is open, operations cannot continue until the door is closed.
Baker's commitment to maintaining one employee on all shifts focused on
housekeeping issues will address any potential ongoing concerns related to the
conveyors.
- v. **Presses:** Item is no longer applicable given Baker will not continue rendering
operations.
- vi. **Clay press:** Item is no longer applicable given Baker will not continue rendering
operations.

- 1 vii. **Trough outside of Plant 1:** The trough outside of Plant 1 must be used for
2 stormwater drainage under Baker's stormwater permit, and therefore cannot be
3 closed. Baker has installed new drainage within the enclosure just inside the roll up
4 doors to prevent any water escaping the enclosure. This wastewater is now directed
5 to a sump pump within the enclosure.
6
- 7 viii. **Trough leading from Open-Air Pit to a sump:** The trough leading to the open-
8 air pit must be used for stormwater drainage under Baker's stormwater permit and
9 therefore cannot be closed. Because the open-air pit will not be used to store water-
10 bearing waste that is not in a closed container, an enclosure or a closed system, the
11 District's concern with runoff to the trough will be addressed.

12 Again, Baker's employee dedicated to housekeeping duties will be available on each
13 operating shift to ensure odors and potential odor sources are addressed. Baker's environmental
14 compliance specialist will also provide strategic support to ensure training and implementation
15 occur for each of the issues described above and to address any problems that may arise. Last,
16 the odor response plan will be ready for implementation should an odor event occur.

17 **VII. CONCLUSION**

18 Baker respectfully requests that the Hearing Board immediately set a hearing date,
19 publish the public notice, and modify the conditions of the Modified Order as set forth above.

20 Dated: April 17, 2024

DLA PIPER LLP (US)

21 By: 

22 ANGELA Q. AGRUSA

23 GEORGE GIGOUNAS

24 CAROLINE LEE

25 Attorneys for BAKER COMMODITIES, INC.

EXHIBIT A

**Baker Commodities – LA Division
Figure of Facility Identifying Key Features**

November 2023

EXHIBIT B

Baker Commodities – LA Division

Transloading Standard Operating Procedure

April 2024

PURPOSE

To describe the Transloading Operations SOP for collection and transloading Hard Material at the Baker Commodities facility at 4020 Bandini Blvd., Vernon, CA ("the Facility").

SOP DEFINITIONS

"Hard Material" – Consists of 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.

"Raw Material Enclosure" – The building enclosure which covers the pit and the slab where Hard Material is offloaded from transport vehicles. This is part of the Main Plant (C402).

"Collection Operations" – The temporary storage of Hard Material at the Facility prior to the transportation to a licensed rendering plant or pet food processor.

GENERAL CONDITIONS

- 1) Baker shall store a maximum of 200,000 lbs. of Hard Material in its Raw Material Enclosure prior to completion of the enclosure extension. After the enclosure extension is permitted and construction is completed, the total maximum capacity shall be 400,000 lbs. No other raw material shall be stored in the Raw Material Enclosure.
- 2) Baker shall only receive, store, and load Hard Material in the Raw Material Enclosure.
- 3) Baker shall not load or unload any Hard Material outside of the Raw Material Enclosure.
- 4) Baker shall typically receive Hard Material between 6 a.m. and 10 p.m. but may also receive Hard Material after hours.
- 5) No long-term storage of Hard Material shall occur at the Facility.
- 6) Notwithstanding any additional conditions, below, the following minimum conditions shall be met:
 - a. Transport vehicles delivering Hard Material to the Facility from offsite locations shall not be permitted past the first point of contact for incoming trucks at the Facility unless the cargo area of the vehicle is completely enclosed or fully tarped. All drivers, whether Baker's drivers or third-party drivers, shall transport Hard Material within the Facility in completely covered or enclosed cargo areas, including while exiting the Facility.
 - b. Baker shall ensure incoming Hard Material remains completely enclosed or fully tarped in a transport vehicle's cargo area or is transferred into the Raw Material Enclosure or into covered containers within 60 minutes after the end of material delivery.
 - c. 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 Facility.
 - d. Open drums or containers holding Hard Materials, if any, shall be washed prior to leaving the Facility.

Baker Commodities – LA Division Transloading Standard Operating Procedure

April 2024

- e. Walls, floors, and other surfaces of the Raw Material Enclosure shall be thoroughly washed to remove animal matter on a regular basis when such surfaces are not occupied by Hard Material or in use.
 - f. Accessible interior and exterior floor drains shall be inspected and cleaned not less frequently than once per month to remove accumulation of rendering materials.
- 7) 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.
 - 8) If Hard Material is discovered to have escaped from the Raw Material Enclosure to the exterior, Baker shall promptly clean up such material upon discovery, investigate how such material escaped, and take corrective action to prevent Hard Material from escaping in the future.
 - 9) Baker shall keep a signed log of any drivers turned away for not covering the cargo area containing Hard Material and provide this log to the South Coast AQMD upon request.
 - 10) Baker will perform housekeeping of the Raw Material Enclosure in accordance with the Housekeeping SOP.
 - 11) Baker shall keep records, in the form of weight tickets from the Facility scale, of the inbound and outbound material, to demonstrate compliance with General Condition No. 1, above. The records shall be made readily available during any inspection by or upon any request from South Coast AQMD personnel but shall be maintained by South Coast AQMD and Baker as confidential business information.
 - 12) 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, for a total period of three months at which time this obligation shall terminate.
 - 13) Baker shall notify South Coast AQMD (Attn: Paolo Longoni at plongoni@aqmd.gov) no less than three calendar days prior to starting collections operations.

HARD MATERIAL PICKUP: In addition to the above minimum requirements, the following requirements shall apply to Hard Material Pickup.

- 1) Any incoming Hard Material shall be transferred into the Raw Material Enclosure as soon as possible after passing the guard shack.
- 2) Baker anticipates receiving not more than 15 Hard Material truck load volumes per day, except in emergency situations.
- 3) No long-term storage of Hard Material will occur at the Facility.
- 4) After entering the Facility, all transport vehicles carrying Hard Material shall be taken to the certified scale at the Facility and weighed, and they may also be cleaned, fueled, repaired, or other actions may be taken.
- 5) The transport vehicles carrying Hard Material shall be taken directly from the scale to the Raw Material Enclosure or parking lot for staging before entering the Raw Material Enclosure for offloading into the Hard Material pit that is also within the Raw Material Enclosure, in accordance with the offloading SOP described below.
- 6) All transport vehicles carrying Hard Material shall remain completely enclosed or fully tarped or within an enclosure while at the Facility.

Baker Commodities – LA Division Transloading Standard Operating Procedure

April 2024

- 7) All transport vehicles owned by Baker shall go through regular inspections per DOT regulations and receive regular preventive maintenance to ensure they are road-worthy and appropriate to transport Hard Material.
- 8) The cargo area of each transport vehicle used to deliver the material into the Raw Material Enclosure shall be washed prior to leaving the enclosure.
- 9) The transport vehicles' exterior shall be washed bi-weekly in a designated area of the Facility for the purpose of removing any residual waste and ensuring they are clean.
- 10) The empty transport vehicles will generally be parked overnight and on weekends at the Facility but may be parked across the street or at an offsite facility as needed.

HARD MATERIAL OFFLOADING: In addition to the above minimum requirements, the following requirements shall apply to Hard Material Offloading.

- 1) To offload transport vehicles carrying Hard Material, an employee shall open the rollup door to the Raw Material Enclosure to allow the transport vehicle carrying Hard Material into the enclosure. As soon the rollup door begins to open, the enclosure's air curtain shall automatically activate.
- 2) The employee offloading the transport vehicles shall deposit the Hard Material either directly to the pit or onto the ground within the Raw Material Enclosure. The Hard Material pit area shall be sloped toward drains as appropriate to capture any liquids that spill within the Raw Material Enclosure. The sumps collect and pump the liquid through a closed system to the water treatment plant, for further treatment.
- 3) After emptying the transport vehicle carrying Hard Material, the employee shall rinse the transport vehicle with water to wash off any excess Hard Material into the Raw Material Enclosure, drive the transport vehicle out of the enclosure, and close the rollup door to the enclosure.
- 4) Within the Raw Material Enclosure, employees shall use loaders to push the Hard Material into position for loading.

HARD MATERIAL LOADING: In addition to the above minimum requirements, the following requirements shall apply to Hard Material Loading.

- 1) Based on receiving 1-15 truck load volumes of Hard Material per day, the Facility anticipates loading 0 to 10 trailers per day with Hard Material for offsite delivery and processing.
- 2) The cargo area of each transport vehicle carrying loaded material out must be completely covered or enclosed prior to exiting the Raw Material Enclosure.
- 3) To load a trailer for offsite delivery and processing, an employee shall open the rollup door to the Raw Material Enclosure and back the empty trailer into the enclosure. As soon the rollup door begins to open, the enclosure's air curtain shall automatically activate.
- 4) Once inside the Raw Material Enclosure, an employee shall activate loading screws (after such screws are permitted and installed as per District permitting requirements) from the Hard Material pit over the top of the trailer being loaded and fill the trailer with Hard Material.
- 5) In the event the screw system is not operable or not yet permitted, an employee shall use a loader or clam shell to lift Hard Material into the trailer being loaded within the Raw Material Enclosure.

Baker Commodities – LA Division
Transloading Standard Operating Procedure

April 2024

- 6) Once the trailer is loaded, the employees shall cover the trailer, drive the loaded trailer out of the Raw Material Enclosure, and close the rollup door.

ODOR CONTROL MEASURES: In addition to the above minimum requirements, the following requirements shall apply to Odor Control Measures.

- 1) The Hard Material shall be contained within enclosed or covered transport vehicles or the Raw Material Enclosure at all times when at the Facility.
- 2) Spills outside of the Raw Material Enclosure are unlikely given the transport vehicles shall always be covered or closed. Any accidental spills of Hard Material shall be cleaned up immediately upon discovery. Depending on the size of the spill, employees can pick up and clean the spill by hand, a loader can be used to pick up and transport large Hard Material spills to within the Raw Material Enclosure, and a wash truck housed at the Facility can be driven to the spill site to spray down and clean exposed driving surfaces.
- 3) All employees have been or shall be trained on best practices (no later than 15 calendar days after the effective date of the modified order and thereafter, 15 calendar days after starting employment at Baker) for keeping the Facility clean. Baker shall maintain a log of the names of employees who have been trained and the dates of the training. Baker shall update this log each day there is a training and shall provide this log upon request. These best practices include regular washdowns of equipment that comes into contact with Hard Material and travels outside of an enclosure.
- 4) In the event of an odor complaint, the Odor Response Plan—that is, the entire actions listed in Table 1--shall be implemented and notice shall be given in writing to South Coast AQMD (at plongoni@aqmd.gov) when the odor complaint was received and when the Odor Response Plan actions were completed.

EXHIBIT C

**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

1. Grease Pit Trash Bin Area

Plan to tie the grease pit trash area enclosure into the existing water plant scrubber.

SCAQMD Description: WWTP Receiving Pit, Liquid Receiving, Waste Water

Device ID No.: D328 and D329

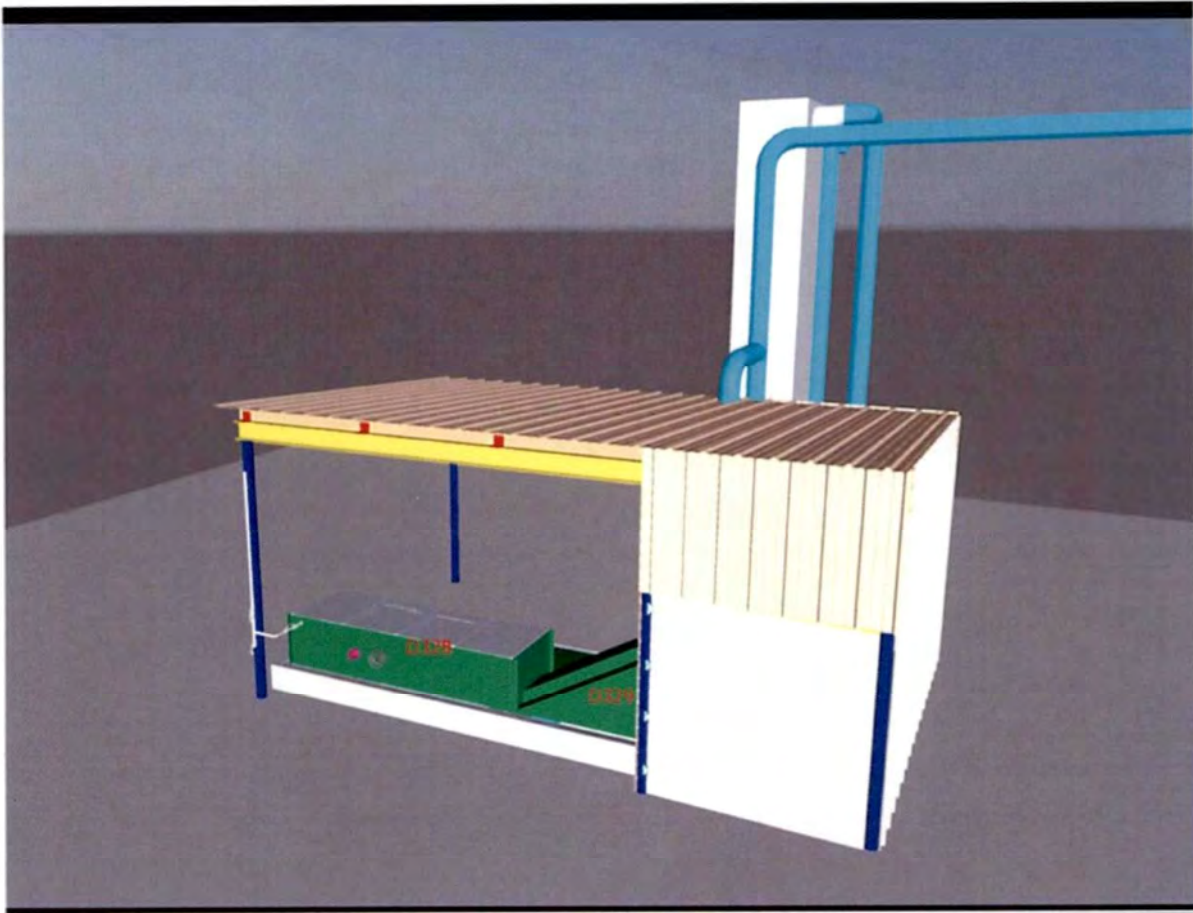
Current photographs of area:



**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

Depiction of New Enclosure:



**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

2. J&M Skimmer Trash Bin

Trap grease skimmer collects grease to put into bins.

SQAQMD Description: J&M Skimmer, Clarifier, Catch Basin

Device ID No.: D269

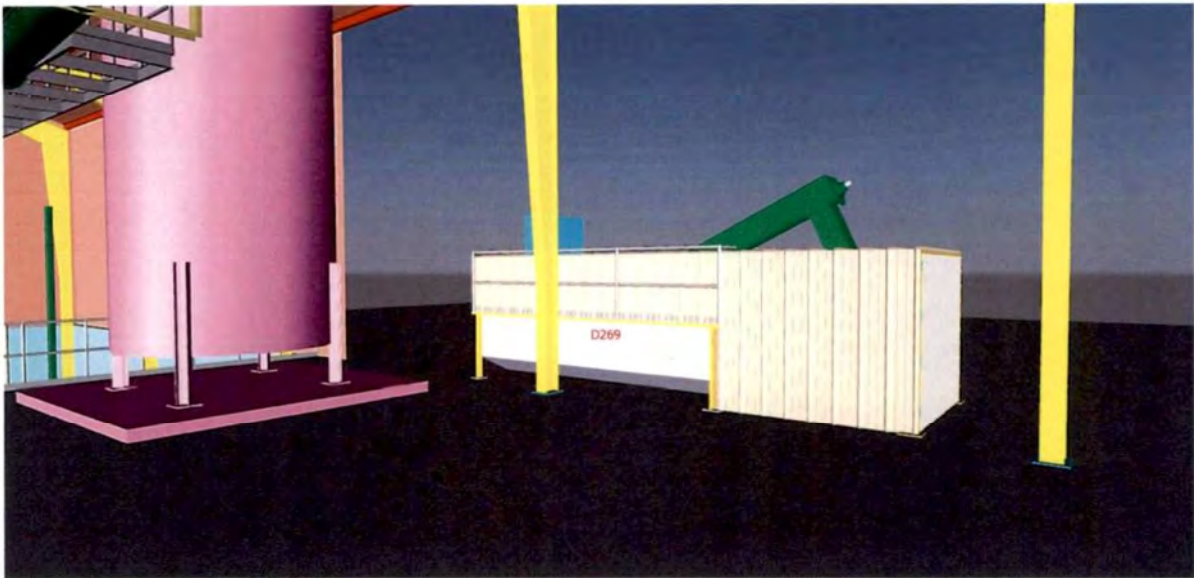
Current photographs of area:



**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

Depiction of New Enclosure:



**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

3. Centrisys Trash Bin

Collects sludge/trash from the Centrisys. Will tie the Centrisys trash area into the existing after-burner at onsite.

SCAQMD Description: Centrisys, Centrifuge, Horizontal Drum

Device ID No.: D368 and D369

Current photographs of area:



**Baker Commodities – LA Division
New Enclosure Photographs and Device ID Nos.**

April 2024

Depiction of New Enclosure:

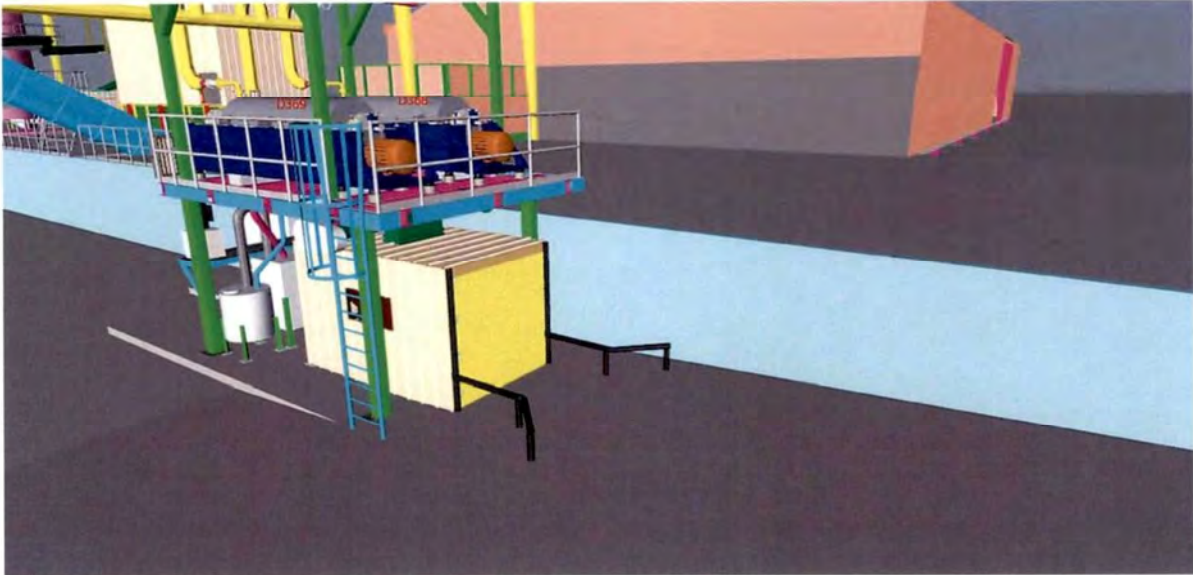


EXHIBIT D

Baker Commodities - LA Division
Sludge Offloading and Containment
Standard Operating Procedure

April 2024

PURPOSE

To describe the Sludge Offloading and Containment SOP for disposing of and storing Sludge at the Baker Commodities facility at 4020 Bandini Blvd., Vernon, CA ("the Facility").

SOP DEFINITIONS

"Sludge" –water-bearing solids produced at the Facility during operations that are disposed of.

"Roll Off Bin" – 20' to 40' covered, or maintained within an enclosure, rolling bin provided to Baker by an outside trash company to store Sludge before it is hauled away offsite for disposal.

"Baker Bin" – Baker-owned closeable containers used to catch and collect Sludge from Operating Equipment.

"Operating Equipment" –The Operating Equipment related to this SOP includes the Centrisys, the J&M skimmer, and the Water Plant.

"Baker Bin Enclosures" – Small metal enclosures attached to the Centrisys, the J&M skimmer, and the Water Plant equipment that house the Baker Bins for each piece of Operating Equipment and have an access door to be used when checking on and removing the Baker Bins to be emptied.

USE AND HANDLING OF THE BAKER BINS

1. Sludge handling in general
 - i. The employee shall take the full, covered Baker Bin to a Roll Off Bin, shall open the cover on the Baker Bin and the cover on the Roll Off Bin, and empty the contents from the Baker Bin to the Roll Off Bin.
 - ii. After a Baker Bin is emptied into a Roll Off Bin, an employee shall immediately place a cover securely on the Baker Bin and on the Roll Off Bin and return the Baker Bin to its previous location in or near the Operating Equipment.
2. Sludge handling prior to the construction of the Baker Bin enclosures
 - i. Sludge shall be collected in covered bins. Sludge shall be dropped into the bin through an enclosed path.
3. Sludge from the Operating Equipment shall be discharged into a Baker Bin within a Bin Enclosure on a continual basis while the Operating Equipment is in use. The access doors to the Baker Bin Enclosures shall be kept closed unless the Baker Bins are being checked or removed because they are full, or for other maintenance, repair, or emergency situations (which such emergency situations exclude storage emergencies).
4. A dedicated employee shall periodically check the level of Sludge in the Baker Bins to determine when they should be removed and emptied. How often the Baker Bins must be checked or emptied will depend on how much Sludge is in the product being processed through the Operating Equipment.
5. When a Baker Bin is full, a dedicated employee shall open the access door to the Bin Enclosure and place a cover securely on the Baker Bin so that it remains closed.
6. The employee shall then remove the covered Baker Bin from the Bin Enclosure with a forklift.

Baker Commodities - LA Division
Sludge Offloading and Containment
Standard Operating Procedure

April 2024

7. After the full Baker Bin has been removed, the employee shall then either immediately replace the full Baker Bin with an empty Baker Bin and close the access door, or if the Operating Equipment is turned off, the employee shall close the access door and insert an empty Baker Bin in the Bin Enclosure later, but before the Operating Equipment is restarted.
8. The employee shall take the full, covered Baker Bin to a Roll Off Bin, shall open the cover on the Baker Bin and the cover on the Roll Off Bin, and empty the contents from the Baker Bin to the Roll Off Bin.
9. After a Baker Bin is emptied into a Roll Off Bin, an employee shall immediately place a cover securely on the Baker Bin and on the Roll Off Bin and return the Baker Bin to its previous location in or near the Operating Equipment.
10. Any Sludge that is spilled within a Baker Bin enclosure shall be 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 a Baker Bin Enclosure shall be washed and cleaned immediately upon discovery.

USE AND HANDLING OF THE ROLL OFF BINS

1. All Roll Off Bins shall remain covered with a cover or placed within the Raw Material Enclosure, unless they are being loaded with Sludge or being taken offsite by the outside trash company. Baker shall specifically instruct the trash company to also maintain the cover on the Roll Off Bin.
2. When emptying a full Baker Bin into a Roll Off Bin, an employee shall open the cover of the Roll Off Bin and the Baker Bin and immediately dump the Sludge from the Baker Bin into the Roll Off Bin.
3. After transferring the Sludge to the Roll Off Bin, the employee shall immediately close the cover of the Roll Off Bin and Baker Bin and check for any spills.
4. If a spill is spotted on or around the outside of the Baker Bin or Roll Off Bin, an employee shall immediately clean up the spill upon discovery of the spill.
5. Any bin which may have developed cracks or leaks shall be taken out of service until repairs have been performed.
6. As soon as a Roll Off Bin is nearly full, an employee shall contact the outside trash company to come pick up the Roll Off Bin.
7. After they arrive at the Facility, the outside trash company will check in at the guard shack and then drive to where the Roll Off Bins are kept.
8. The outside trash company will pick up the full Roll Off Bin, drive it to the scale at the Facility, weigh it, and then haul it offsite to be emptied.
9. After emptying a Roll Off Bin offsite, the outside trash company will haul the empty Roll Off Bin to the Facility, check in at the guard shack, drive to where the Roll Off Bins are kept, and drop off the empty Roll Off Bin.
10. The number of times a full Roll Off Bin must be hauled away by the outside trash company to be emptied offsite will depend on the amount of Sludge being produced.
11. If a Roll Off Bin is not available for depositing Sludge, then activities that generate Sludge shall cease until a Roll Off Bin with capacity is available.

EXHIBIT E

Baker Commodities - LA Division

Housekeeping Standard Operating Procedure

April 2024

PURPOSE

This Housekeeping SOP outlines the standard procedures for housekeeping at the Baker Commodities facility located at 4020 Bandini Blvd., Vernon, CA ("the Facility").

One housekeeping employee shall be on duty at all times while transloading operations or trap grease operations occur. The housekeeping employee shall inspect the following operations at least once per day:

- i. Raw Material Enclosure
- ii. Water Plant operation
- iii. Centrisys
- iv. J&M Skimmer

1. **Raw Material Enclosure:** At least once per day, the housekeeping employee shall check the following items in the Raw Material Enclosure for cleanliness, proper seals, leaks, spills, and to ensure that the equipment is functioning properly, and record each inspection on a daily log. The housekeeping employee shall also clean out the wash down drains, and sump pumps listed below at least once per day and record each cleanout on a daily log. If the housekeeping employee finds any spills or leaks, they shall immediately clean any spills upon discovery. They shall also immediately report any issue(s) identified to the Plant Manager for further handling, if necessary.
 - a. Raw material slab drainage and sumps
 - i. Clean out the wash down drains
 - ii. Clean out sump pumps
 - iii. Ensure sump pump is operational
 - b. Raw material pit
 - i. Check to ensure operational
 - c. Raw material pit incline screw
 - i. Check to ensure operational
 - ii. Check for leaks, ensure cover is sealed, and report the need for additional sealant, if required
 - iii. Wash/clean any leaks or spills
 - d. Raw material enclosure
 - i. Check to make sure there is no raw material coming out of or leaking from the enclosure.
 - ii. Ensure there is not a buildup of raw material on equipment
 - e. Walls, floors, and other surfaces of the Raw Material Enclosure shall be thoroughly washed to remove animal matter on a regular basis when such surfaces are not occupied by Hard Material or in use.
2. **Water Plant:** At least once per day, the housekeeping employee shall check the following items in the Water Plant for cleanliness, proper seals, leaks, spills, and to ensure that the equipment is functioning properly, and record each inspection on a daily log. The housekeeping

Baker Commodities - LA Division Housekeeping Standard Operating Procedure

April 2024

employee shall also wash down slab and drains listed below at least once per day and record each wash down on a daily log. If the housekeeping employee finds any spills or leaks, they shall immediately clean any spills or leaks upon discovery. They shall also immediately report any issue(s) identified to the Plant Manager for further handling, if necessary.

- a. Cleanliness of water plant slab, drainage and sumps
 - i. Wash down slab
 - ii. Wash down drains
 - iii. Clean out sump pumps
 - iv. Check to ensure operational
 - b. Scrubber
 - i. Check to ensure operational
 - ii. Check to ensure documentation has been filled out
 - iii. Check for leaks and proper seals
 - iv. Wash/clean any leaks or spills
 - v. Check to ensure doors and panels are closed and sealed
 - c. Grease trap pit
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - iv. Check to ensure doors and panels are closed and sealed
 - d. Skimmers
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - iv. Check to ensure doors and panels are closed and sealed
 - e. Press enclosure
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - iv. Check to ensure doors and panels are closed and sealed
 - f. Vapor lines
 - i. Check to ensure operational
 - g. Plumbing lines
 - i. Check to ensure Operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - e. Baker Bins
 - i. Ensure all Baker Bins are emptied and covered (if not currently in use), or are within the appropriate enclosure with the enclosure door shut
3. **Centrisys:** At least once per day, the housekeeping employee shall check the following items in the Centrisys for cleanliness, proper seals, leaks, spills, and to ensure that the equipment is functioning properly and record each inspection on a daily log. The housekeeping employee shall also wash down slab and drains listed below at least once per day and record each wash down on a daily log. If the housekeeping employee finds any spills or leaks, they shall

Baker Commodities - LA Division Housekeeping Standard Operating Procedure

April 2024

immediately clean any spills or leaks upon discovery. They will also immediately report any issue(s) identified to the Plant Manager for further handling, if necessary.

- a. Cleanliness of Centrisys slab, drainage and sumps
 - i. Wash down slab
 - ii. Wash down drains
 - iii. Clean out sump pumps
 - iv. Check to ensure operational
 - b. Afterburner
 - i. Check to ensure operational
 - c. Centrisys tanks
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - iv. Check to ensure doors and panels are closed and sealed.
 - d. Vapor lines
 - i. Check to ensure operational
 - e. Plumbing lines
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - f. Baker Bins
 - i. Ensure all Baker bins are emptied and covered (if not currently in use), or are within the appropriate enclosure with the enclosure door shut
4. **J&M Skimmer:** At least once per day, the housekeeping employee will check the following items in the J&M Skimmer for cleanliness, proper seals, leaks, spills, and to ensure that the equipment is functioning properly and record each inspection on a daily log. The housekeeping employee shall also wash down slab and drains listed below at least once per day and record each wash down on a daily log. If the housekeeping employee finds any spills or leaks, they shall immediately clean any spills or leaks upon discovery. They will also immediately report any issue(s) identified to the Plant Manager for further handling if necessary.
- a. Cleanliness of J&M Skimmer
 - i. Wash down slab
 - ii. Wash down drains
 - b. J&M skimmer
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - iv. Check to ensure doors and panels are closed and sealed.
 - c. Plumbing lines
 - i. Check to ensure operational
 - ii. Check for leaks and proper seals
 - iii. Wash/clean any leaks or spills
 - d. Baker bins

Baker Commodities - LA Division
Housekeeping Standard Operating Procedure

April 2024

- i. Ensure all Baker bins are emptied and covered (if not currently in use) or are within the appropriate enclosure with the enclosure door shut

EXHIBIT F



Baker Commodities Inc.

Recycling for Life



Baker Commodities Inc.
Quality and Pride Worldwide

Job Description: Environmental Compliance Specialist

Job purpose:

Oversee the environmental compliance and permitting operations at the Facility located at 4020 Bandini Boulevard, Vernon, CA.

Duties and responsibilities:

- Support the Facility operations to ensure all environmental regulatory requirements as dictated by local, regional, state, and federal regulatory bodies, are met. This includes, without limitation, water discharges, SPCC plans, air emissions (South Coast AQMD Rules, Title V and New Source Review), flood management certifications, stormwater management, site remediation, and land use.
- Review current operating permits to ensure continued compliance, assist with permit revisions and updates as necessary, and identify and prepare any permit renewals.
- Train facility operations personnel on compliance aspects of South Coast AQMD rule and permit requirements related to their job responsibilities.
- Perform audits as requested and under the guidance of the Corporate Production Manager to ensure operational compliance with current permits and regulations. Prepare reports on the audit findings and resolutions to be presented to the Corporate Officers.
- Assist the operations with technical documentation and permitting applications and advise as needed on air, water, and land use regulations along with outside environmental consultants.
- Stay current on upcoming environmental regulations and report potential regulatory impacts that could affect the operations to the Corporate Officers.
- Work with outside environmental consultants to ensure environmental compliance and address environmental issues that occur, review resolutions, and oversee corrective actions under the guidance of the Corporate Production Manager.
- Assist with new construction projects that have environmental impacts, as requested by the Corporate Production Manager, to help navigate the environmental compliance hurdles for projects and make sure the projects stay environmentally compliant.
- Assist with the buying and selling of environmental credits (e.g. carbon credits).
- Research and analyze potential changes or additions to air pollution control systems that could lessen emissions and/or odors.

- Assist in identifying outside funding sources for potential environmental projects, such as but not limited to anaerobic digestion, plant emission reduction equipment, and converting trucks from diesel to CNG, and summarize the information for presentation to the Corporate Officers.
- Participate in site inspections with regulatory agents and representatives and develop good working relationships with all applicable regulatory bodies.
- Review any environmental NOV's received and help prepare responses to these NOV's in an effort to resolve them both quickly and practically.
- Work with the Company Legislative/Regulatory team on new and ongoing regulatory issues to ensure that the team is informed about issues, is kept abreast of new developments, and is part of any written or verbal communications with the regulatory bodies.
- Assist the operations with general housekeeping issues and in identifying spills and leaks needing clean up or repair.
- Assist with addressing any odor complaints received concerning the Facility in accordance with the Odor Response Plan.

EXHIBIT G

ODOR RESPONSE PLAN

PREPARED BY:

Baker Commodities, Inc.
4020 Bandini Blvd.
Vernon, California 90058

April 2024

Table of Contents

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2.0 Potential Odor Sources	2
3.0 Potential Odor Sources and Response Plan to Minimize Odors.....	3

List of Tables

Table 1 – Odor Response Plan

1.0 Introduction

This Odor Response Plan sets forth the actions the Facility will take to address odor complaints received by Baker Commodities ("Baker") or the South Coast Air Quality Management District ("AQMD") concerning the Facility, and to minimize such odor complaints and prevent nuisance issues.

Baker maintains a policy of compliance with AQMD Rules and strives to minimize the potential for impacts of its Facility operations on the surrounding community. Baker expects all employees and Facility management to adhere to this Odor Response Plan during any odor related incident.

2.0 Potential Odor Generating Sources Related to the Facility

All Facility personnel shall follow the regulatory requirements and permit conditions and will work with the Environmental Compliance Specialist to ensure that compliance continues to occur.

Any odor complaint received concerning the Facility shall be directed to the Environmental Compliance Specialist (ECS) for prompt investigation and processing in accordance with the Odor Response Plan set forth below.

3.0 Potential Odor Sources and Response Plan to Minimize Odors

Table 1
Odor Response Plan

Upon receipt of an odor complaint, Baker shall identify the Potential Odor Generating Source(s) most relevant to the complaint and take the following steps as follows:

Potential Odor Generating Source	Potential Odor Incident	Odor Control Practices
Raw Rendering Material	<ul style="list-style-type: none"> Potential odors arising from raw rendering material. 	<ul style="list-style-type: none"> ECS or his/her designee shall conduct a complete walkthrough of the raw material handling facilities with the Plant Manager or a Supervisor addressing housekeeping issues to ensure that all Odor BMPs are followed and raw rendering material is contained in covered or enclosed vehicles and within the raw rendering material receiving pit enclosure. ECS and the Plant Manager or a Supervisor shall identify any spills and clean or direct them to be cleaned immediately. ECS and the Plant Manager or a Supervisor shall generate a record of inspection documenting this walkthrough, a brief record of findings and any actions taken. This walkthrough shall occur on the business day of the odor complaint or the first business day thereafter, as feasible.

<p>Raw Material Enclosure and Pit Receiving Area</p>	<ul style="list-style-type: none"> • Potential odors generated from the enclosed area. 	<ul style="list-style-type: none"> • ECS and the Plant Manager or a Supervisor shall inspect the raw material enclosure for leaks and ensure rollup doors and air curtains are working properly and in use for all truck traffic. ECS shall ensure all employees are trained to keep enclosure rollup door closed when truck traffic is not traveling in or out, and shall issue refresher training as needed. • The Plant Manager or a Supervisor shall confirm regular washing of the floors of the enclosure with a mixture of hot water and cleaning chemicals. • On the day of this inspection, ECS and/or the Plant Manager or a Supervisor shall confirm floor drains are clear of blockages and operational (in addition to daily inspection and cleaning of floor drains). • ECS and the Plant Manager or a Supervisor shall generate a record of inspection documenting the inspection of rollup doors, air curtains, floor drains, and a brief record of findings and any actions taken. Any issues shall be immediately reported to Operations and/or corrected. • This inspection shall occur on the business day of the odor complaint or the first business day thereafter, as feasible.
<p>Centrifuges</p>	<ul style="list-style-type: none"> • Potential odors arising from sludge/trash. 	<ul style="list-style-type: none"> • ECS or the Plant Manager or a Supervisor shall inspect: <ul style="list-style-type: none"> ○ all seals on trash bins and chutes to ensure all are within compliance, ○ all ducting to condensers for vapor

		<p>leaks and seal any visible leaks, and</p> <ul style="list-style-type: none"> • ECS and the Plant Manager or a Supervisor shall generate a record of inspection and a brief record of findings and any actions taken. Any issues shall be immediately reported to Operations and/or corrected. • This inspection shall occur on the business day of the odor complaint or the first business day thereafter, as feasible. • Signage placed on or around key pieces of equipment to remind employees to keep doors and hatches closed shall be inspected. Missing or damaged signage shall be replaced. • Employees shall be disciplined for leaving any equipment doors or hatches open that are required to be closed during operations. Record of such discipline shall be kept with inspection records.
<p>Wastewater Treatment Plant</p>	<ul style="list-style-type: none"> • Odors arising from receiving pit, flotation units, tanks, and dewatering presses. 	<ul style="list-style-type: none"> • ECS and the Plant Manager or a Supervisor shall: <ul style="list-style-type: none"> ○ check tank integrity for any visible leaks, ○ turn on misters, ○ check ducting to scrubber for vapor leaks and seal any visible leaks, and ○ check scrubber to ensure it is running within permitted compliance limits. • ECS and the Plant Manager or a Supervisor shall generate a record of inspection and a brief record of findings and any actions taken. Any issues shall be immediately reported to Operations and/or corrected.

		<ul style="list-style-type: none"> • This inspection shall occur on the business day of the odor complaint or the first business day thereafter, as feasible.
Boiler/afterburner	<ul style="list-style-type: none"> • Release of emissions. 	<ul style="list-style-type: none"> • ECS and the Plant Manager or a Supervisor shall: <ul style="list-style-type: none"> ○ ensure boiler/afterburners are working within compliant temperature. ○ ensure all equipment and ducting is working properly. • ECS and the Plant Manager or a Supervisor shall generate a record of inspection and a brief record of findings and any actions taken. Any issues shall be immediately reported to Operations and/or corrected. • This inspection shall occur on the business day of the odor complaint or the first business day thereafter, as feasible.
Response for Unknown Odors or General Complaints		<ul style="list-style-type: none"> • ECS and the Plant Manager or a Supervisor shall: <ul style="list-style-type: none"> ○ turn on misters. ○ walk the facility to ensure there are no leaks or spills and to ensure all required doors and hatches are closed. ○ check all inbound and outbound trucks for proper coverage/closure. ○ note the wind direction and the general direction of the complaint to determine whether the location of the complaint is in line with the wind direction from Baker's facility. • ECS and the Plant Manager or a Supervisor

		<p>shall generate a record of inspection and a brief record of findings and any actions taken. Any issues shall be immediately reported to Operations and/or corrected.</p> <ul style="list-style-type: none">• This inspection shall occur on the business day of the odor complaint or the first business day thereafter, as feasible.
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EXHIBIT H

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

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In The Matter Of:

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

v.

BAKER COMMODITIES, INC.,

[Facility ID no. 800016]

Respondent.

Case No. 6223-1

**[PROPOSED] FINDINGS AND
DECISION GRANTING SECOND
MODIFIED ORDER FOR ABATEMENT**

Dates: TBD

Time: TBD

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

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Baker Commodities Inc.'s request to modify the June 21, 2023 Modified Order for Abatement ("First Modified Order for Abatement") to (i) reflect that Baker will cease rendering operations at its Facility located at 4020 Bandini Boulevard, Vernon, CA (the "Facility") and (ii) allow 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 _____, 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 Rule 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

1 allow the Facility to operate equipment necessary for its trap grease and used cooking oil
2 operations and its associated wastewater treatment systems.

3 2. On October 5, 2022, Baker filed a Petition for Writ of Mandate and Complaint
4 challenging the issuance of the Original Order, among other claims, which is currently pending in
5 Los Angeles Superior Court. The parties to that lawsuit seek to resolve all claims arising under or
6 related to the Original Order, including through the issuance of this Second Modified Order.

7 **FINDINGS OF FACT**

8 The Hearing Board finds and decides as follows:

- 9 1. Baker and the District have engaged in constructive discussions to develop an acceptable
10 compliance approach and to fully resolve the violations that Baker is disputing in
11 Superior Court. Baker has decided to cease rendering operations at the Facility and
12 memorialize that in the relevant permits. Instead, Baker will utilize the Facility as a
13 collection center for the receipt and short-term storage of raw rendering material within a
14 Permanent Total Enclosure before transportation of the material offsite to a licensed
15 rendering or processing facility, effective immediately, and will make certain substantial
16 capital and operational improvements at the Facility as further described in the Order and
17 Conditions below.
- 18 2. Termination of the Second Modified Order will occur upon completion and operation of
19 the three new enclosures, including over the (i) grease pit trash area, (ii) J&M skimmer
20 trash bin, and (iii) Centrisys trash bin. Upon termination of the Second Modified Order
21 Baker may continue to operate as a collection center with the permanent capital and
22 operational improvements in effect, in addition to its used cooking oil and trap grease
23 recycling and associated wastewater operations.

24 **CONCLUSIONS**

- 25 1. Good cause exists to issue this Second Modified Order to allow Baker to operate a
26 collection center for the receipt and short-term storage of raw rendering material within a
27 Permanent Total Enclosure before transportation of the material offsite to a licensed
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- 1 rendering or processing facility, at the Facility, in addition to its existing used cooking oil
2 and trap grease recycling and associated wastewater operations.
- 3 2. The Second Modified Order should be amended to allow Baker, subject to the conditions
4 set forth in Attachment A, to operate a collection center now, while it is constructing its
5 three new capital improvements.
- 6 3. This Second Modified Order shall terminate upon Baker's achievement of final
7 compliance and notice thereof to the Hearing Board and the District. Final compliance is
8 the completion and operation of the new capital improvements described in Section 7 of
9 Attachment A.
- 10 4. Baker shall notify the Hearing Board and the District that it has achieved final compliance
11 within 7 calendar days of achieving final compliance. The District will confirm final
12 compliance in writing within 14 days of Baker's notification. The Second Modified Order
13 will automatically terminate following the District's written approval of Baker's final
14 compliance.
- 15 5. Upon termination of this Second Modified Order, Baker may continue to conduct
16 collection center operations, in addition to used cooking oil and trap grease recycling and
17 associated wastewater operations, subject to maintenance of the permanent capital and
18 operational improvements.

19 **ORDER AND CONDITIONS**

20 THEREFORE, based on the Findings of Fact and evidence and testimony presented at the
21 hearing, and Good cause appearing, the Hearing Board orders Baker to abide by the modified
22 conditions set forth in Attachment A. This Second Modified Order fully replaces both the First
23 Modified Order and the Original Order. This Second Modified Order shall terminate upon Baker's
24 final compliance, which includes completion and operation of the three new capital improvements
25 set forth below in Section 7 of Attachment A, and notification to the Hearing Board and District of
26 such final compliance. Upon termination of the Second Modified Order, Baker may continue to
27 conduct collection center operations, in addition to used cooking oil and trap grease recycling and
28 associated wastewater operations, subject to maintenance of the permanent capital and operational

1 improvements as described in Baker's Request to Modify.

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

8 Good cause appearing, it is so ordered.

9 BOARD MEMBER: _____

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DATE: _____

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ATTACHMENT A

Second Modified Conditions for Baker Commodities

1. Respondent shall not resume rendering operations at the Facility. Respondent shall submit Forms 200-C to inactivate any permits to operate associated with such rendering operations within 7 days of this Second Modified Order's effective date. Within 14 days of the Second Modified Order's effective date, Respondent 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 Respondent withdraws its permit application related to its raw materials receiving area enclosure expansion and its operation or if such permit application is otherwise denied or rejected, Respondent has 7 days from the date of withdrawal or denial or rejection to submit a new permit application to operate as a collection center.
3. Respondent may use the Facility as a collection center, which is the receipt of raw rendering material for the purpose of short-term storage within Permanent Total Enclosure before transportation of the material offsite to another licensed rendering or pet food processing facility. The location of the transloading operation involved is identified in **Exhibit A**.
4. Respondent 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.
5. Respondent may operate its wastewater treatment system to process rainwater, washdown water, and water related to processing of used cooking oil.
6. Respondent 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.
7. Respondent shall implement the following capital improvements:
 - a. **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**. The Device ID Numbers and photographs of each feature are set forth in **Exhibit B** (which is Exhibit C to Baker's Request to Modify). Baker has already submitted its permit applications and fees to the District for each of the enclosures. 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 and notify the District of completion of each enclosure. If the enclosures are not completed within 90 days, Baker shall cease its collection operations, unless otherwise agreed with the District, and shall notify the District. Unless otherwise agreed with the District, Baker may submit a request for extension to the Hearing Board. Baker shall suspend collection operations until such enclosures are complete or until the Hearing Board has approved its request for extension of time. Baker shall comply with permits to construct the capital improvements, including source test requirements.
 - b. If the District requests additional information to process the applications for enclosures and the raw material area expansion, Baker shall provide such additional information

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within 5 working days unless there is a demonstrated need for additional time, or within the timeframe requested by the District, whichever is later.

8. 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 roll-off bins, the bins shall have its freeboard height enclosed.
9. For any equipment that discharges trash materials or digested sludge from trap grease wastewater operations into trash bins via a freeboard drop, Respondent shall cover the free board drop.
10. Respondent 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.
11. The Second Modified Order automatically terminates following:
 - a. Respondent achieving final compliance, which is the completion and operation of the new capital improvements described in Section 7, and
 - b. Respondent's notification to the Clerk of the Hearing Board and the District of final compliance.
12. Following termination of the Second Modified Order, Respondent may continue to conduct collection operations in addition to used cooking oil and trap grease recycling and associated wastewater operations.