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1	SOUTH COAST AIR QUALITY MANAGEMENT	DISTRICT
2	OFFICE OF THE GENERAL COUNSEL SOUTH COAST AIR QUALITY MANAGEMENT KATHRYN ROBERTS, State Bar No. 326693 Principal Deputy District Counsel	2025 JUL -8 AM 8: 22
3	21865 Copley Drive	1
4	Diamond Bar, California 91765 TEL: 909.396.3400 • FAX: 909.396.2961	A/O
5	E-mail: <u>KRoberts@aqmd.gov</u>	7/30/25
	Attorneys for Petitioner	ar e stande streng for side yn bennin fan litter i se
6	SOUTH COAST AIR QUALITY MANAGEMENT	DISTRICT
7	BEFORE THE HEARIN	C DOADD OF THE
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9	SOUTH COAST AIR QUALITY	MANAGEMENT DISTRICT
10	In the Matter of	CASE NO. 6273-1
11	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT,	PETITION FOR AN ORDER FOR ABATEMENT
12	Petitioner,	Rule 403
13		
14	GOLDMINE METAL RECYCLING [Facility ID No. 182657],	Date: July 30, 2025 Time: 9:30 am
15	Respondent.	Place: Hearing Board South Coast AQMD
	Respondent.	21865 Copley Drive
16	the state of the second states of the second states	Diamond Bar, CA 91765
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18		
19	SOUTH COAST AIR QUALITY MANAGE	EMENT DISTRICT (hereinafter referred to as
20	"South Coast AQMD" or "Petitioner") hereby petition	ons the South Coast AQMD Hearing Board
21	for an Order for Abatement directed to Respondent (GOLDMINE METAL RECYCLING
22	(hereinafter referred to as "Respondent") regarding i	ts operations.
23	The South Coast AQMD alleges as follows:	
24	1. Petitioner is a body corporate and pol	itic established and existing pursuant to
25	Health and Safety Code §§ 40000, et seq. and §§ 404	400, et seq., and is the sole and exclusive local
26	agency with the responsibility for comprehensive air	pollution control in the South Coast Air
27	Basin.	
28		
	Detition for an O. J. C. Al	
	Petition for an Order for Abatement – Goldmin	e Meial Recycling (Facility ID # 182657)

2. Respondent, with Facility ID of 182657, operates a bulk materials supply and
 storage company located at 7129 ½ Vineland Ave. in North Hollywood, within the jurisdiction of
 the South Coast AQMD, and subject to the rules and regulations thereof.

3. South Coast AQMD Rule 403 works to reduce the levels of fine particulate matter
5 entrained in the air and requires actions to prevent, reduce, or mitigate fugitive dust emissions.

6 4. South Coast AQMD Rule 403(d)(1)(A) requires that, "No person shall cause or
7 allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed
8 surface area such that: (A) the dust remains visible in the atmosphere beyond the property line of
9 the emission source..."

South Coast AQMD Rule 403(d)(2) requires that "no person shall conduct active 5. 10 operations without utilizing the applicable best available control measures included in Table 1 of 11 this Rule to minimize fugitive dust emissions from each fugitive dust source type within the active 12 operation." Control Measure 14-2 under the "Stockpiles/Bulk Material Handling" source 13 category, in Table 1 states: "Stockpiles within 100 yards of off-site occupied buildings must not 14 be greater than eight feet in height; or must have a road bladed to the top to allow water truck 15 access; or must have an operational water irrigation system that is capable of complete stockpile 16 17 coverage."

6. South Coast AQMD Rule 403(d)(4) requires that, "No person shall allow trackout to extend 25 feet or more in cumulative length from the point of origin from an active
operation. Notwithstanding the preceding, all track-out from an active operation shall be removed
at the conclusion of each workday or evening shift."

- 7. Beginning in 2023, South Coast AQMD began receiving complaints from the
 public alleging excess dust from Respondent's operation. As part of investigation of public
 complaints, a South Coast AQMD Compliance Inspector conducted an onsite inspection of
 Respondent's facility. During that inspection, the South Coast AQMD Inspector observed that
 Respondent was in violation of Rule 403(d)(4) because it was allowing track out to extend greater
 than 25 feet from the facility's operations.
- 28

8. The South Coast AQMD Compliance Inspector issued Respondent Notice of
 Violation (NOV) No. P74034 for violating Rule 403(d)(4). A true and correct copy of NOV
 P74034 is attached as Exhibit 1. As part of the compliance inspection, the Inspector discussed this
 violation with Respondent's site operations manager, including strategies to mitigate fugitive dust.

9. In October 2023, during a follow-up compliance inspection conducted by a South
 Coast AQMD Compliance Inspector, it was found that Respondent had failed to correct the Rule
 403(d)(4) violation identified during the previous inspection. Specifically, the Inspector observed
 track-out from the facility's operations extending more than 25 feet beyond the site boundary.

9 10. During the same inspection, South Coast AQMD also determine that Respondent
10 failed to implement Control Measure 14-2 under the "Stockpiles/Bulk Material Handling" source
11 category, as outlined in Table 1 of Rule 403, thereby violating Rule 403(d)(2). Specifically,
12 Respondent was storing materials on-site that were stacked in excess of the 8 feet requirement,
13 there were no systems in place (e.g. sprinkler system) to prevent fugitive dust, and the stockpile
14 was located adjacent to a property line shared by an occupied structure.

15 11. The South Coast AQMD Compliance Inspector issued Respondent NOV No.
16 P74035 for violating Rule 403(d)(2) and Rule 403(d)(4). A true and correct copy of NOV P74035
17 is attached as Exhibit 2. As part of the compliance inspection, the Inspector discussed these
18 violations and strategies to mitigate fugitive dust with Respondent's employee who was working
19 onsite at the time, and later via phone with the owner of the property.

12. In August 2024, during a compliance inspection by a South Coast AQMD
Compliance Inspector to investigate a further complaint of dust from the public, the South Coast
AQMD observed that Respondent was still violating Rule 403(d)(2) by failing to implement
Control Measure 14-2 for the two stockpiles onsite. Specifically, Respondent stored materials in
stockpiles that exceeded the eight-foot height limit, had no dust suppression systems in place (e.g.,
a sprinkler system), and positioned the stockpiles adjacent to a property line shared with an
occupied structure.

27 13. During the same inspection, South Coast AQMD also observed Respondent's
28 violation of Rule 403(d)(1)(A). Specifically, while moving and dumping broken cement materials

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into stockpiles on the property, Respondent generated dust emissions that remained visible in the
 atmosphere and migrated beyond the property line.

14. The South Coast AQMD Inspector issued Respondent NOV No. P79861 for
violating Rule 403(d)(1)(A) and Rule 403(d)(2). A true and correct copy of NOV P79861 is
attached as Exhibit 3. The South Coast AQMD Inspector again discussed the violations with
Respondent's site operations manager, and the requirements of Rule 403. Based on the discussion
with the Respondent's site operations manager, along with multiple confirmed violations, the
South Coast AQMD Inspector concluded that Respondent was in ongoing violation of South
Coast AQMD Rule 403.

15. In April 2025, during a compliance inspection conducted by a South Coast AQMD
 Compliance Inspector in response to a dust complaint, South Coast AQMD determined that the
 Respondent remained in violation of Rule 403(d)(1)(A). Specifically, Respondent continued to
 generate visible dust emissions that migrated beyond the property line while moving and dumping
 broken cement materials into stockpiles on the property.

15 16. During the same inspection, South Coast AQMD also determined that Respondent
remained in violation of Rule 403(d)(2). Specifically, Respondent continued to store materials onsite in stockpiles that exceeded the allowable height of eight feet, failed to implement control
measures (e.g., a sprinkler system) to suppress fugitive dust emissions, and maintained stockpiles
adjacent to a property line shared with an occupied structure.

17. The South Coast AQMD Inspector issued Respondent NOV No. P79869 for
 violating Rule 403(d)(1)(A) and Rule 403(d)(2). A true and correct copy of NOV P79869 is
 attached as Exhibit 4. The South Coast AQMD Inspector again discussed the violations with
 Respondent's site operations manager the requirements of Rule 403, and strategies to implement
 to mitigate fugitive dust. Based on the discussion with the Respondent's site operations manager,
 along with multiple confirmed violations, the South Coast AQMD Inspector concluded that
 Respondent was still in ongoing violation of South Coast AQMD Rule 403.

27 18. On June 3, 2025, during a compliance inspection conducted by a South Coast
28 AQMD Compliance Inspector in response to a dust complaint, South Coast AQMD determined

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that the Respondent remained in violation of Rule 403(d)(1)(A), observing Respondent's
 operation generating dust that remained visible in the atmosphere beyond the property line.

3 19. During the same inspection, South Coast AQMD also determined that Respondent
4 remained in violation of Rule 403(d)(2), observing materials stockpiled higher than eight feet,
5 adjacent to a property line shared with an occupied structure and lacking a dust suppression
6 system.

7 20. During the same inspection, South Coast AQMD also determined that Respondent
8 remained in violation of Rule 403(d)(4), observing track-out extending more than 25 feet from the
9 site boundary.

The South Coast AQMD Inspector issued Respondent NOV No. P79877 for
 violating Rule 403(d)(1)(A), Rule 403(d)(2), and Rule 403(d)(4). A true and correct copy of NOV
 P79877 is attached as Exhibit 5.

13 22. On June 25, 2025, during a compliance inspection conducted by a South Coast 14 AQMD Compliance Inspector, South Coast AQMD determined that the Respondent remained in violation of each of Rule 403(d)(2), Rule 403(d)(1)(A), and Rule 403(d)(4). As on prior 15 16 occasions, the South Coast AQMD Compliance Inspector observed materials stockpiled higher 17 than eight feet adjacent to the property line without adequate dust suppression. The Inspector 18 observed from Respondent's operation plumes of dust that remained visible in the atmosphere 19 beyond the property line. The Inspector also observed track-out from Respondent's facility 20 extending more than 25 feet.

21 23. The South Coast AQMD Inspector issued Respondent NOV No. P79882 for
22 violating Rule 403(d)(1)(A), Rule 403(d)(2), and Rule 403(d)(4). A true and correct copy of NOV
23 P79882 is attached as Exhibit 6.

24 24. Over the course of multiple compliance inspections, South Coast AQMD
25 Compliance Inspectors have observed dust from Respondent's operation accumulating on
26 neighboring property, and have responded to multiple complaints from the public regarding
27 excess dust from Respondent's facility.

25. South Coast AQMD by this Petition seeks an Order for Abatement to require
Respondent to cease operating in a manner which violates South Coast AQMD Rule 403.
26. It is not unreasonable to require Respondent to comply with South Coast AQMD
rules and regulations, including South Coast AQMD Rule 403.
27. Multiple attempts from both South Coast AQMD Compliance Officers and the
South Coast AQMD's Office of the General Counsel have been made to provide Respondent with
information on how to mitigate the fugitive dust impacts of the site operations, comply with South
Coast AQMD Rule 403, and resolve outstanding violations. Such efforts from the South Coast
AQMD have been unsuccessful in bringing Respondent into compliance. The issuance of an
Order for Abatement upon a fully noticed hearing would not constitute a taking of property
without due process of law.
28. The Order for Abatement prayed for is not intended to be, nor would it act as a
variance.
29. The issuance of the requested Order for Abatement is not expected to result in the
closing or elimination of an otherwise lawful business, but if it does result in such closure or
elimination, it would not be without a corresponding benefit in reducing air contaminants.
30. The South Coast AQMD intends to submit to the Hearing Board, in advance of the
hearing to be set in this matter, a proposed Stipulated Order for Abatement, including proposed
conditions on Respondent's ongoing operations.
Request for Order for Abatement
THEREFORE, the South Coast AQMD prays for an Order for Abatement as follows:
1. That this Hearing Board issue an Order for Abatement requiring Respondent to
cease and desist from operating in violation of South Coast AQMD Rule 403, or, in the
alternative, to comply with such increments of progress and conditions as the Board deems
appropriate.
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2.	For such other a	and further relief that this Board deems just and proper.
Dated: Jul	y 3, 2025	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
;		OFFICE OF THE GENERAL COUNSEL
5		By: Kachn Cabath
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		Kathryn Roberts Principal Deputy District Counsel Attorney for Petitioner
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	South Coast Air Quality Management District 21865 COPLEY DRIVE, DIAMOND BAR, CA 91765-4178
	NOTICE OF VIOLATION
Facility Name:	SOLD MINE METAL RECYCLING 18265 TVG
LOCATION AGGINESS:	29 VINELAND AVE NORTH HOLLYNDD 91605
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BARTING PLANT

TOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

DI	ESCRIPTION	OF VIOLATI	ONS	1	
4	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation
1	SCAQMD CH&SC CCR CFR	403 (1)(A)			FOR ALLOWING THE FEMILSSIONS OF FURTINE DUST FROM AN OPEN STORAGE BILE SULH THAT THE DUST REMAINED VISIBLE MITHE MEMOSPHERE BEYOND THE PROPERTY LINE
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South Coast Air Quality Management 21865 COPLEY DRIVE, DIAMOND BAR, CA S NOTICE OF V	91765-4178
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South Coast Air Quality Management District 21865 COPLEY DRIVE, DIAMOND BAR, CA 91765-4178	P 79877
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EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

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South Coast Air Quality Management District 21865 COPLEY DRIVE, DIAMOND BAR, CA 91765-4178	P 79882
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YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

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