 <div>air pollution control district SANTA BARBARA COUNTY</div>	Case No / Date	2025-12-N	07/10/2025
	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 a)
90-Day 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. 2025-12-N

VARIANCE FINDINGS

AND ORDER

Imerys Filtration Minerals, Inc. (Petitioner) filed a Petition for Interim and 90-Day Variances on June 2, 2025. The request for Interim Variance 2025-11-I was heard on June 9, 2025 and granted by Hearing Board Member Terence Dressler. Interim Variance Order 2025-11-I is in effect 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.

A hearing of the 90-Day Variance was held on July 10, 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 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. If, due to reasons beyond the control of the Petitioner, compliance is not achieved during this Variance period, additional relief will be sought.
5. 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 Plant produces products for life saving treatments.
4. The Celpure Flash Dryer Baghouse (APCD Device ID 391814) is required by the Petitioner's permit to undergo annual source testing.
5. 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) requirements were exceeded.
6. Imerys needs to operate the Celpure Flash Dryer Baghouse to troubleshoot the system, determine the cause of the failed source test, and implement corrective actions to reduce emissions and achieve compliance.
7. 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. Due to conditions beyond the reasonable control of the Petitioner, requiring compliance would result in either (A) an arbitrary or unreasonable taking of property, or (B) the practical closing and elimination of a lawful business. The Celpure Flash Dryer Baghouse has operated in compliance, with no past emission violations. At this time, the cause of the exceedance is unknown. However, the Celpure Flash Dryer Baghouse ventilates critical production

equipment, which if not allowed to operate would result in lost revenue of \$150,000 per day and the potential layoff of 26 Celpure Plant employees. In addition, the Celpure Plant provides materials critical for lifesaving treatments.

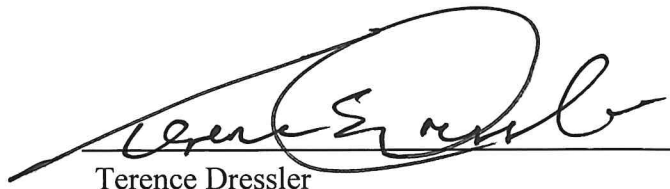
3. The closing or taking would be without a corresponding benefit in reducing air contaminants. The Celpure Flash Dryer Baghouse is an integral piece of equipment that ventilates critical production equipment. Without the Celpure Flash Dryer Baghouse, the remaining equipment would not be able to operate to produce vital lifesaving treatments.
4. The Petitioner has considered curtailing operations. However, the Celpure Plant provides materials critical for lifesaving treatments. In addition, curtailing operations would result in lost revenue of \$150,000 per day, potential layoff of 26 Celpure Plant employees and the loss of future contracts. In addition, it is necessary for the equipment to operate to troubleshoot the system and determine the cause of the failed source test.
5. During the period the Variance is in effect, the Petitioner will reduce emissions. The Celpure Plant will shut down from approximately July 14, 2025 through July 27, 2025, to investigate the Flash Dryer Baghouse. In addition, the equipment is operating within the other parameter specified in the permit.
6. The Petitioner will monitor and report the excess emissions associated with the granting of this variance based on the April 16, 2025 source test data and hours of operation until a compliant source test is achieved.

THEREFORE, THE HEARING BOARD ORDERS, as follows:

That a 90-Day 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 July 10, 2025 through August 30, 2025, 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 Celpure 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: 7/10/2025


Terence Dressler
Santa Barbara County Air Pollution Control District
Hearing Board