

 <div>air pollution control district SANTA BARBARA COUNTY</div>	Case No / Date	2025-11-I	06/9/2025
	Petitioner	Imerys Filtration Minerals, Inc.	
	Permit #	Part 70/PTO 5840-R7	
	Date Rec'd	06/02/2025	
	Time Rec'd	1644 hours	
	FOR OFFICIAL USE ONLY		

BEFORE THE HEARING BOARD OF THE SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

In the Matter of the Application of)
Imerys Filtration Minerals, Inc. for an)
Interim Variance from District Rule)
206, Part 70/Permit to Operate 5840-)
R7, Part 2, Conditions 9.C.1.a.i,)
9.C.1.a.ii. and 9.C.1.b.ii)

H.B. Case No. 2025-11-I

VARIANCE FINDINGS

AND ORDER

Imerys Filtration Minerals, Inc. (Petitioner) filed a Petition for Interim and 90-Day Variances on June 2, 2025. A hearing of the interim variance was held on June 9, 2025, in accordance with Health and Safety Code Section 40808. Vindi Ndulute represented the Petitioner, Aimee Long represented the Santa Barbara County Air Pollution Control District (District), and Terence Dressler represented the Hearing Board for this Interim Variance Hearing.

This matter having been fully presented and duly considered, the Hearing Board makes the following findings and gives the following reasons for its decision.

HEARING

1. Notice of the Hearing was duly given in the manner and for the time required by law.
2. Sworn testimony and argument on behalf of the Petitioner and the Air Pollution Control Officer were made, received, and considered.
3. A nuisance as defined in District Rule 303 is not expected to occur as a result of this Variance.
4. Pursuant to Health and Safety Code section 42359.5, “good cause” exists for the granting of the Petitioner’s request for an Interim Variance.

5. If, due to reasons beyond the control of the Petitioner, compliance is not achieved during this Variance period, additional relief will be sought.
6. District staff supports the Petition as conditioned below.

BACKGROUND

1. The Petitioner mines and processes diatomaceous earth (DE) at its Lompoc Plant, located at 2500 Miguelito Road, approximately one mile south of the City of Lompoc in Santa Barbara County, California.
2. The equipment described in the Petition, the Celpure Flash Dryer Baghouse (APCD Device ID 391814), controls DE emissions that are ventilated before entering the packaging station.
3. The Celpure Flash Dryer Baghouse (APCD Device ID 391814) is required by the Petitioner's permit to undergo annual source testing.
4. Source testing on the Celpure Flash Dryer Baghouse (APCD Device ID 391814) was conducted on April 16, 2025. The results received on May 30, 2025, indicated the average total particulate emissions (reported 0.25 lb/hr, limit 0.19 lb/hr) and average airflow (reported 5,730 scfm, limit 4,520 scfm) limits were exceeded.
5. Imerys needs to operate the Celpure Flash Dryer Baghouse to troubleshoot the system and determine the cause of the failed source test and implement corrective actions to reduce emissions and achieve compliance.
6. Retesting for the Celpure Flash Dryer Baghouse (APCD Device ID 391814) is scheduled for August 5, 2025.

FINDINGS

1. Without Variance coverage, the Petitioner would be in violation of District Rule 206, Part 70/Permit to Operate 5840-R7, Part 2, Conditions 9.C.1.a.i, 9.C.1.a.ii. and 9.C.1.b.ii.
2. Pursuant to Health and Safety Code section 42359.5, "good cause" exists for the granting of the Petitioner's request for an Interim Variance.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That an Interim Variance be granted for operating the Petitioner's Celpure Flash Dryer Baghouse (APCD Device ID 391814) in violation of the average total particulate emissions and average airflow limits, which is in violation of District Rule 206, Part 70/Permit to Operate 5840-R7, Part 2, Conditions 9.C.1.a.i, 9.C.1.a.ii. and 9.C.1.b.ii, from June 2, 2025 through August 30, 2025 (not to exceed 90 days), or the date a decision is made on the 90-Day Variance, or the date compliance is achieved, whichever occurs first, with the following conditions:

1. Petitioner shall submit a written report to the Hearing Board and District, to variance@sbcapcd.org, by September 15, 2025. The report shall include the date compliance was achieved, source test report, operation logs for the flash dryer baghouse, and actual excess emissions (lb/day), if any, that occurred during the variance period.
2. Petitioner shall monitor, record, and quantify, on a daily basis, all emissions related to the granting of this Variance.
3. Petitioner shall retain the obligation to comply with all other local, state, and federal regulations not specifically referenced in the Order.
4. Failure to abide by all conditions of this Order shall subject the Petitioner receiving the variance to penalties set forth in Health and Safety Code section 42402.
5. In accordance with District Fees Rule 210, the Petitioner shall pay excess emission fees for each additional ton of pollutant emissions, or portion thereof, allowed as the result of the issuance of this Variance.
6. The Environmental Protection Agency does not recognize California's Variance Program; therefore, this Variance does not protect the Petitioner from Federal Enforcement actions.
7. Each day during any portion of which a violation occurs is a separate offense.

DATED: 06/09/2025 _____

Terence E. Dressler

Terence E. Dressler (Jun 9, 2025 15:53 PDT)

Terence Dressler
Santa Barbara County Air Pollution Control District
Hearing Board