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

10
11 **In The Matter Of**

12 SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

13 Petitioner,

14 vs.

15 BAKER COMMODITIES INC.,

16 [Facility ID No. 800016]

17 Respondent.
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Case No. 6223-1

**DECLARATION OF ATUL KANDHARI
IN SUPPORT OF SOUTH COAST AIR
QUALITY MANAGEMENT
DISTRICT'S PROPOSED FINDINGS
AND DECISION FOR BAKER
COMMODITIES INC.'S SECOND
REQUEST TO MODIFY THE ORDER
FOR ABATEMENT**

Date: May 29, 2024
Time: 9:30 am
Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

DECLARATION OF ATUL KANDHARI

I, ATUL KANDHARI, hereby declare as follows:

1. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. I am a Senior Air Quality Engineer at the South Coast Air Quality Management District (“South Coast AQMD” or “District”). Since 2019, I have been working on permit applications for rendering facilities subject to Rule 415 within the South Coast AQMD jurisdiction, including Baker Commodities Inc.’s (“Baker”) facility located in Vernon, California.

3. I have worked at the District for 15 years and I work with permit applicants and prepare engineering evaluations to support draft permits and final permitting decisions for rendering facilities, lead acid battery manufacturing facilities, oil & gas exploration sites, and several other types of facilities. Prior to my current position, I was an AQ Engineer in General Commercial/Government/Oil & Gas and Waste Management/Toxics team. Prior to joining the District, I worked in Environmental Consulting, Landfill and Refuse transfer operations, Ammonia production, used oil recycling, and paint/glue manufacturing for 11 years. I hold a B.S. in Chemical & Bio Engineering from NIT Jalandhar, India and M.S. in Civil & Environmental Engineering from University of California, Los Angeles.

4. I am familiar with and have reviewed Baker Commodities Inc.’s (“Respondent”) Request for Modification of an Existing Order for Abatement filed in Case no 6223-1 (“Second Request to Modify OA”). I am also familiar with the District’s June 2022 Petition for Order for Abatement, the Order for Abatement issued by the Hearing Board on September 29, 2022, and the Modified Order for Abatement decided on April 19, 2023, with a written decision issued on June 21, 2023.

5. I worked on the permit applications related to Rule 415 compliance for the four rendering facilities in the South Coast AQMD’s jurisdiction. I have been working on permit applications for Baker since 2019. I have been communicating with Yorke Engineering (Baker’s consultant), related to preparation of the applications submitted to the District for the enclosures

1 which are part of the petition and other projects on behalf of the District.

2 6. I am familiar with Baker's Title V permit (issued to Facility ID 800016) and
3 continue to work on applications to modify it.

4 7. Baker's current operations include processing of trap grease and used cooking oil.
5 Baker has filed three applications (AN's 648441-648443) to construct three new enclosures to
6 enclose sludge handling bins and associated equipment in trap grease handling, Centrisys, and J &
7 M plant catch basin areas.

8 8. I have reviewed Exhibit C to Baker's Second Request to Modify OA, and agree it
9 shows the three new enclosures Baker is proposing to enclose.

10 9. On May 9, 2024, I provided the draft permit to construct for the J&M Catch Basin
11 (application no. 648441) enclosures to Cyril Jose, Engineer, Yorke Engineering, and seven other
12 individuals at Yorke and Baker. As of May 23, 2024, I have not received comments from Baker
13 on the draft for application no. 648441. I also sent the draft version of the permit for application
14 no. 648443 for Centrisys enclosure to Mr. Jose and seven other individuals at Yorke and Baker on
15 May 16, 2024. As of May 23, 2024, I have not received comments from Baker on the draft permit
16 for application no. 648443.

17 10. I expect to provide Baker a draft permit to construct for application no. 648442,
18 enclosure for the wastewater treatment and application no. 648440 for the PTE expansion project
19 for the raw material receiving within the next two to four weeks.

20 11. I reviewed the proposed conditions submitted by the District and the timelines and
21 restrictions on their operations until all the new permits are issued. I agree those conditions are
22 necessary to require Baker to timely submit the necessary engineering information requested.

23 12. Based on my recent experience with Baker and their Consultants I have concerns
24 regarding continued delay by Baker in providing information and comments. For example, I asked
25 them questions on February 16, 2024, regarding these three applications and I received the
26 responses on March 15, 2024. I sent the draft versions of the permits for two applications on May
27 9, 2024, and May 16, 2024, respectively and I have not received any feedback even though we
28 have been communicating and exchanging emails. Thus, I believe that South Coast AQMD's

1 proposed condition for Baker to provide additional information within 3 working days, or within
2 the time frame requested by the District, whichever is later, is important to prevent inordinate
3 delay by Baker.

4 13. For Title V facilities, generally, once an applicant and South Coast AQMD agree on
5 a draft permit, the draft permit is provided to the EPA for review. EPA has 45 days to comment
6 and ask for additional information. Once EPA is satisfied, a permit to construct is issued.

7 14. Assuming, going forward that Baker provides information and comments in a
8 timely manner, there would likely be discussion of draft permits to construct with Baker and
9 requested revisions by Baker, anticipating EPA may comment, and further South Coast AQMD
10 review, I estimate that it may take up to approximately 120 days for permits-to-construct to be
11 issued.

12 15. Baker has filed eight Form 200-C to deactivate permitted equipment related to
13 cooking and downstream operations related to rendering of animal products. On May 14, 2024, I
14 told Mr. Jose that these inactivation forms needed to be revised. On May 22, 2024, I had a phone
15 conversation with Mr. Jose and provided the permit numbers and permit issue dates that needed to
16 be revised on the Form 200-C. We finally received revised inactivation forms on May 24, 2024. I
17 am still in the process of reviewing the updated forms.

18 16. Baker is proposing to start a new activity at its facility where it temporarily stores
19 raw animal material before transporting to another licensed rendering or processing facility. These
20 activities meet the definition of a collection center.

21 17. Currently, there is no air pollution control that is used at the PTE. The Plant 1 PTE
22 is not air conditioned nor refrigerated. Raw materials are likely to become increasingly odorous
23 the longer they are left at ambient temperature. There are two rollup doors in the existing PTE and
24 each door is equipped with an air curtain.

25 18. I have visited the facility in Vernon, California, which is located in the greater Los
26 Angeles area. I am generally familiar with the weather in the greater Los Angeles area. In
27 general, we have warm summers, with certain hot days, which may make raw animal materials
28 more odorous over time if left at ambient temperature.

1 19. Baker submitted application no. 648440 to extend the permanent total enclosure for
2 the raw material receiving area and to modify conveyors and other equipment to serve the new
3 collection center activity. Assuming Baker's requested permit modifications are issued, and as
4 requested by Baker in its requested to modify the abatement order, Baker would be a facility that
5 acts as a collection center and processes trap grease and cooking oil.

6 20. A draft version of the permit for application no. 648440 will be shared with Baker.

7 21. Based on information Baker provided in its application package, the square footage
8 of Plant 1 Raw material receiving area PTE is about 53 feet by 105 feet, meaning approximately
9 5,565 square feet. The raw materials receiving area enclosure has a pit area and a slab. It does not
10 seem feasible to me for Baker to use the pit area without a screw conveyor constructed
11 downstream of the magnetic separator to load the raw material into the outbound trucks. Prior to
12 the abatement order, Baker used a conveyor from the underground pit to move the material to the
13 magnetic separator, grinders and ultimately to the cookers. Baker cannot use this existing screw
14 conveyor to load materials onto trucks. Based on Baker's permit application, Baker is seeking to
15 build two new screw conveyors to load outbound trucks.

16 22. If Baker is to operate as a collection center while its applications are pending, I have
17 concerns about the facility's ability to process large amounts of material. Baker will need to wait
18 for the issuance of the Permit to Construct to modify the PTE used for receiving raw material
19 before starting construction of the screw conveyor inside the existing PTE and inside the expanded
20 area of the PTE which will transfer the raw material downstream of magnetic separator to the
21 outbound trucks.

22 23. I have received conflicting information regarding how Baker's collection operations
23 will work. I am interested in learning from Baker's witness the details of their proposed
24 collections operations and how much space is available for such operations inside the PTE.

25 24. Using the pit to store raw material before a screw conveyor is permitted/constructed
26 may not be a realistic option for Baker, because it risks loss to the equipment and may cause
27 downtime. Also, from a practical standpoint without a screw conveyor downstream of magnetic
28 separator constructed to load the outbound truck, I do not see how the facility would ensure the pit

1 area is emptied and therefore cleaned every day. In short, I do not see how Baker can use the pit
2 area to store raw rendering materials until the screw conveyor is built.

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

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6 Executed in Diamond Bar, California on May 25, 2024.

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