

1 agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

2 2. Respondent operates a rendering plant facility (Facility ID No. 800016) located at 4020
3 Bandini Blvd., Vernon, CA 90058 (the “facility” or “Baker”), within the jurisdiction of the District.
4 Baker is a Title V and RECLAIM facility and is required to operate pursuant to all conditions specified
5 in its permit. The facility specializes in processing waste animal material from butcher shops, markets,
6 slaughterhouses, and oils from restaurants. Two separate rendering plants are operated at the facility.
7 Plant 1 is the main rendering plant. It is also known as the main plant. Plant 2, also known as the
8 J&M plant, is the back-up plant used for overflow. Attached as **Exhibit 1** are maps of the facility.

9 3. The purpose of **Rule 415** is to reduce odors from facilities rendering animals and animal
10 parts.

11 4. **Rule 415(f)(1)** requires certain rendering equipment be operated within a permanent
12 total enclosure or in a closed system within 24 months after a permit to construct is issued, unless the
13 applicant elects to show compliance pursuant to Rule 415(f)(5). If the Rule 415(f)(5) option is elected,
14 the facility needs to show compliance within 12 months after a permit to construct is issued. **Rule**
15 **415(f)(1)** specifies the following equipment and processes to be operated within a closed system or a
16 permanent total enclosure: conveyors associated with raw material transfer operations; size reduction
17 and conveying equipment; raw rendering material cookers; and process equipment for separating
18 rendered fat from protein materials.

19 5. **Rule 415(f)(3)(B) and (C)** requires that material conveyors and troughs and bins and
20 hoppers that are components of a closed system “shall be completely enclosed on all sides, except for
21 doors or panels, and maintenance and personnel access.”

22 6. **Rule 415(f)(5)** requires raw materials receiving areas to be within a permanent total
23 enclosure.

24 7. **Rule 415(d)(1)(C)** requires that wastewater treatment equipment and processes be
25 operated in a closed system or within a permanent total enclosure no later than 12 months after a
26 permit to construct is issued. **Rule 415(g)** specifies the following wastewater equipment and processes
27 to be operated within a closed system or located within a permanent total enclosure: screens;
28 skimmers; clarifiers, including dissolved air flotation; settling tanks; sludge dewatering equipment;

1 sludge drying equipment; and the rendering facility treated wastewater outlet to city sewer.

2 8. **Rule 2004(f)(1)** requires a permit holder to “comply with all rules and permit
3 conditions applicable to the facility . . .” **Rule 2004(f)(2)** prohibits a person from building a new
4 source or a modification without a Permit to Construct.

5 9. Similarly, **Rule 3002(c)(1)** requires a person to “operate a Title V facility and all
6 equipment located at a Title V facility in compliance with all terms, requirements, and conditions
7 specified in the Title V permit at all times.” **Rule 3002(a)** prohibits a Title V facility from building a
8 new source or a modification without a Permit to Construct.

9 **I. Background**

10 10. Residential areas most impacted by odors from rendering facilities are Boyle Heights,
11 Huntington Park, Maywood, Commerce, and Bell.

12 11. Baker has been a repeat violator of Rule 415. Before the completion deadline of the
13 permanent total enclosures, facilities were required to store raw rendering materials in a covered
14 container or in a permanent total enclosure within 4 hours after delivery. (See Rule 415(e)(5).) Baker
15 has received six notices of violations for violations of Rule 415(e)(5) from August 2019 to January
16 2022.

17 **a. General Description of Plants**

18 **i. J&M Plant**

19 12. The facility has a raw material receiving area for each of the rendering plants and a
20 separate butcher trimmings receiving area. On April 23, 2020, Baker received a permit to construct a
21 4,050 square foot enclosure for J&M Plant’s receiving area. In February 2022, Baker informed South
22 Coast AQMD that its approved design for the J&M Plant receiving area would not work. On or about
23 March 29, 2022, Baker submitted an application to modify the permit to construct for a 250 square foot
24 enclosure (A/N 635940). But before it received a modified permit to construct, Baker constructed the
25 250 square foot enclosure in violation of Rule 203. As of an April 26, 2022, inspection, the J&M Plant
26 is not operating.

27 **ii. Plant 1**

28 13. Other than the butcher trimmings, raw rendering materials are delivered to the facility

1 and is placed in the Plant 1 receiving area (since it is South Coast AQMD's understanding that J&M
2 Plant is not currently in operation). The materials are pushed into a pit with a tractor. The materials
3 are then ground and cooked as part of a continuous rendering process. The final product is held in
4 silos until placed into trucks to be delivered to buyers.

5 14. The facility staff sprays water at the facility, including material receiving areas, and
6 trucks to remove blood and other debris. The water and materials are collected in drains throughout
7 the plant, which gets pumped to the wastewater sludge tank ("Wastewater Sludge Tank"). The
8 material is then moved/pumped via pipes to a covered catch basin where the equipment skims off
9 animal parts and separates grease.

10 **b. Rule 415 Requires Enclosures or Closed Systems**

11 15. Enclosures or configuring the processes as closed systems, as required by Rule 415,
12 also reduce potential odors. Pursuant to Rule 415, facilities have the following options (1) configuring
13 processes as closed systems, (2) conducting operations in a permanent total enclosure with ventilation
14 standards set forth in Rule 415(f)(2)(B), or (3) conducting operations in a permanent total enclosure
15 with alternative ventilation standards (known as, an alternative PTE). While other rendering facilities
16 have fully configured its processes as closed system or have built a permanent total enclosure, Baker
17 has not fully or properly done so. This means odors are more likely to emanate from the Baker
18 facility.

19 16. On March 10, 2020, South Coast AQMD issued permits to construct to the facility for
20 Plant 1's operations: Plant 1's raw material receiving area and cooking and related processes. In
21 addition, on March 10, 2020, South Coast AQMD issued permits to construct for the facility's
22 wastewater and related processes which is shared by both Plant 1 and the J&M Plant.

23 17. On April 23, 2020, South Coast AQMD issued a permit to construct to the facility for
24 the J&M plant's operations: J&M plant's raw material receiving area, cooking, and related processes.

25 18. Pursuant to Rule 415, the facility sought and received one-year extensions as shown
26 below in the chart.

Description of Permit	Permit to Construct Issued	Deadline	Extension of Deadline
<ul style="list-style-type: none"> • Plant 1 alternative PTE for the raw material receiving area. • Plant 1 closed system for rendering operations. 	March 10, 2020	March 9, 2021 (for alternative PTE) March 9, 2022 (for closed system for rendering operations)	March 9, 2022 (for alternative PTE)
<ul style="list-style-type: none"> • Wastewater operations – closed system (e.g., tanks and catch basins) and PTE with air pollution control system (e.g., dewatering press and filter press) 	March 10, 2020	March 9, 2021	March 9, 2022
<ul style="list-style-type: none"> • J&M Plant alternative PTE for raw material receiving area • J&M Plant closed system for rendering operations 	April 23, 2020	April 22, 2021 (for alternative PTE) April 22, 2022 (for closed system for rendering operations)	April 22, 2022

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1 19. Baker Commodities failed to:

- 2 i. Properly configure as a closed systems its rendering operations in Plant 1, by
3 March 9, 2022.
- 4 ii. Properly or fully enclose or configure as a closed system its wastewater
5 operations, which is shared by both Plant 1 and the J&M Plant, by March 9,
6 2022.
- 7 iii. Enclose its butcher trimmings receiving operations. (This has not been
8 designated as part of Plant 1 or the J&M Plant.)

9 20. Inspector Dillon Harris inspected the facility several times in 2022 and observed
10 multiple violations. These violations were observed on March 11, 2022, and on follow up inspections,
11 including most recently on May 19, 2022, the facility continued to violate the rules, as described
12 below.¹

13 **II. Baker Failed to Configure as Closed System or Operate within a Permanent Total**
14 **Enclosure**

15 **a. Baker Violates Rule 415(g), Which Requires Wastewater Equipment and**
16 **Processes to be Operated as a Closed System or Within a Permanent Total**
17 **Enclosure**

18 21. Rule 415(g) requires that wastewater treatment equipment and process be operated in a
19 closed system or within a permanent total enclosure. Baker failed to operate the following wastewater
20 treatment operations shared by both Plant 1 and the J&M Plant in a closed system or enclose the
21 following materials, processes or equipment that is part of their wastewater treatment operations.

- 22 i. Open air pit.

23 22. The facility dumps materials from several processes (as detailed elsewhere), including
24 from wastewater treatment, into one open air pit (“Open-Air Pit”) located west of the silos holding the
25 finished product in violation of Rule 415(g). This process must be enclosed.

26
27
28 ¹ There was one exception. A newly built trough used for moving wastewater from an open-air pit was not observed in
March 2022. It was first observed in or around May 2022.

1 ii. Wastewater operations that are associated with grease processing.

2 23. Tanker trucks collect grease and wastewater from restaurants. The grease and
3 wastewater from restaurants are pumped from tanker trucks into the wastewater tank located at the
4 facility's centralized wastewater area. This restaurant material from the wastewater tank is then moved
5 using a screw conveyor which separates the oil, water, and sludge and unloads the sludge into an open
6 bin. This sludge is then dumped into an Open-Air Pit. The process beginning with the screw conveyor
7 and ending with the Open-Air Pit is in violation of Rule 415(g). This process must be enclosed.

8 24. Rule 415 has a limited exemption for "trap grease unloading operations." It does not
9 apply to the wastewater operations associated with the trap grease unloading.

10 iii. Sludge from dewatering press.

11 25. The dewatering press is located in the wastewater permanent total enclosure and serves
12 the whole facility. Sludge from the dewatering press is deposited into an open bin, then removed from
13 the PTE, and transported and dumped into the Open-Air Pit. The sludge handling must be done within
14 an enclosure at all times per Rule 415(g).

15 iv. Materials and processes located at the J&M Plant.

16 1. Centrifuge located at J&M Plant.

17 26. Material from the cooking process and general wastewater is collected in the sludge
18 tank. Material from the sludge tank (which is located east of the J&M plant), the cooker, and other
19 processes is processed in the J&M centrifuge to separate sludge from the wastewater. Sludge from the
20 centrifuge is then dumped into the Open-Air Pit. This entire process, from the centrifuge to the Open-
21 Air Pit, must be enclosed, per Rule 415(g).

22 2. Catch Basin located at J&M Plant.

23 27. Wastewater from the J&M cooking process is caught in the catch basin, moved using a
24 screw (which is uncovered), dumped in an open bin, then dumped in the Open-Air Pit. The entire
25 process, from the catch basin to screw to the Open-Air Pit, must be enclosed. The catch basin must be
26 enclosed when the J&M Plant is operating, per Rule 415(g).

1 **b. Baker Violates Rule 415(f)(1), Which Requires Rendering Equipment to be**
2 **Within a Permanent Total Enclosure or Closed System**

3 28. Receipt of Butcher Trimmings. Baker blatantly violates the requirement that all
4 “conveyors associated with raw material transfer operations” must be enclosed. *See* Rule 415(f)(1)(A).
5 In an area on the far west portion of the property, near the grease dock known as the star dock, Baker
6 staff empty trash cans of raw material into a hopper which is transported via screw conveyor and
7 deposited into a dump truck. Typically, the truck then transports the raw material to either Plant 1 or
8 J&M plant receiving area for processing. At this time, the J&M plant is not in operation.

9 **c. By Not Properly Enclosing Plant 1 Equipment, Baker Violates Rule 415(f)(3),**
10 **Which Requires Material Conveyors and Troughs to Be Enclosed on All Sides**

11 29. Rule 415(f)(3) provides closed system standards, requiring the facility to minimize
12 leaks and prevent odors from escaping. The facility has a continuous rendering process. In Plant 1,
13 raw materials are transported by a conveyor and moved across a magnet (that is, dropped in a chute
14 with a magnet on one side) to remove ferrous metal. Afterwards, a raw material grinder grinds the
15 material to a smaller size. The ground material is conveyed into the cooker. The cooked material is
16 then pressed. The remaining cooked solid material is dumped into a truck and sent to the silos.

17 30. The facility collects wastewater from throughout the plants. The facility elected a
18 closed system and a PTE for its wastewater operations but has failed to properly implement.

19 31. Baker flouts Rule 415(f)(3) throughout Plant 1, by operating many of the processes
20 designated as closed systems with panels that are not properly sealed or designated for maintenance
21 access that are left open, even when no maintenance is being conducted. In addition, for Baker’s
22 permitted Title V equipment requires that the “operator shall maintain all equipment in such a manner
23 that ensures proper operation of the equipment.” (See Title V Permit, Section E.2.)

24 a. Conveyors. There are several processes in which conveyors are open, allowing
25 odors and animal material to escape. This violates Rule 415(f)(3)(B), which states
26 “material conveyors and troughs that are components of a closed system shall be
27 completely enclosed on all sides, except for doors or panels for maintenance and
28 personnel access.”

- 1 b. Grinders. Baker's grinders are leaking animal material. This violates Rule
2 415(f)(3)(A), which states "each component of a closed system shall be maintained
3 in a manner that minimizes leaks from occurring . . ."
- 4 c. Access door to magnet. During multiple inspections, the access door to the magnet
5 was observed open, even when no one is performing maintenance. This violates
6 Rule 415(3)(A), which states that "each component of a closed system shall be
7 maintained in a manner that minimizes leaks from occurring and prevents odors
8 from escaping . . ." from the system. It appears the access door is always open.
- 9 d. Presses. The presses used to press cooked materials are not sealed and leak animal
10 material in violation of Rule 415(f)(3)(D). Rule 415(f)(3)(D) states "mating metal
11 surfaces on doors or access panels under this paragraph shall be sealed with gasket
12 material."
- 13 e. Clay Press. The clay press further removes residual solids from the tallow received
14 from the other presses. The pressed material is then put into an open bin and
15 dumped into the Open-Air Pit. The tallow from this press is kept. Baker
16 Commodities is in violation because the clay press is not configured as a closed
17 system or not operated inside a PTE.
- 18 f. Trough outside of Plant 1. The trough on the outside of the Plant I enclosure for
19 raw materials was initially designed to handle runoff from the materials pile before
20 the enclosure was built. The trough is grated and open to the atmosphere. After the
21 enclosure for raw materials was built, this trough remained outside the enclosure.
22 The facility now has a drain from inside the enclosure that feeds blood, animal fat,
23 animal material, and wastewater to the trough, which now sits outside the enclosure.
24 This trough is graded in such a way that the low side is farthest away from the sump
25 which pumps the wastewater to the wastewater treatment plant, resulting in a
26 buildup of animal matter in this trough and potentially causing odors. Now that the
27 enclosure is built and a closed system for wastewater is past due, this trough should
28 not be open to the atmosphere. (See Rule 415(f)(3)(B).) By sending animal

1 material from inside the enclosure to outside the enclosure where it is open to the
2 atmosphere, Baker is in violation. Its wastewater operations must be configured as
3 a closed system or conducted within an enclosure.

4 32. Trough leading from Open Air Pit to a sump. In or around May 2022, a new trough was
5 built leading from the Open-Air Pit to a sump for the wastewater operations shared by both Plant 1 and
6 the J&M Plant. This trough, which is part of its wastewater operations, must be configured as a closed
7 system or conducted within an enclosure.

8 **III. Baker Violates its Permit Condition**

9 33. Baker is required to operate pursuant to all conditions specified in its Title V and
10 RECLAIM permit. (Rules 2004(f)(1) and 3002(c)(1).) Baker is in violation of Rules 2004(f)(1) and
11 3002(c)(1) because it is in violation of the permit condition as described below.

12 34. Failure to Properly Wash Equipment. Section D, Condition E187.1 requires “The
13 operator shall wash all exposed surfaces free of animal matter at least once each working day.” During
14 each inspection District staff observed accumulated animal material present that had been observed on
15 previous inspections. In other words, the operator did not wash until the surfaces were “free of animal
16 matter.” Attached as **Exhibit 2** is a true and correct copy of the relevant pages of the permit.

17 **IV. Conclusion**

18 35. Thus, the District alleges that Baker is in violation of Rule 415(f) and (g) for not
19 enclosing or configuring as a closed system rendering operations at Plant 1, its wastewater operations
20 which is shared by Plant 1 and the J&M Plant, and by not enclosing its butcher trimmings receiving
21 operations, which has not been designated as part of either Plant 1 or the J&M Plant. Baker
22 Commodities is also in violation of its permit condition that require it to properly wash down
23 equipment.

24 36. Therefore, Petitioner alleges that Respondent is in violation of District Rules 415, 2004,
25 and 3002 and seeks an Order for Abatement.

26 37. It is not unreasonable to require Respondent to comply with District rules and its
27 permit.

28 38. The issuance of the prayed for Order for Abatement is not expected to result in the

1 closing or elimination of an otherwise lawful endeavor, but if it does result in such closure or
2 elimination, it would not be without a corresponding benefit in reducing air contaminants.

3 d. An Order for Abatement is not intended to be, nor will it act as, a variance.

4 e. An Order for Abatement, upon a fully noticed hearing, will not constitute a taking of
5 property without due process of law.

6 WHEREFORE, the District prays for an Order for Abatement as follows:

7 1. That this Hearing Board issue an Order for Abatement requiring Respondent to cease and
8 desist from operating its facilities in a manner which violates District Rules 415, 2004, and 3002, by
9 complying with increments of progress and conditions as the Board deems appropriate.

10 2. For such other and further relief that this Board deems just and proper.
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12

13 Dated: June 15, 2022

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT



16 _____
DAPHNE P. HSU
17 Principal Deputy District Counsel
18 Attorney for Petitioner
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EXHIBIT 1

**Baker Commodities, Inc.
Aerial Diagram**



**Baker Commodities
Detailed Aerial Facility Diagram**

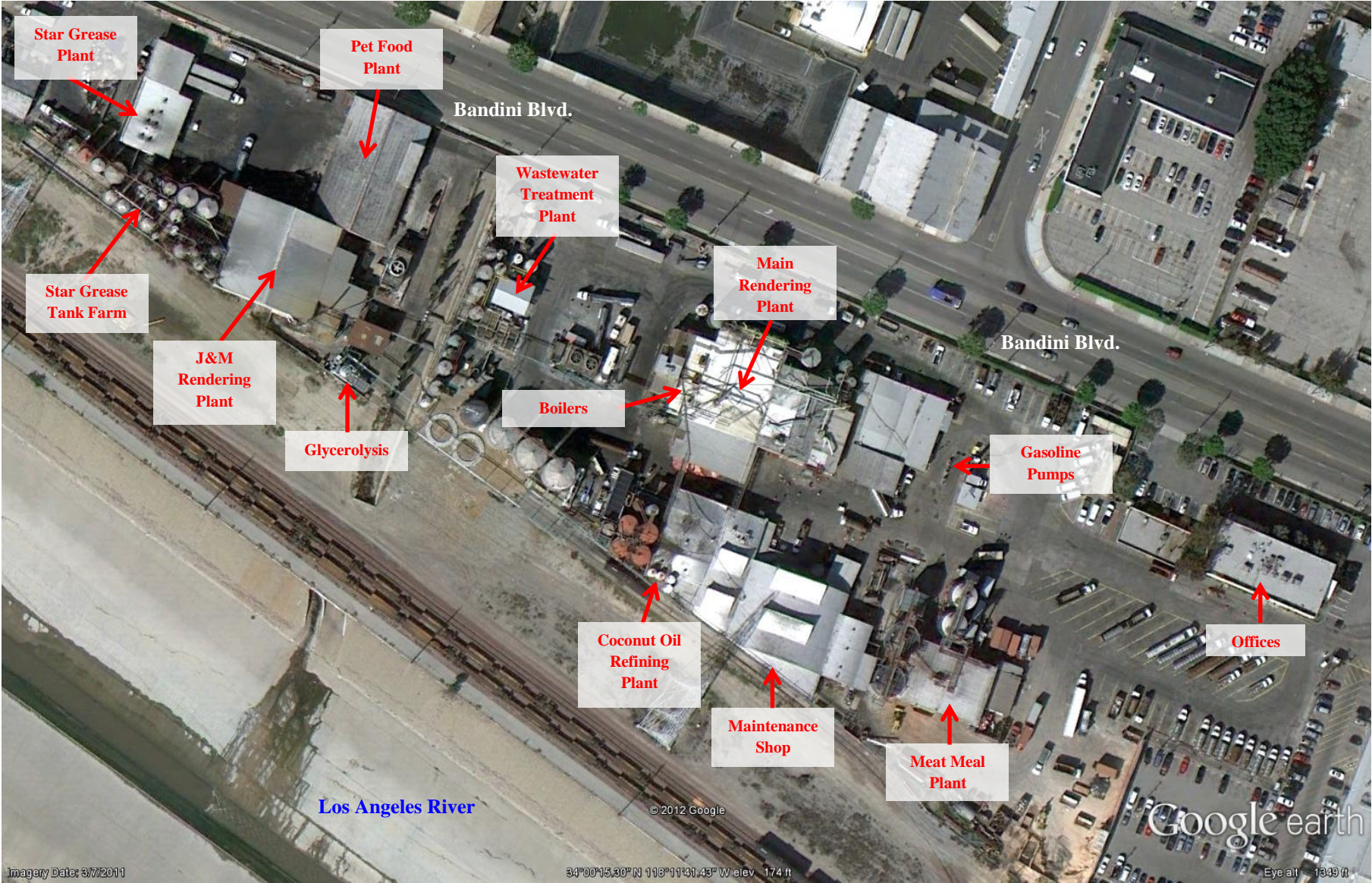


EXHIBIT 2



FACILITY PERMIT TO OPERATE


**BAKER COMMODITIES INC
4020 BANDINI BLVD
VERNON, CA 90058**

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR A COPY THEREOF MUST BE KEPT AT THE LOCATION FOR WHICH IT IS ISSUED.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT SHALL NOT BE CONSTRUED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCIES.

Wayne Nastri
Executive Officer

For 
By Amir Dejbakhsh

Amir Dejbakhsh
Deputy Executive Officer
Engineering and Permitting



FACILITY PERMIT TO OPERATE BAKER COMMODITIES INC

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

E166.3 The operator shall keep all openings from this equipment closed when in use except during equipment maintenance to prevent any odor escaping.

[RULE 402, 5-7-1976]

[Devices subject to this condition : D201, D377, D378, D379, D380, D395, D396, D397, D398]

E175.1 The operator shall not use this equipment unless all exhaust air passes through the following:

Flexible socks must be maintained on all loading spouts.

[RULE 1303(a)(1)-BACT, 5-10-1996; RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D136, D137, D141]

E187.1 The operator shall wash all exposed surfaces free of animal matter at least once each working day.

[RULE 402, 5-7-1976]

[Devices subject to this condition : D1, D3, D11, D12, D14, D15, D16, D20, D23, D24, D25, D26, D27, D28, D29, D30, D31, D217, D218, D219, D220, D221, D222, D223, D224, D225, D227, D228, D229, D230, D231, D233, D234, D235, D236, D237, D238, D239, D240, D241, D243, D244, D245, D246, D247, D248, D249, D251, D252, D253, D254, D255, D256, D257, D258, D259, D260, D262, D263, D264, D265, D290, D292, D293, D294, D295, D356, D357, D358, D368, D369, D412, D413]