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Attorneys for Petitioner
Eco Services Operations Corp.

**BEFORE THE HEARING BOARD OF THE**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

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| In the Matter of<br><br>ECO SERVICES OPERATIONS CORP.,<br><br>[Facility I.D. No. 180908]<br><br>Petitioner,<br><br>vs.<br><br>SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT,<br><br>Respondent. | **Case No. 6258-2**<br><br>DECLARATION OF JOSEPH SAITTA OF ECO SERVICES OPERATIONS CORP. TO THE HEARING BOARD<br><br>Date: July 10, 2025<br>Time: Consent Calendar |

I, Joseph Saitta, hereby declare as follows:

1. I am the Unit Production Manager at Petitioner Eco Services Operations Corp.'s ("Eco Services") sulfuric acid production and regeneration facility located at 20720 S. Wilmington Avenue, Long Beach, California. I have personal knowledge of the facts set forth herein, and if called as witness, could and would competently testify thereto. I submit this declaration in support of Eco Services' emergency variance petition to the Hearing Board.

2. Eco Services provides sulfuric acid products to petroleum refineries, including refineries within the SCAQMD footprint, to produce alkylate, a key blending stock for cleaner burning gasoline.



PETITIONER: CASE NO. 6258-2
Exhibit No. 6 Consisting of 7 pages
Identification 7/10/25 Evidence

3. Eco Services will be in violation of District Rules 203(b), 2004(f)(1), 2011(c)(2)(A), 2012(c)(2)(a), and 3002(c)(1) because such District Rules require Eco Services to comply with all Facility Permit conditions and maintain and operate a direct monitoring device for each major SOx source and NOx source, and Eco Services will not be able to resume monitoring the vent stream at the outlet of scrubber C148 until Eco Services has completed repairing the stack SO2 analyzer and NOx analyzer that have malfunctioned.

4. A copy of the relevant sections of the facility RECLAIM Permit No. 180908, dated January 1, 2024, are attached to the Petition as Exhibit 2.

5. The SO2 analyzer and NOx analyzer both unexpectedly failed calibration and are currently nonoperational, so Eco Services cannot presently comply with the provisions of Facility Permit Section F(III), Condition D(1), requiring Eco Services to operate a monitoring device to continually measure the concentration of SOx emissions, Condition No. S42.1, requiring the SO2 analyzer at stack S151 to show compliance with Facility emissions limits, or Condition No. D82.3, requiring the operation of a CEMS to measure SO2 at all times to demonstrate compliance with Condition No. S42.1, and Section F(I), requiring Petitioner to install, maintain, and operate a monitoring device for each major NOx source to continually measure the concentration of NOx emissions, as well as the provisions of Administrative Condition No. 2 requiring the operator to maintain all equipment and ensure the proper operation of the equipment.

6. Accordingly, Eco Services is in violation of District Rules 203(b), 2004(f)(1) and 3002(c)(1), which require compliance with permit conditions, as well as Rule 2011(c)(2)(A), which requires that the Facility Permit holder of a major SOx source continuously measure the concentration of SOx emissions or fuel sulfur content, and Rule 2012(c)(2)(A), which requires that the Facility Permit holder of a major NOx source continuously measure the concentration of NOx emissions. The facility will be unable to meet the requirements of Rule 2011(c)(2)(A) and Rule 2012(c)(2)(A) because the SO2 and NOx analyzers failed and are undergoing repairs.

7. Eco Services has agreed to continuously monitor, and as needed adjust, the pH of the scrubber solution in Scrubber C148 to ensure that SO2 emissions from the scrubber are

minimized and there are no excess emissions. There is a strong correlation between scrubber pH and SO2 emissions control. When scrubber pH exceeds 7 s.u., SOx concentrations at the outlet of the scrubber are almost always below 10 ppm. As a condition of this variance, Eco Services will continue to monitor the scrubber solution pH to ensure it remains at or above 7 s.u. during the variance period.

8. Eco Services has also agreed to control the air-gas ratio within a narrow band (6 to 10 over a 24-hour rolling basis) to minimize NOx emissions associated with combustion venting through stack S151 because when maintaining the air-gas ration within this band, NOx emissions concentrations remain relatively constant between 10 and 20 ppm

9. Eco Services has maintained the permanent, certified analyzers in accordance with manufacturer guidance and industry standards. The need for repair and variance coverage was both unexpected and unforeseeable, and not the product of either operator error or neglect. Eco Services could not have reasonably anticipated the failure of the analyzers, and despite extensive efforts to repair the analyzers during the 96 hour period allowed by Rules 2011 and 2012, Eco Services has been unable to repair the analyzers to avoid a potential violation.

1. On June 22, 2025 the SO2 analyzer unexpectedly failed calibration at approximately 5:17 a.m. While the analyzer was passing calibration based on the analyzer display reading, the value displayed on the continuous emissions monitoring system ("CEMS") data acquisition system ("CEMDAS") was 100 ppm off the actual value. Aware of the 96-hour repair period in Rule 2011, Eco Services immediately took action to troubleshoot, attempt to repair, and address the cause of the analyzer failure.

2. Beginning immediately after the failed calibration, Eco Services had its instrumentation and electrical ("I&E") technicians initiate attempts to diagnose and repair the analyzer, including multiple attempts at calibration, analyzer component checks, calibration gas cylinder replacements and programmatic logic controller ("PLC")/communication equipment diagnostics, attempted to obtain a SCAQMD-approved temporary analyzer during the diagnostic and repair period, and reached out to third-party equipment service technicians,

ESC Spectrum and CEMTEK KVB-Enertec, for remote support, which did not resolve the issue.

3. Eco Services' I&E technician cleaned the I/O board on the SO2 analyzer in an attempt to repair that analyzer. This step resulted in the SO2 High passing calibration on June 24, 2025 at 2:52 p.m. Unfortunately, for reasons currently unknown to Petitioner, the NOx Zero and SO2 Low Span failed calibration at that time. Eco Services noticed an elevated drift for the NOx analyzer during calibration on June 23rd, although the data remained valid until the calibration failed on June 24th. There had been no previous issues with the NOx calibration. Eco Services' I&E technician purged the system and conducted continuous calibrations without resolving the malfunction.

4. Once Eco Services' in-house I&E technicians and the remote technicians determined that the analyzer issue could not be fixed remotely, and Petitioner immediately requested that ESC Spectrum send a technician to the facility. The ESC Spectrum technician, based in Indianapolis, IN, arrived onsite at approximately 2:00 p.m. on June 25, 2025. The ESC Spectrum technician began troubleshooting and repair efforts at that time. On the evening of June 25, 2025, the SO2 analyzer began passing calibration and continues to operate within control, although it has not always passed calibration. Petitioner has resumed transmitting SO2 emissions data to the District as of June 25, 2025. However, the NOx analyzer was unable to be fixed and the ESC Spectrum technician ordered a part for repair. The part arrived early the morning of June 27, 2025, and the ESC Spectrum technician worked on repairing the NOx analyzer for the remainder of the day. The technician was unable to get the NOx analyzer to read consistently and was unable to definitively diagnose the issue, but the technician believed that the motherboard is causing the sporadic readings. Based on the ESC Spectrum technician's recommendation, on June 27, 2025, Petitioner took the NOx analyzer out of service and overnight shipped it to ESC Spectrum's facility in Indianapolis, IN for further troubleshooting and repair before ESC Spectrum sent it to another one of their facilities in Pensacola, FL for further troubleshooting and repairs. ESC Spectrum returned the NOx analyzer to the Facility on July 7, 2025, and Petitioner has begun installation.

10. Because the analyzers' failure was an unanticipated breakdown and, despite significant efforts by outside experts, repairs were unable to be completed within the time period allowed under District rules, the petition could not be filed in time for the hearing to be announced to the public.

11. Eco Services promptly filed its petition for emergency variance on June 25, 2025, prior to the expiration of the repair period allowed by Rules 2011 and 2012. Eco Services worked with the Clerk of the Board to promptly schedule a hearing on the variance.

12. Denial of the variance would cause significant harm to Eco Services in that denial could force Eco Services to shut down the Facility, resulting in a loss of sales of approximately $200,000 per day if the variance were not granted. The facility's product is used by various refineries, including nearby refineries owned and operated by Chevron Corporation and Marathon Petroleum Corporation, to produce alkylate for cleaner burning gasoline. Disruptions to the supply of the facility's product would affect gasoline prices and availability as the product is needed by refineries to produce alkylate (a high octane, low sulfate component of cleaner gasoline). Eco Services' failure to supply its product to its customers would be a breach of contract, and estimated losses for Eco Services would be approximately $200,000 per day. The economic loss to the Chevron Corporation and Marathon Petroleum Corporation refineries is estimated to be over $1,000,000 per day per refinery. In addition, at least 10 employees may be laid off if the variance were not granted and an extended facility shutdown were needed. As such, denial of the variance would result in financial impacts to Eco Services and other refineries that would be unreasonable and unavoidable.

13. Further, no excess emissions are anticipated during the variance period as Eco Services has agreed to modulate the pH of the scrubber solution in Scrubber C148 to minimize SO2 emissions and to control the air-gas ratio within a narrow band to minimize NOx emissions associated with combustion venting through stack S151.

14. Compliance is beyond Eco Services' reasonable control as the analyzers need to be repaired. The failure of the analyzers were both unexpected and unforeseeable.

15. The closing or taking that would occur were Eco Services' petition be denied and the facility were forced to cease operations would be without a corresponding benefit in reducing air contaminants as, if the variance is granted, no excess emissions are anticipated.

16. As described above, Eco Services has agreed to continuously monitor the pH of the scrubber solution in Scrubber C148 to ensure that SO2 emissions from the scrubber are minimized and to control the air-gas ratio within a narrow band to minimize NOx emissions associated with combustion venting through stack S151 and there are no excess emissions.

17. Eco Services has considered curtailment or termination of operations in lieu of obtaining a variance. Curtailment or termination would lead to significant economic losses without any air emissions benefit. Specifically, as noted above, the plant will ensure there are no excess emissions by utilizing scrubber pH as a control parameter such that there would not be a corresponding benefit in reducing air contaminants in the event of curtailment or closing and by controlling the air-gas ratio within a narrow band such that NOx emissions concentrations remain relatively constant, between 10 and 20 ppm. Also, the Facility and its customers would suffer significant economic loss as a result of any shutdown. Further, local gasoline customers would also be negatively impacted by a cessation of production at the Facility, as shutting down production at the Facility could reduce gasoline supply and increase prices.

18. As mentioned above, during the period that the variance is in effect, there will be no excess emissions. Nonetheless, Eco Services is agreeing to reduce excess emissions to the maximum extent feasible by complying with the conditions of the Order, and will also agree to purchase additional RECLAIM trading credits in accordance with RECLAIM missing data procedures. By Petitioner purchasing additional RECLAIM trading credits and increasing the demand for RECLAIM trading permits, thereby increasing prices, it will become more expensive for others to emit. As a net result, basin-wide NOx emissions may be decreased.

19. Eco Services will monitor emissions during the variance period. During the duration of the analyzers' repair, i.e., the stack analyzer downtime, the Facility will estimate SO2 emissions using approved SCAQMD data substitution methods pursuant to Rule 2011, Appendix A, Chapter 2 (Major Sources) and estimate NOx emissions using approved SCAQMD data

substitution methods pursuant to Rule 2012, Appendix A, Chapter 2. Eco Services will continuously monitor the pH of the scrubber solution in Scrubber C148 to ensure that SO2 emissions from the scrubber are minimized and there are no excess emissions. Eco Services is also continuously monitoring the pH of the scrubber solution in Scrubber C148 to ensure it remains at or above 7 s.u. during the variance period. Eco Services is also controlling the air-fuel ratio within the range of 6 to 10 over a 24-hour rolling basis. When maintaining the air-gas ration within this band, NOx emissions concentrations remain relatively constant, between 10 and 20 ppm.

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

Executed on this 8 day of July, 2025.

Joseph Saitta
Unit Production Manager
Eco Services Operations Corp.