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Attorneys for Plaintiff
BAKER COMMODITIES, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL 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

DECLARATION OF JASON ANDREOLI IN SUPPORT OF BAKER COMMODITIES, INC.'S REQUEST TO MODIFY THE ORDER FOR ABATEMENT

Date: December 13, 2022
Time: 9:00 a.m.
Place: Hearing Board
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

I, Jason Andreoli, declare as follows:

1. I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein.

2. I am the Assistant Vice President – Corporate Production Manager/Los Angeles General Manager of Baker Commodities, Inc. ("Baker").

3. Baker's facility in Vernon, CA (the "Vernon Location") recycles waste collected from thousands of food service and processing establishments located throughout Southern California.

4. Prior to October 7, 2022, the Vernon location engaged in three separate recycling operations: rendering, trap grease processing, and used cooking oil processing.

5. Baker's rendering operation involves the collection and processing of animal protein, fat and bone waste ("Animal Waste"). This Animal Waste is collected from slaughterhouses, butcher shops, restaurants, delis, and grocery stores. The rendering process cooks and converts this Animal Waste to meat and bone meal that is used for fertilizer or animal feed. The rendering operation also mechanically separates tallow from the Animal Waste that is used as the primary feedstock in renewable fuels.

6. Grease traps are underground containers at restaurants that collect grease (also known as used cooking oil), wastewater, and other contaminants that are inadvertently washed down the sinks and drains in kitchens. These grease traps need to be pumped out regularly to avoid a backup.

7. Baker's trap grease processing operations involve the pumping of restaurant grease traps, and on-site processing of the resulting trap grease to remove grease and solids from the water and treat the water so that it may be lawfully discharged into the sewer. This process does not involve the use of heat and mechanical separation to convert any raw rendering materials into fat commodities or protein commodities.

8. Baker's used cooking oil operations recycle used cooking oil from Southern California restaurants. When restaurants are ready to discard their used cooking oil, this oil is collected in aboveground containers, picked up, and taken to the Vernon Location where Baker

cleans the used cooking oil in preparation for it being used as the feedstock for biofuels. This process does not involve the use of heat and mechanical separation to convert any raw rendering materials into fat commodities or protein commodities.

9. Each of these operations require use of Baker's on-site wastewater treatment system. Baker's discharge permit requires that all of the water on Baker's property be treated before being discharged. This discharge permit is attached hereto as **Exhibit 1**. This requirement applies to all water on the property, regardless of whether it is the result of Baker's operations, cleaning procedures, or natural phenomena such as rain.

10. The Order requires that Baker permanently shut down its wastewater treatment system. The Order only provides a procedure for Baker to re-open its operations at Plant 1 of the Vernon Location. However, as the Order notes, Baker's wastewater treatment system is not within Plant 1. Therefore, the Order does not provide any mechanism or procedure for Baker to restart wastewater treatment on-site.

11. Because the Order requires wastewater treatment to cease with no procedure for such operations to re-open, Baker cannot ever operate its restaurant trap grease processing, and its used cooking oil services are heavily impacted, even though they are not subject to Rule 415.

12. Because the Order requires wastewater treatment to cease, there is a risk that on-site water resulting from cleaning procedures or natural phenomena such as rain will leave the site before being treated. If this happened, Baker could be found in violation of its discharge permit.

13. Because no rendering, no grease trap processing, and limited used cooking oil processing activities can occur on the Baker facility due to the District's shut down of the wastewater treatment system, in practice, the Order requires that the majority of the Vernon Location is permanently shut down.

14. Furthermore, it is impossible for Baker to comply with conditions of the Order without restarting on-site wastewater treatment. The conditions in the Order that are required to be met for restarting operations at Plant 1 would require District permits and approval, building permits, and potentially substantial construction, all of which will take a considerable amount of time. However, no construction can occur on the site because the Order prohibits the use of the

wastewater system.

15. The Order further requires that Baker wash all exposed surfaces free of animal matter at least once each working day. Since the Order prohibits Baker from running its wastewater treatment system, any on-site wash down risks untreated wastewater leaving the Vernon Location. As a result, Baker could be found in violation of its discharge permit, and untreated water will spill into the street, go to the storm drains, and be released in the ocean.

16. Baker is in compliance with the Order and has shut down all of its rendering and trap grease processing operations at Baker's Facility. Baker has also shut down its wastewater treatment operation. Baker has stopped accepting any raw material at the Vernon Location, and does not store any raw material at the Vernon Location. Baker has also stopped accepting any trap grease at the Vernon Location. Baker has been able to conduct a very limited cooking oil recycling operation, in which it captures all resulting wastewater on-site and transports it off-site for processing.

17. Baker has also removed all rendering materials and materials from the trash area (open-pit), has been washing all exposed surfaces, and has provided a written timeline for compliance to the District.

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

Executed on this 29th day of November, 2022, at San Diego, California.

EXHIBIT 1

PERMIT FOR INDUSTRIAL WASTEWATER DISCHARGE
COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY
1955 Workman Mill Road / Whittier, CA
Mailing Address: P.O. Box 4998 / Whittier, California 90607-4998
Grace Robinson Hyde, Chief Engineer and General Manager
(562) 699-7411

PERMIT NO: 000811

UPS 1Z 933 312 03 1019 796 4

01 CHECK ONE: ☐ New Sewer Connection ☒ Existing Sewer Connection

02 Applicant Baker Commodities Inc.
(Legal Company Name)

03 Check one and fill in appropriate information
☒ Corporation Name Baker Commodities Inc.
Year Incorporated 1984 State of Incorporation DELAWARE ID# 95-2137748
☐ Partnership Name _____ Partners _____
☐ Sole Proprietor Name _____ Business Names _____

04 Situs Address 3920 Bandini Blvd (Street) Vernon (City) CA (State) 90058 (Zip)

05 Mailing Address 4020 Bandini Blvd (Street) Vernon (City) CA (State) 90058 (Zip)

06 Point of Discharge 3920 Bandini Blvd. Vernon Ca 90058.

07 Number of years applicant has been in business at present location 58 (yrs) _____ (months)

08 Name of Property Owner Baker Commodities Inc.
Address of Property Owner 4020 Bandini Blvd (Street) Vernon (City) 90058 (Zip) 323-268-2801 (Telephone Number)

09 Assessors Map Book No. 6 3 0 4 Page No. 0 0 5 Parcel No. 0 0 5

10 Type of Industry RENDERING (General Description) 2 0 7 7 , ☐ ☐ ☐ ☐ (Federal SIC No.)

11 Number of Employees (Full Time) 190 (Part Time) _____

12 Raw Materials Used Shop Fat and Bones, Poultry Scraps, Offal from Slaughterhouses
(General Description – Add Additional Sheets as Needed)
Waste Kitchen Grease 225.9 tons avg
(Daily Amount Used)

13 Products Produced Tallow, Meat and Bone Meal, Feed Fat 92.8 tons avg
(General Description – Add Additional Sheets as Needed)
(Daily Amount Produced)

14 Wastewater Producing Operations Rendering Plant, Grease Trap Wastewater, Kitchen Grease, Recycling Operation, Truck Waste and Clean Up, Impounded Rainwater, Boiler Blowdown and Cooling Tower Bleed-Off
(Full Description – Add Additional Sheets as Needed)

M☒ T☒ W☒ Th☒

15 Time of Discharge 6:00 AM☒ PM☐ 6:00 AM☒ PM☐, Shifts per day 3 Days per Week F☒ Sa☒ Su☐

16 Wastewater Flow Rate 540,000 (Average) Gallons per Day 600 (Peak) Gallons per Minute

17 Constituents of Wastewater Discharge COD, TSS, FOG, Soluble Sulfides, Temperature, pH
(General Description – Attach Chemical Analysis Results to the Application)

18 Person in company responsible for industrial wastewater discharge
Doug Smith (Name) R& D/QA Director (Position) 323-268-2801 (Telephone Number)

I affirm that all information furnished is true and correct and that the applicant will comply with the conditions stated on the back of this permit form.

Date May 21 ,20 18

19 Signature for Applicant _____ (Company Administrative Official) Doug Smith (Name) Asst VP R+D/QA (Position)

20 Approved/Reviewed by City or County Official
Date 8-22-18
☐ L.A. County Department of Public Works
City of Vernon
Name Daniel S. Wall WC
Position Public Works

Approved by Sanitation Districts of Los Angeles County
Date _____
Expiration Date _____
Grace Robinson Hyde, Chief Engineer and General Manager
By _____
Position _____

Note: Please submit application first to the applicable City or County agency in which the point of discharge is located. Please contact the local agency for the required permit-processing fee. Submit the **original application** (Do not send copies).

AUG 30 '18 AM 10:41

DOC #

Smith L.

APPLICANT FOR PERMIT MUST READ THIS MATERIAL

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, the applicant agrees:

1. To furnish any additional information on industrial wastewater discharges as required by the Districts,

2. To accept and abide by all provisions of ordinances, policies and guidelines of the Districts,

3. To operate and maintain any required industrial wastewater treatment devices in a satisfactory approved manner,

4. To cooperate at all times with Districts' personnel, or their representatives, in the inspection, sampling and study of industrial wastewater facilities and discharges,

5. To immediately notify the Districts at (562) 699-7411 during normal working hours or (562) 437-6520 or 437-1881 after 4:00 P.M. or on weekends in the event of any accident, negligence or other occurrence that causes the discharge to the sewer of any material whose nature and quantity might be reasonably judged to constitute a hazard to the public health, environment, Districts' personnel or wastewater treatment facilities,

6. To pay to the Districts annually the required surcharge or user charge fee for industrial wastewater treatment,

7. To submit, as required by the Districts, accurate data on industrial wastewater discharge flows and wastewater constituents,

8. To operate only one industrial wastewater discharge point to the sewerage system under the authority granted by this permit,

9. To submit additional pages as required for furnish the necessary information if there is inadequate room on the reverse side of this permit form to complete submittal of requested data,

10. To apply for a revised Districts' Industrial Wastewater Discharge Permit if any change in industrial processes, production, method of wastewater treatment or operations creates a significant change in industrial wastewater quality, or if the quantity of wastewater discharged changes by more than 25% or other threshold level as specified in industrial waste permit requirements,

11. To provide immediate access to authorized personnel of the Districts to any facility directly or indirectly connected to the Districts' sewerage system under emergency conditions and at all other reasonable times.

SANITATION DISTRICTS OF LOS ANGELES COUNTY

INDUSTRIAL WASTE SECTION
1955 Workman Mill Road
Whittier, CA 90601
P.O. Box 4998
Whittier, CA 90607-4998
(562) 699-7411 Ext. 2900
FAX: (562) 908-4224

SANITATION DISTRICTS OF LOS ANGELES COUNTY
INDUSTRIAL WASTEWATER DISCHARGE PERMIT DATA SHEET

SECTION 1: *General Information*

Permit Number	000811	Facility ID	1236891
Facility Name	Baker Commodities, Inc.	Parcel Number	6304-005-010 6304-005-016 6304-005-005 6304-005-021 6304-005-017
Facility Address	3920 Bandini Boulevard Vernon, CA 90058	District	02
Facility Permit Contact	Doug Smith	Thomas Bros. Grid	675/C3
Telephone Number	323-268-2801	Number of Employees	175

Local Agency:	City of Vernon
Agency Adress:	4305 Santa Fe Ave. Vernon, CA 90058

SECTION 2: *Permit Status*

Industrial Waste Discharge Permit Status	APPROVED
Approval Date	October 18, 2018
Expiration Date	October 17, 2023

SECTION 3: *Flow Stream Information*

Name	Type	Direction	Federal Regulation	Local Regulation
Sample Point: 000811A				
Rendering plant, grease trap wastewater, kitchen grease recycling operation, truck waste and clean up, impounded rainwater, boiler blowdown and cooling tower bleed-off	Process Flow	Outgoing	403	IU Standard - All Others

Flow Stream Regulatory Notes:

Federal Regulation: 40 CFR Part 403 General Pretreatment Regulations

Local Regulation: IU Standard - All Others

SECTION 4: *Sample Point Information*

Name	Description	Location Status	Location Type	Location Category
000811A	8" Palmer-Bowlus flume located at the northwest corner of the wastewater pretreatment area	Active-IW-Permit Required	Final Effluent	Noncategorical Significant

Point of Connection to Sewer: Connects to Districts' trunk line on Bandini Blvd.

Physical Location: 3920 Bandini Boulevard, Vernon, CA 90058

SECTION 5: *Self Monitoring Report (SMR) Requirements*

Sample Location: 000811A (8" Palmer-Bowlus flume located at the northwest corner of the wastewater pretreatment area)

SMR Requirement	Frequency	Sample Method	Units
COD, Total	Quarterly	Composite	mg/L
Oil & Grease	Quarterly	Grab	mg/L
pH	Quarterly	Grab	S.U.
Solids, Suspended	Quarterly	Composite	mg/L
Sulfide, Soluble	Quarterly	Grab	mg/L

Beginning date of next required SMR reporting period: January 01, 2019

SECTION 6: *Substance Limits*

Sample Location: 000811A (8" Palmer-Bowlus flume located at the northwest corner of the wastewater pretreatment area)

Substance Name	Regulation	Sample Method	At Any Time Maximum	At Any Time Minimum	Daily Average Maximum	Average Maximum - *(Monthly Unless Otherwise Indicated)*
pH	Federal	Composite		5.0 S.U.		
pH	Federal	Grab		5.0 S.U.		
pH	Local	Composite		6.0 S.U.		
pH	Local	Grab		6.0 S.U.		
Flash Point	Federal	Composite		60 Deg. C		
Flash Point	Federal	Grab		60 Deg. C		
Flash Point	Local	Composite		60 Deg. C		
Flash Point	Local	Grab		60 Deg. C		
Temperature	Local	Grab	140 Deg. F			
Solids, Suspended			No Limit			
Solids, Total Dissolved			No Limit			
Total Cyanide	Local	Composite	10 mg/L			
Total Cyanide	Local	Grab	10 mg/L			

Sulfide, Soluble	Local	Grab	0.1 mg/L			
Chloride			No Limit			
COD, Total			No Limit			
Oil & Grease	Local	Grab	500 mg/L			
Arsenic, Total	Local	Composite	3 mg/L			
Arsenic, Total	Local	Grab	3 mg/L			
Cadmium, Total	Local	Composite	15 mg/L			
Cadmium, Total	Local	Grab	15 mg/L			
Chromium, Total	Local	Composite	10 mg/L			
Chromium, Total	Local	Grab	10 mg/L			
Copper, Total	Local	Composite	15 mg/L			
Copper, Total	Local	Grab	15 mg/L			
Lead, Total	Local	Composite	40 mg/L			
Lead, Total	Local	Grab	40 mg/L			
Mercury, Total	Local	Composite	2 mg/L			
Mercury, Total	Local	Grab	2 mg/L			
Nickel, Total	Local	Composite	12 mg/L			
Nickel, Total	Local	Grab	12 mg/L			
Silver, Total	Local	Composite	5 mg/L			
Silver, Total	Local	Grab	5 mg/L			
Zinc, Total	Local	Composite	25 mg/L			
Zinc, Total	Local	Grab	25 mg/L			
Aldrin	Local	Composite	10 ug/L			
Aldrin	Local	Grab	10 ug/L			
Dieldrin	Local	Composite	10 ug/L			
Dieldrin	Local	Grab	10 ug/L			
Endrin	Local	Composite	10 ug/L			
Endrin	Local	Grab	10 ug/L			
Toxaphene	Local	Composite	10 ug/L			
Toxaphene	Local	Grab	10 ug/L			
Total HCH	Local	Composite	10 ug/L			
Total HCH	Local	Grab	10 ug/L			
Total Detected Chlordanes	Local	Composite	10 ug/L			
Total Detected Chlordanes	Local	Grab	10 ug/L			
Total Detectable DDT	Local	Composite	10 ug/L			
Total Detectable DDT	Local	Grab	10 ug/L			
Total Detectable PCBs	Local	Composite	10 ug/L			
Total Detectable PCBs	Local	Grab	10 ug/L			

*** Indicates a 4 Day Average Limit*

Summary Substances and Their Constituent Substances - No Limits on Constituents Unless Listed Above		
Sample Location: **000811A**		
Summary Substance: **Total Detectable DDT**		
p,p'-DDE	p,p'-DDD	p,p'-DDT

Summary Substance:	**Total Detectable PCBs**	
Aroclor 1242	Aroclor 1254	Aroclor 1016
Aroclor 1221	Aroclor 1232	Aroclor 1248
Aroclor 1260		

SECTION 7: *Flow Limits*

Sample Location: 000811A (8" Palmer-Bowlus flume located at the northwest corner of the wastewater pretreatment area)

Limit Type	Flow Data Type	Start Time	End Time	Flow Limit Value	Flow Units
Daily Average Flow Limit	Average			330000	GPD
5-minute Peak Flow Limit	Maximum			600	gpm

SECTION 8: *Pretreatment Equipment/Process*

Pretreatment Process Name:	Rainwater Diversion
Equipment Name	**Equipment Type**
Rainwater Diversion Switch 1	Automatic impounding after 0.1 of rain
Rainwater Diversion Switch 2	Automatic impounding after 0.1 of rain
Rainwater Diversion Switch 3	Automatic impounding after 0.1 of rain
Rainwater Holding Tanks	Automatic impounding after 0.1 of rain

Pretreatment Process Name:	Pretreatment
Equipment Name	**Equipment Type**
Coagulation with Polymer	Pretreatment
pH neutralization using NaOH,	Pretreatment
pH Meter for Control of NaOH	Pretreatment
Receiving hopper	Pretreatment
Mechanical catch basins	Pretreatment
Skimmer tank (BakerCAL)	Pretreatment
Air floatation unit (Hydrocal)	Pretreatment
Mechanical screw conveyor	Pretreatment

Pretreatment Process Name:	Effluent Monitoring
Equipment Name	**Equipment Type**
pH Recorder for Final pH	Monitoring/Sampling
3" Parshall Flume	FLOW

Pretreatment Process Name:	Sludge Handling
Equipment Name	**Equipment Type**
Filter Press	Pretreatment
Sludge Storage Tanks	Pretreatment
Mixing Tanks w/lime slurry	Pretreatment
Centrysis Unit	Pretreatment

SECTION 9: *Program Requirements*

Program Name	Status	Due Date	Approved Date	Plan Name
Flow Meter	Approved - Active		7/6/2009	IW 811 Effluent Flow Meter
Rainwater	Approved - Active		10/1/2008	IW 811 Rainwater Diversion
Spill Containment	Approved - Active		4/17/2003	IW 811 Spill Containment

SECTION 10: *Submissions/Completions Requirements*

Required Submissions/Completions	Due Date
Plan Submission Req	12/18/2018

Except as directed in permit requirement statements, all submissions and notifications of completions should be mailed to:

County Sanitation Districts of Los Angeles County
Industrial Waste Section
Alicia Barrera
P.O. Box 4998
Whittier, CA 90607-4998

Permit related questions should be directed to:

Alicia Barrera
562-908-4288 Ext. 2918
abarrera@lacsd.org

Flow Monitoring questions should be directed to:

David Sonboli
562-908-4288 Ext. 2962
dsonboli@lacsd.org

SELF-MONITORING REPORTING SCHEDULE

Permittees required to submit self-monitoring reports per Section 5 of this Permit Data Sheet are subject to the following schedule:

SELF-MONITORING REPORTING SCHEDULE[1]		
Analysis Frequency	**Reporting Period**	**Due Date[2]**
Annually	July 1 - June 30	July 15 (the following year)
Semi-annually	January 1 - June 30 July 1 - December 31	July 15 January 15
Quarterly	January 1 - March 31 April 1 - June 30 July 1 - September 30 October 1 - December 31	April 15 July 15 October 15 January 15
Monthly	Day 1 - Day 31 of the month	Day 15 (the following month)

[1]The laboratory data sheet(s) for each analysis performed during the reporting period must be included with the Self - monitoring Report form. However, only the results from the most recent sample collected during the reporting period should be recorded on the Self-monitoring Report form.

[2]The Self-monitoring Report form may be submitted before the due date as long as the sample is taken during the appropriate reporting period.

SURCHARGE TEST REQUIREMENTS

Industrial users participating in the Sanitation Districts' Surcharge Program may be subject to additional self-monitoring requirements besides those specified in the permit conditions. Surcharge testing parameters include Chemical Oxygen Demand (COD) and suspended solids (SS). For companies that file Long Form Surcharge Statements, the testing frequency for COD and SS is based on flow as shown in the table below. Surcharge wastewater analyses must adequately represent the average daily discharge to the sewer system and the results must be submitted annually with the wastewater treatment surcharge statement in accordance with each year's "Instruction for Filing a Long Form Wastewater Treatment Surcharge Statement." **Surcharge test requirements are independent of the self-monitoring report requirements**.

SURCHARGE TESTING FREQUENCY FOR COD AND SS **(Must be 24-hour Composite Samples)**	
Yearly Cumulative Flow from Each Outlet (in million gallons)	**Required Testing Frequency**
Less than 15.00	1 sample per 3 months
15.01 to 40.00	1 sample per 2 months
40.01 to 100.00	2 samples per month
100.01 to 250.00	1 sample per week
More than 250.00	2 samples per week