

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

**BRISTOL INDUSTRIES  
630 East Lambert Road  
Brea, CA 92821**

**Case No: 5017-2  
Facility ID: 17489**

**Hearing Date:** 12/14/2023

**Hearing Type:** Interim

**Consent Calendar:**

**Next Hearing:** 1/25/24

**HEARING BOARD ACTION**

**Action:** Granted

**Starting Date:** \*12/14/2023

**Ending Date:** 01/25/2024

**RULES**

203(b) {from Permit Conditions 1, 2, 3, 6, 9 and 16 of Permit to Construct (P/C) No. 632693}

1124(c)(1) and (c)(4)

**COMMENTS**

**\*The Interim variance period shall commence on the start date above and continue for 90 days or until the Regular variance hearing currently scheduled for January 25, 2024, whichever comes first.**

**EQUIPMENT DESCRIPTION**

**DEVICE/APPLICATION/PERMIT**

Regenerative Thermal Oxidizer

632693

**CONDITIONS**

1. Petitioner shall not perform any spray coating operations in this equipment until the regenerative thermal oxidizer (RTO) permitted under AN 632693 is fully repaired and is in full operation.
2. Petitioner shall not use any materials in this equipment that contain carcinogenic air contaminants identified in Rule 1401, Table 1, with an effective date of September 1, 2017, or earlier, except lead and lead compounds (CAS No. 7439-92-1) including lead phosphite (CAS No. 12141-20-7).
3. Petitioner shall only use the curing ovens to cure parts coated during this variance period, using the equipment listed in the Permit to Construct under AN 632693 ("the Permit"). Petitioner shall not use the curing ovens to cure any other parts coated prior to the variance period or coated by a third party.
4. Petitioner shall only use Rule 1124 compliant coatings and or the following materials in this equipment during the variance period, The daily usage of each material shall not exceed the limits specified below:

Material	Usage Limit (gallons/day)
Everland 620C	1.0
Kal-Gard FA	0.5
MEK	3.0
FA Solvent	1.5
Cetyl Alcohol	2.0

5. Petitioner shall keep all Roll Up Doors and Access Doors closed when any coating operation is in process.
6. Petitioner shall keep daily records of material usage to demonstrate compliance with Condition 4.
7. Petitioner shall calculate daily excess emissions and shall pay all applicable fees to the Clerk of the Board, or the variance shall be invalidated pursuant to Rule 303(k).
8. Petitioner shall notify the Clerk of the Hearing Board at [clerkofboard@aqmd.gov](mailto:clerkofboard@aqmd.gov) and South Coast AQMD Legal Counsel Ryan Mansell at [rmansell@aqmd.gov](mailto:rmansell@aqmd.gov) in writing when final compliance has been achieved.
9. Within 30 days from the date of issuance of this interim variance, Petitioner shall submit to South Coast AQMD, via email to Supervising Air Quality Engineer David Lui ([dlui@aqmd.gov](mailto:dlui@aqmd.gov)) and Senior Deputy District Counsel Ryan Mansell ([rmansell@aqmd.gov](mailto:rmansell@aqmd.gov)), a detailed report including the root cause of the RTO's failure and whether the repair is feasible or replacement is necessary. If repairs are feasible, this report must also include a timeline for repair of the RTO. If replacement is necessary, this report must instead include an estimated timeline for achieving compliance.
10. Within 30 days from the date of issuance of this Interim variance, Petitioner shall investigate using an outside vendor to perform the processes normally handled by the permitted equipment listed in the Permit, including those processes that involve the use of solvents and the application and curing of any non-compliant lubricants or coatings. Petitioner shall identify and obtain bids from at least three (3) potential vendors. Petitioner will additionally engage each potential vendor for the purpose of obtaining a test batch of sufficient quantity for Petitioner to be able to assess whether the vendor's workmanship meets Petitioner's quality standards. Petitioner shall, within the time limit, submit to South Coast AQMD, via email to Ryan Mansell ([rmansell@aqmd.gov](mailto:rmansell@aqmd.gov)), a detailed report regarding compliance with this condition.
11. At least 5 days before any subsequently scheduled regular or short variance hearing, Petitioner shall provide a detailed report, via email to Ryan Mansell ([rmansell@aqmd.gov](mailto:rmansell@aqmd.gov)), regarding the suitability of the identified vendors, including relevant costs, ability to perform the work required by Petitioner, and whether any obtained samples were of satisfactory quality. To the extent that no vendor can meet the needs of Petitioner, Petitioner will explain in the report the reason(s) that each identified vendor is unsuitable. To the extent that Petitioner was unable to complete its assessment of the identified vendor(s), Petitioner will identify whether that inability was due to reasonable circumstances outside its control and the nature of the circumstance(s).
12. Within 30 days from the date of issuance of this Interim variance, Petitioner shall investigate whether there exists a temporary RTO or carbon adsorber with a valid various locations permit issued by the South Coast AQMD. Any identified RTO meeting these requirements must also have a minimum exhaust flow rate of 3000CFM. Petitioner shall notify David Lui ([dlui@aqmd.gov](mailto:dlui@aqmd.gov)) once a temporary RTO or Carbon Adsorber has been identified. The notification shall include, RTO Model Number, Air Flow Capacity, and South Coast AQMD Permit Number.
13. Petitioner shall notify the Clerk of the Hearing Board at [clerkofboard@aqmd.gov](mailto:clerkofboard@aqmd.gov) and South Coast AQMD Legal Counsel Ryan Mansell at [rmansell@aqmd.gov](mailto:rmansell@aqmd.gov), in writing, if and when final compliance has been achieved.
14. Petitioner shall explore mitigation matters to lower its Volatile Organic Compounds (VOCs)
15. Petitioner shall shutdown its operations if South Coast AQMD receives three (3) or more odor complaints, until the odor issue is resolved.

**EXCESS EMISSIONS**

VOC: 42.75 lbs./day

Failure to comply in full with any and all conditions and increments of progress may result in modification or revocation of this order by the Hearing Board, and/or enforcement actions by the South Coast AQMD.

**REMINDER**

The Regular variance is currently scheduled for January 25, 2024.

**Present:**

Cynthia Verdugo-Peralta, Chair  
Jerry P. Abraham, M.D., MPH, CMQ  
Mohan Balagopalan  
Adrienne Konigar-Macklin, Esq., Alternate  
Steven Samaniego, Alternate

**Representing the Petitioner:**

Brooklyn Hilderbrandt, Attorney at Law

**Representing the Respondent:**

Ryan Mansell, Senior Deputy District Counsel

**Witnesses for the Petitioner:**

Hong Gao, Plant Manager  
Richard French, Environmental Team Leader  
Bruce Armbruster, Directing Consultant, ALL4 Environmental

**Petitioner's Exhibits:**

#1 - Permit to Construct AN #632693  
#2 - Chronology of Events

**Respondent's Exhibits:**

A - Proposed Interim Variance Conditions

**Comments:**

Testimony was presented that on November 17, 2023, a natural gas explosion inside the RTO occurred damaging the lube room. Brea Fire Department responded, secured the natural gas supply to the RTO and there was no fire after the initial explosion. Petitioner's Environmental Team Leader, Maintenance Supervisor, and personnel from the RTO manufacturer, Alliance Corp. were on site. The incident was evaluated and preliminary investigation into the cause and corrective actions were initiated. South Coast AQMD personnel was notified of the incident and that the equipment was not operating. Petitioner initially believed that the equipment would be repaired and back in service within an approximate two-week period. On November 20, 2023, Petitioner contacted its Consultant, ALL4 Environmental to join in on the RTO issues and to provided guidance. Ultimately, Petitioner's Upper Management determined that an independent third-party vendor was needed to conduct an extensive root cause analysis before the RTO could be placed back into service. On November 22, 2023, ALL4 Environmental was instructed to prepare the petition for variance relief, although Petitioner's Management Team did not given authorization to submit the petition until December 4, 2023. On December 5, 2023, Petitioner filed its petition for variance relief, which was not enough to meet notice requirements for a noticed regular variance hearing to be heard on December 14, 2023.

**Motion: Good Cause**

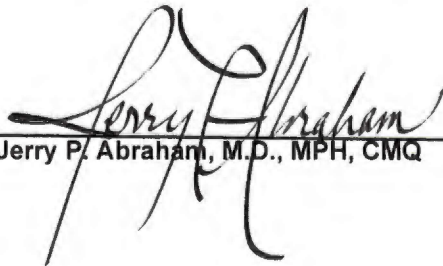
**Balogopalan/Konigar-Macklin**

**4-1, Samaniego  
votes No**

**Motion:**

**Abraham/Konigar-Macklin 5-0**

**Board  
Review/Approval**

  
Jerry P. Abraham, M.D., MPH, CMQ

**Dated**

**21 December 2023**

Prepared by: Altheresa Rothschild

**PROOF OF SERVICE BY E-MAIL**

**Case No. 5017-2**

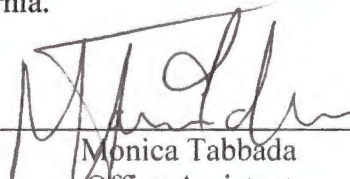
I, the undersigned, declare that I am employed in the **County of Los Angeles, State of California**. I am over the age of eighteen years and am not a party to the within action. My business address is **21865 Copley Drive, Diamond Bar, California 91765**.

<b>CALIFORNIA AIR RESOURCES BOARD</b> <a href="mailto:variance@arb.ca.gov">variance@arb.ca.gov</a>	<b>AIR ENFORCEMENT OFFICE</b> <a href="mailto:aeo_r9@epa.gov">aeo_r9@epa.gov</a> and <b>US ENVIRONMENTAL PROTECTION AGENCY REGION IX</b> <b>ATTN: ROSHNI BRAHMBHATT</b> <a href="mailto:brahmbhatt.roshni@epa.gov">brahmbhatt.roshni@epa.gov</a>
<b>RICHARD L. FRENCH</b> <b>ENVIRONMENTAL TEAM LEADER</b> <a href="mailto:richardlee.french@sbdinc.com">richardlee.french@sbdinc.com</a>	<b>BRUCE ARMBRUSTER</b> <b>DIRECTING CONSULTANT</b> <a href="mailto:barmbruster@all4inc.com">barmbruster@all4inc.com</a>

**BY E-MAIL** - By transmitting a true pdf copy of the **Findings and Decision** before the **Hearing Board** by e-mail transmission from [mtabbada@aqmd.gov](mailto:mtabbada@aqmd.gov) to each of the interested party at the e-mail addresses set forth above. Said transmission(s) were completed on the aforesaid date at the time stated on declarant's email transmission record.

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

Executed on **January 11, 2024** at Diamond Bar, California.



Monica Tabbada  
Office Assistant  
Clerk of the Boards