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10 BEFORE THE HEARING BOARD OF THE  
11 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

13 **In the Matter of**

14 SOUTH COAST AIR QUALITY  
15 MANAGEMENT DISTRICT,

15 Petitioner,

16 vs.

17 FLEXFIRM HOLDINGS LLC,

18 [Facility ID No. 187620]

19 Respondent.

CASE NO. 6239-1

**[PROPOSED] FINDINGS AND  
DECISION FOR AN ORDER FOR  
ABATEMENT**

Health and Safety Code § 41700 and District  
Rules 402, 1128, and 1147

Date: May 28, 2024

Time: 9:30 a.m.

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

23 **FINDINGS AND DECISION OF THE HEARING BOARD**

24 This petition for a modification and extension of an Order for Abatement was heard on May  
25 28, 2024, pursuant to notice and in accordance with the provisions of California Health and Safety  
26 Code Section 40823 and District Rule 812. The following members of the Hearing Board were  
27 present: Cynthia Verdugo-Peralta, Chair; Robert Pearman, Vice-Chair; Dr. Jerry P. Abraham; Micah  
28 Ali; and Mohan Balagopalan. Petitioner, Executive Officer, was represented by Sheri Hanizavareh,

1 Principal Deputy District Counsel, and Josephine Lee, Senior Deputy District Counsel. Respondent,  
2 Flexfirm Holdings LLC (hereinafter referred to as “Respondent” or “Flexfirm”), was represented by  
3 Anthony Andres. The public was given the opportunity to testify. The matter was submitted and  
4 evidence received. The Hearing Board finds and decides as follows:

5 **FINDINGS OF FACT**

6 1. Petitioner is a body corporate and politic established and existing pursuant to Health  
7 and Safety Code §40000, *et seq.* and §40400, *et seq.*, and is the sole and exclusive local agency with  
8 the responsibility for comprehensive air pollution control in the South Coast Basin.

9 2. Respondent Flexfirm Holdings LLC operates a Facility subject to the jurisdiction of  
10 the District. Flexfirm is a textile coating facility located at 2300 N. Chico Ave, South El Monte, CA  
11 91733. Its Facility ID Number is 187620.

12 3. The District has received nearly six hundred odor complaints from January 2023  
13 through the present, from the surrounding area near Flexfirm alleging the Facility as the source of  
14 the odor. The District has traced the odors back to Flexfirm on numerous occasions. The District  
15 alleges that Respondent is in violation and has been in violation of District Rule 402 since at least  
16 May 22, 2023. The District has issued thirteen Notice of Violations alleging a violation of District  
17 Rule 402 and Health and Safety Code section 41700 between May 22, 2023, and May 10, 2024.

18 4. Flexfirm owns and operates a Coating/Curing Oven with Afterburner under Permit to  
19 Operate G52678 (“VOC Oven” and “Afterburner”). Flexfirm also owns and operates a  
20 Coating/Curing Oven under Permit to Operate G75719 (“Non-VOC Oven”).

21 5. The VOC Oven and Afterburner and the Non-VOC Oven are subject to District Rule  
22 1128.

23 6. Flexfirm conducted a source test of the Afterburner in November 2023. The results of  
24 the source test demonstrated a VOC destruction efficiency of 74.5%, which did not meet the Rule  
25 1128 requirement of a VOC destruction efficiency of at least 95%..

26 7. District Rule 1128 also prohibits the use and or application of any plastisols to any  
27 paper, fabric, or film substrate unless the coating contains less than 20 grams of VOC per liter of  
28 coating, less water, and less exempt compounds, as applied.

1           8.       Additionally, under Condition 3 for Permits to Operate G52678 and G75719, the total  
2 quantity of coatings and solvents used at each of the VOC Oven and Non-VOC Oven must not exceed  
3 a maximum throughput of 68 gallons in any one day, unless otherwise stated.

4           9.       Based on the failed source test for the Afterburner and application of plastisols that  
5 are greater than 20 grams of VOC per liter of coating, less water, and less exempt compounds, as  
6 applied, Flexfirm is operating in violation of Rule 1128.

7           10.      The afternoon of the last District business day before the July 25, 2034 Order for  
8 Abatement hearing before the Hearing Board, Flexfirm asserted that the Equipment was exempt from  
9 1147. Since then, Flexfirm and District staff have examined the configuration and processes of the  
10 Afterburner to determine if it is exempt from 1147 and/or subject to any other District rules that  
11 restrict the emissions of Nitrous Oxides (NO<sub>x</sub>).

12           11.      The Afterburner is not exempt from Rule 1147.

13           12.      The Afterburner is not subject to exemption under Rule 1147(m)(3)(D) because the  
14 equipment does not have an integrated thermal fluid heat exchanger that captures heat from the  
15 Afterburner. The Facility uses an air-to-air heat exchanger to capture heat from the Afterburner.

16           13.      The Afterburner is not subject to exemption under Rule 1147(m)(3)(E) because the  
17 VOC effluent is not being mixed in the unit's burner with combustion or air or fuel prior to or at  
18 incineration in the burner. There is a separate natural gas fuel line which enters through the burner.  
19 The VOC effluent is not being mixed in the unit's burner with the natural gas fuel line. The VOC  
20 effluent is in a gas stream moving past the burner flame to be combusted.

21           14.      The Afterburner is not subject to exemption under Rule 1147(g). Flexfirm has  
22 installed a non-resettable totalizing time meter on the Afterburner. To demonstrate less than one  
23 pound of NO<sub>x</sub> per day averaged over a calendar month under Rule 1147(g)(1)(A), Flexfirm must  
24 limit operation of the Afterburner no more than 81 hours per month.

25           15.      Flexfirm has not installed and maintained a non-resettable totalizing fuel meter on the  
26 Afterburner and cannot demonstrate less than one pound of NO<sub>x</sub> per day averaged over a calendar  
27 month under Rule 1147(g)(1)(B).  
28



1 notice to the District ([amartinez2@aqmd.gov](mailto:amartinez2@aqmd.gov) and [astewart@aqmd.gov](mailto:astewart@aqmd.gov)) no later than 10 days prior  
2 to the date of the scheduled source test.

3 3. Respondent shall submit the source testing results to the District source testing  
4 division no later than 72 hours after receipt, with a copy to [amartinez2@aqmd.gov](mailto:amartinez2@aqmd.gov),  
5 [astewart@aqmd.gov](mailto:astewart@aqmd.gov), and [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov).

6 4. If the source testing results do not demonstrate compliance with Rule 1128,  
7 Respondent shall, within 30 days of receipt of the source testing results, submit a plan to the District  
8 to bring the equipment into compliance with Rule 1128.

9 5. Respondent shall by August 31, 2023, submit application(s) to modify its permit(s)  
10 and/or for new permits to accurately represent the equipment located at its facility, the equipment  
11 configuration, and the applicable rules and emissions limitations. Respondent shall request and pay  
12 for expedited processing. The applications shall include the Safety Data Sheets (SDS) for all  
13 coatings and solvents used at the Facility and maintenance records for all of the equipment at the  
14 Facility for the previous three years.

15 6. Respondent shall schedule VOC source testing to demonstrate compliance of the  
16 Afterburner for Rule 1128, to be completed no later than June 28, 2024.

17 7. Respondent shall repair any leaks and ducting of their Afterburner prior to  
18 conducting the VOC source test.

19 8. Respondent shall submit the source testing results to the South Coast AQMD Source  
20 Testing Division no later than 72 hours after receipt, with a copy to [astewart@aqmd.gov](mailto:astewart@aqmd.gov),  
21 [amartinez2@aqmd.gov](mailto:amartinez2@aqmd.gov), [jlee4@aqmd.gov](mailto:jlee4@aqmd.gov), and [shanizavareh@aqmd.gov](mailto:shanizavareh@aqmd.gov). Respondent shall request  
22 and pay for expedited processing.

23 9. In lieu of complying with Condition Nos. 6, 7 and 8, Respondent shall submit permit  
24 application(s) to the South Coast AQMD to construct a new or modified control equipment and the  
25 equipment which it vents to in order to comply with Rule 1128 by July 31, 2024. Respondent shall  
26 request and pay for expedited processing.

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1           10.     Respondent shall test the VOC content of all applied coatings to paper, fabric, or film  
2 substrate used at the facility no later than July 31, 2024 pursuant to the test methods set forth in Rule  
3 1128(f)(1).

4           11.     Respondent shall submit the VOC content results, specifying which oven line each  
5 coating was processed in, to the South Coast AQMD (astewart@aqmd.gov, amartinez2@aqmd.gov,  
6 jlee4@aqmd.gov, and shanizavareh@aqmd.gov) no later than 72 hours after receipt of results.

7           12.     Respondent shall not use or apply any plastisol to any paper, fabric or film substrate  
8 unless the coating contains less than 20 grams of VOC per liter of coating, less water, and less  
9 exempt compounds, as applied.

10          13.     Respondent shall limit the throughput of coatings and solvents used in the equipment  
11 permitted under P/O G52678 to no more the 68 gallons in any one day. The Respondent shall also  
12 limit the daily throughput of Neoprene coating to no more than 23 gallons in any one day.  
13 Respondent shall maintain daily records and provide these to amartinez2@aqmd.gov for each month  
14 no later than the 3rd day of the following month, starting June 3, 2024.

15          14.     To demonstrate compliance with Rule 1147, Respondent shall comply with the  
16 following:

17           a.     Submit a source test protocol to the South Coast AQMD for NOx and CO testing to  
18 demonstrate compliance of the Afterburner with Table 2 limits in Rule 1147, no later  
19 than July 1, 2024. Respondent shall request and pay for expedited processing.

20           b.     Conduct source test of the Afterburner no later than 30 days after receiving approval  
21 of the source test protocol.

22           c.     Submit the source testing results to the South Coast AQMD Source Testing Division  
23 no later than 72 hours after receipt, with a copy to astewart@aqmd.gov,  
24 amartinez2@aqmd.gov, jlee4@aqmd.gov, and shanizavareh@aqmd.gov.  
25 Respondent shall request and pay for expedited processing.

26          15.     If the source test results do not demonstrate compliance with Rule 1147 (20 ppmv  
27 NOx and 1000 ppmv CO limits) for the Afterburner, Respondent shall reduce operation of the  
28 Afterburner to no more than 81 hours/month or limit the natural gas throughput to less than 230,550

1 scf/month. Respondent shall also submit applicable permit application(s) to demonstrate or  
2 incorporate conditions for compliance with Rule 1147 within 14 days after the source test report has  
3 been approved or accepted.

4 16. Respondent shall maintain gas usage records including totalizing gas meter readings  
5 or time meter readings, to comply with the Rule 1147 one pound per day exemption for both curing  
6 ovens and the afterburner (if non-compliant with Rule 1147 emissions limits) and provide these to  
7 [amartinez2@aqmd.gov](mailto:amartinez2@aqmd.gov) each month, no later than the 3rd day of the following month, starting June  
8 3, 2024.

9 17. Within fourteen days of this Order, Respondent shall submit one change of condition  
10 or modification permit application to modify Permit No. G75719 to accurately represent the  
11 equipment located at its facility, the equipment configuration, and the applicable rules and emission  
12 limitations. Respondent shall request and pay for expedited processing.

13 18. Within fourteen days of this Order, Respondent shall submit one change of condition  
14 permit application to modify Permit No. G52678 to accurately represent the equipment located at  
15 its facility, the equipment configuration, and the applicable rules and emission limitations.  
16 Respondent shall request and pay for expedited processing.

17 19. Within fourteen days of this Order, Respondent shall submit one administrative  
18 change application to Permit No. G52678, to split the afterburner on a separate permit. Respondent  
19 shall request and pay for expedited processing.

20 20. If the Respondent installs and operates a new control device to comply with Rules  
21 1128 or 1147, it shall complete construction of the equipment within 6 months after permit issuance.

22 21. Parties shall appear before the Hearing Board for a status/modification hearing in  
23 September 2024.

24 22. The Hearing Board may modify this Order for Abatement without the stipulation of  
25 the parties upon a showing of good cause therefore, and upon making the findings required by Health  
26 and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the Order shall be  
27 made only at a public hearing held upon 10 days published notice and appropriate written notice to  
28 Respondent.

