

ORIGINAL

EV 4/23/24

SV 5/14/24

PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE

SOUTH COAST AIR QUALITY
CLERK OF THE BOARDS

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

2024 APR 16 AM 10:45

PETITIONER: Monarch Orange Crematory

CASE NO:

6254-1

FACILITY ID:

196339

FACILITY ADDRESS: 1577 North Main Street

[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]

City, State, Zip: Orange, Ca 92867

1. TYPE OF VARIANCE REQUESTED (more than one box may be checked; see Attachment A, Item 1, before selecting)

INTERIM XSHORT REGULAR EMERGENCY EX PARTE EMERGENCY

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

Mark Rourke

Zip

Zip

☎ (760) 552-9320

Ext.

☎ ()

Ext.

Fax ()

Fax ()

E-mail

E-mail

3. RECLAIM Permit Yes No

Title V Permit Yes No

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.

[ALL DOCUMENTS FILED WITH CLERK'S OFFICE BECOME PUBLIC RECORD]

4. **GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice. (Required only for Emergency and Interim Variances; see Attachment A, Item 4)

We are applying for a short variance and an emergency variance due to our testing needing to be completed by 5/6/2024. We were on track to have testing completed by this date but hit a last-minute delay in materials to complete our maintenance and pretest tune ups.

5. Briefly describe the type of business and processes at your facility.

Monarch Orange Crematory is a crematory in Orange, Ca and is owned by Foundation Partners Group. The crematory license # is 439 and was formally known as The Omega Society until February 2024. The Omega Society still operates as a mortuary.

6. List the equipment and/or activity(s) that are the subject of this petition (see Attachment A, Item 6, Example #1). **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment. For RECLAIM or Title V facilities, attach *only* the relevant sections of the Facility Permit showing the equipment or process and conditions that are subject to this petition. You must bring the entire Facility Permit to the hearing.**

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied
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			(if relevant)*
Crematory # 1	G68389		
Crematory # 2	G68388		
Crematory #3	G68390		
Crematory # 4	G68391		

*Attach copy of denial letter

7. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

All four permitted retorts are used to perform cremations of human remains.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes No
 If yes, how often: Quarterly Date of last maintenance and/or inspection Ongoing
 Describe the maintenance and/or inspection that was performed.

We have completed three of four rebuilds for each retort/permit at our facility. The fourth rebuild and subsequent individual tune ups prior to testing are delayed due to delays in materials for completion.

9. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief (if requesting variance from Rule 401 or permit condition, see Attachment A). Briefly explain how you are or will be in violation of each rule or condition (see Attachment A, Item 9, Example #2).

Rule	Explanation
1147	Source Testing within 24 months of May 6, 2022 as specified under 1147 (h)(13)(A).

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10. Are the equipment or activities subject to this request currently under variance coverage? Yes No X

Case No.	Date of Action	Final Compliance Date	Explanation

11. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage? Yes No X

Case No.	Date of Action	Final Compliance Date	Explanation

12. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year? Yes No X

If yes, you must attach a copy of each notice.

13. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months? Yes X No

If yes, you should be prepared to present details at the hearing.

14. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

We are delayed in our maintenance and tune ups for scheduled source testing due to delay in materials. Our source testing protocol has been approved.

15. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

Thursday 4/11/2024 were notified by our vendor that there was a delay in supplies and the permitted retorts would not be ready for testing by 5/6/2024.

16. List date(s) and action(s) you have taken since that time to achieve compliance. That the Petition Form HB-V, and any related instructions, include requirement that the Petitioner include a timeline in suitable, chronological format to address the events, dates, and actions called for by Questions 15 and 16, including the dates of communication with the South Coast AQMD to notify them of the occurrence(s) giving rise to the requested variance.

On Thursday 4/11/24, we notified Lucas Anotoado of AQMD that we would need to request a short variance and are committed to a new testing date of 6/17/2024. He provided the information for us to request the variance.

17. What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: \$ _____ \$500,000 plus _____

Number of employees laid off (if any): 3 _____

Provide detailed information regarding economic losses, if any, (anticipated business closure, breach of contracts, hardship on customers, layoffs, and/or similar impacts).

We would be forced to close the crematory, lay off numerous staff members and we would not be able to service families and provide care for their deceased family members. This is the basis of our business.

18. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

We would not be able to curtail or terminate operations due to our large case volume.

19. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

Pollutant	(A)	(B)	(C)*
	Total Estimated Excess Emissions (lbs/day)	Reduction Due to Mitigation (lbs/day)	Net Emissions After Mitigation (lbs/day)
N/A			
N/A			
N/A			

* Column A minus Column B = Column C

Excess Opacity: N/A %

20. Show calculations used to estimate quantities in No. 19, or explain why there will be no excess emissions.

There is no excess as we are within regulations and are requesting variance for source testing.

21. Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

Our current operating procedures do not cause excess emissions.

22. How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District? **Any proposed monitoring does not relieve RECLAIM facilities from applicable missing data requirements.**

We can provide any information requested based on our permits.

23. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

No changes to our operation or modifications to our current permits are necessary.

24. State the date you are requesting the variance to begin: 5/6/2024; and the date by which you expect to achieve final compliance: 6/18/2024.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance. See District Rule 102 for definition of Increments of Progress (see Attachment A, Item 24, Example #3).

List Increments of Progress here:

4/12/2024 – Continued maintenance to current permitted retorts.

5/31/2024 – End of maintenance

6/1/2024 – Tune-ups and pretesting

6/17/2024 – Source Testing initiated.

25. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

LUCAS ANOTADO Ext. _____

_____ Ext. _____

If the petition was completed by someone other than the petitioner, please provide their name and title below.

Name _____ Company _____ Title _____

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 14, 2024, at Orange, California

Mark A. Rourke Mark Rourke _____

Signature _____ Print Name _____

Title: DCN Manager

26. SMALL BUSINESS and TABLE III SCHEDULE A FEES: To be eligible for reduced fees for small businesses, individuals, or entities meeting small business gross receipts criterion [see District Rule 303(h)], you must complete the following:

Declaration Re Reduced Fee Eligibility

- 1. The petitioner is
 - a) an individual, or
 - b) 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.

If you selected 1a, above, skip item 2.

- 2. The petitioner is
 - a) 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**
 - (iii) the facility is a not-for-profit training center.

-OR-

- b) an entity with total gross annual receipts of \$500,000 or less.

3. Therefore, I believe the petitioner qualifies for reduced fees for purpose of filing fees and excess emission fee calculations, in accordance with Rule 303(h).

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

Executed on _____, at _____, California

Signature _____ Print Name _____

Title _____

ATTACHMENT A

ITEM 1

Type of Variance Requested:

- (a) **SHORT:** If compliance with District rule(s) can be achieved in **90 days or less**, request a short variance. *(Hearing will be held approximately 21 days from date of filing--10-day posted notice required.)*
- (b) **REGULAR:** If compliance with District rule(s) will take **more than 90 days**, request a regular variance. If the variance request will extend beyond one year, you **must** include a specific detailed schedule of increments of progress [see Page 8, No. 24] under which you will achieve final compliance. *(Hearing will be held approximately 45 days from date of filing--30-day published notice required.)*
- (c) **EMERGENCY:** If non-compliance is the result of an unforeseen emergency, such as a sudden equipment breakdown, power failure, or accidental fire, you may request an emergency variance. You may request an *ex parte* emergency variance in addition to an emergency variance. **An emergency variance cannot be granted for more than 30 days.** *(Hearing will be held within 2 working days from the date of filing, whenever possible, excluding Mondays, weekends, and holidays.)* **If you request an emergency variance, you must answer No. 4 on page 1.**
- (d) **EX PARTE EMERGENCY:** If variance coverage is required on a weekend or when the Board is not in session, and you cannot wait until an emergency variance hearing can be held, you may request an *ex parte* emergency variance. An *ex parte* emergency variance will be granted or denied solely on the information contained in the petition and the District's response to the petition. Under most circumstances, an *ex parte* emergency variance will remain in effect only until a hearing can be held. **If you request an *ex parte* variance, you must answer No. 4 on page 1.**
- (e) **INTERIM:** If you require immediate relief (other than for emergencies) to cover the time until a short or regular variance hearing can be held, request an interim variance. If you request an interim variance, you must also request a short or a regular variance on the same petition. *(Hearing will be held approximately 2 working days from date of filing, whenever possible, excluding Mondays, weekends and holidays.)* **If you request an interim variance, you must answer No. 4 on page 1.**

ITEM 4

GOOD CAUSE: The Hearing Board is required to provide public notice of variance hearings, as the public has a right to attend and testify at such hearings. In order for the Hearing Board to hold an Interim, *Ex Parte* Emergency or Emergency Variance hearing without the required public notice, a petitioner must present facts which will support a determination by the Board that "good cause" exists to hear a variance without notifying the public about the variance and providing the public with an opportunity to present evidence concerning the variance.

ITEM 6

Example #1:

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied (if relevant)*
Tenter frame		D32	
Chrome-plating tank	M99999		
Bake oven	123456		
Create special effects (fog)	N/A	N/A	N/A
Mfg., sale, distribution, use of non-compliant coating	N/A	N/A	12/10/95

ITEM 9

a) If you are requesting relief from Rule 401 and the excess opacity during the variance period will reach or exceed 40%, you should also request relief from California Health and Safety Code Section 41701.

b) If you are requesting relief from a permit condition(s), you should also request relief from the rule requiring compliance with conditions of the permit: 202(a), (b) or (c) - Temporary Permit to Operate; 203(b) - Permit to Operate; 2004(f)(1) – RECLAIM Permit; 3002(c) – Title V Permit.

Example #2:

Rule	Explanation
404(a)	tenter frame is vented to damaged air pollution control equipment
2004 (f)(1) [Condition No. 28-2 of Facility P/O No. 099999]	source test cannot be conducted as required until new ESP is installed
1113(c)(2)	petitioner manufactures and sells clear wood finishes with VOCs in excess of 350 grams per liter
401(a) & California H&S Code Section 41701	Opacity will exceed 45%.

ITEM 24

Example #3:

Sample Schedule of Increments of Progress

- Permit application(s) will be submitted to the District by [date].
- Contracts for the purchase of emission control systems will be awarded by [date].
- On-site construction will be completed by [date].

(Petition for Variance: Revised February 22, 2011)



South Coast Air Quality Management District
 21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1
 Permit No.
 G68389
 A/N 636301

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership. If the billing for the annual renewal fee (Rule 301(d)) is not received by the expiration date, contact the District.

Legal Owner
 or Operator:

ID 196339

THE OMEGA SOCIETY
 4901 VINELAND RD, SUITE 300
 ORLANDO, FL 32811 ~~XX~~ 04/22/2023 LA CA 9

Equipment Location: 1577 N MAIN ST, ORANGE, CA 92867

Equipment Description :

CREMATORY NO. 1, HUMAN REMAINS, HARTWICK COMBUSTION TECHNOLOGIES, MODEL APEX-250 XP, NATURAL GAS FIRED, 7-0W. X 9-0L. X 10-0H., SERIAL NO. 0191110, WITH AN ECLIPSE TJ075 750,000 BTU PER HOUR CREMATION BURNER, AN ECLIPSE TJ150 1,500,000 BTU PER HOUR SECONDARY CHAMBER BURNER, AND A 5 H.P. COMBUSTION AIR BLOWER.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THIS EQUIPMENT SHALL BE USED TO CREMATE ONLY HUMAN REMAINS.
4. THE SECONDARY CHAMBER BURNER SHALL BE USED THROUGHOUT THE ENTIRE BURNING PERIOD.
5. THE PRIMARY AND SECONDARY CHAMBER BURNERS SHALL BE OPERATED IN A COOL DOWN MODE PRIOR TO OPENING THE DOOR FOR EACH CREMAINS REMOVAL.
6. THE OPERATOR SHALL INSTALL AND MAINTAIN A TEMPERATURE GAUGE AND RECORDER TO ACCURATELY MEASURE AND RECORD THE TEMPERATURE IN THE SECONDARY CHAMBER, IN DEGREES FAHREHEIT.
7. A TEMPERATURE OF NOT LESS THAN 1500 DEGREES FAHRENHEIT SHALL BE MAINTAINED IN THE SECONDARY CHAMBER WHENEVER THE EQUIPMENT IT SERVES IS IN OPERATION.
8. NOT MORE THAN 144,000 POUNDS OF HUMAN REMAINS SHALL BE CREMATED IN THIS EQUIPMENT IN ANY ONE MONTH.
9. THIS EQUIPMENT SHALL COMPLY WITH THE REQUIREMENTS OF RULE 1147.

ORIGINAL



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1

Permit No.
G68391
A/N 636303

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301(d)) is not received by the expiration date, contact the District.

**Legal Owner
or Operator:**

THE OMEGA SOCIETY
4901 VINELAND RD, SUITE 300
ORLANDO, FL 32811 04/22/2022 LA CA 9

ID 196339

Equipment Location: 1577 N MAIN ST, ORANGE, CA 92867

Equipment Description :

Crematory No. 4, Human Remains, Hartwick Combustion Technologies, Model No. APEX-250XP, Natural Gas Fired, 7'-6" W. x 11'-3" L. x 7'-6" H., Serial No. R0210215, with Two Eclipse TJ0050 500,000 BTU/hr Cremation Burners, and an Eclipse TJ0150 1,500,000 BTU/hr Secondary Chamber Burner, and a 5 HP Combustion Air Blower.

Conditions :

1. Operation of this equipment shall be conducted in accordance with all data and specifications submitted with the application under which this permit is issued unless otherwise noted below.
2. This equipment shall be properly maintained and kept in good operating condition at all times.
3. This equipment shall be used to cremate human remains only.
4. The secondary chamber shall be used throughout the burning period.
5. The primary and secondary chambers shall be operated in a cool down mode prior to opening the door for each cremains removal.
6. The operator shall install and maintain a temperature gauge and recorder to accurately measure and record the temperature in the secondary chamber, in degrees Fahrenheit.
7. A temperature of not less than 1500 degrees Fahrenheit shall be maintained in the secondary chamber whenever the equipment it serves is in operation.
8. This equipment shall not process more than 144,000 pounds of human remains in any calendar month.
9. The operator of this equipment shall comply with all applicable requirements of Rule 1147.
10. The NOx concentration from this equipment shall not exceed 60 parts per million, by volume (ppmv), corrected to 3% oxygen.

ORIGINAL



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1

Permit No.
G68388
A/N 636300

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301(d)) is not received by the expiration date, contact the District.

Legal Owner
or Operator:

THE OMEGA SOCIETY
4901 VINELAND RD, SUITE 300
ORLANDO, FL 32811 ~~XX~~ 04/22/2022 LA CA 9

ID 196339

Equipment Location: 1577 N MAIN ST, ORANGE, CA 92867

Equipment Description :

CREMATORY NO. 2, HUMAN REMAINS, HARTWICK COMBUSTION TECHNOLOGIES. MODEL APEX-250 XP, NATURAL GAS FIRED, 7-0W. X 9-0L. X 10-0H., SERIAL NO. 0201110, WITH AN ECLIPSE TJ075 750,000 BTU PER HOUR PRIMARY CHAMBER BURNER, AN ECLIPSE TJ150 1,500,000 BTU PER HOUR SECONDARY CHAMBER BURNER, AND A 5 H P. COMBUSTION AIR BLOWER.

Conditions :

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.
3. THIS EQUIPMENT SHALL BE USED TO CREMATE ONLY HUMAN REMAINS.
4. THE SECONDARY CHAMBER SHALL BE USED THROUGHOUT THE BURNING PERIOD.
5. THE PRIMARY AND SECONDARY CHAMBERS SHALL BE OPERATED IN A COOL DOWN MODE PRIOR TO OPENING THE DOOR FOR EACH CREMAINS REMOVAL.
6. THE OPERATOR SHALL INSTALL AND MAINTAIN A TEMPERATURE GAUGE AND RECORDER TO ACCURATELY MEASURE AND RECORD THE TEMPERATURE IN THE SECONDARY CHAMBER, IN DEGREES FAHREHEIT.
7. A TEMPERATURE OF NOT LESS THAN 1500 DEGREES FAHRENHEIT SHALL BE MAINTAINED IN THE SECONDARY CHAMBER WHENEVER THE EQUIPMENT IT SERVES IS IN OPERATION.
8. NOT MORE THAN 144,000 POUNDS OF HUMAN REMAINS SHALL BE CREMATED IN THIS EQUIPMENT IN ANY ONE MONTH.
9. THE OPERATOR OF THIS EQUIPMENT SHALL COMPLY WITH RULE 1147 REQUIREMENTS.

ORIGINAL



South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
PERMIT TO OPERATE

Page 1

Permit No.
G68390
A/N 636302

This initial permit must be renewed ANNUALLY unless the equipment is moved, or changes ownership.
If the billing for the annual renewal fee (Rule 301(d)) is not received by the expiration date, contact the District.

Legal Owner
or Operator:

ID 196339

THE OMEGA SOCIETY
4901 VINELAND RD, SUITE 300
ORLANDO, FL 32811 XX 04/32/2022 LA CA S

Equipment Location: 1577 N MAIN ST. ORANGE, CA 92867

Equipment Description :

Crematory No. 3, Human Remains, Hartwick Combustion Technologies, Model No. APEX-250XP, Natural Gas Fired, 7'-6" W. x 11'-3" L. x 7'-6" H., Serial No. S0220215, with Two Eclipse TJ0050 500,000 BTU/hr Cremation Burners, and an Eclipse TJ0150 1,500,000 BTU/hr Secondary Chamber Burner, and a 5 HP Combustion Air Blower.

Conditions :

1. Operation of this equipment shall be conducted in accordance with all data and specifications submitted with the application under which this permit is issued unless otherwise noted below.
2. This equipment shall be properly maintained and kept in good operating condition at all times.
3. This equipment shall be used to cremate human remains only.
4. The secondary chamber shall be used throughout the burning period.
5. The primary and secondary chambers shall be operated in a cool down mode prior to opening the door for each cremains removal.
6. The operator shall install and maintain a temperature gauge and recorder to accurately measure and record the temperature in the secondary chamber, in degrees Fahrenheit.
7. A temperature of not less than 1500 degrees Fahrenheit shall be maintained in the secondary chamber whenever the equipment it serves is in operation.
8. This equipment shall not process more than 144,000 pounds of human remains in any calendar month.
9. The operator of this equipment shall comply with all applicable requirements of Rule 1147.
10. The NO_x concentration from this equipment shall not exceed 60 parts per million, by volume (ppmv), corrected to 3% oxygen.

ORIGINAL