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BON APPETIT BAKERY

BEFORE THE HEARING BOARD OF THE

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

In the Matter of **BON APPETIT BAKERY** Petitioner.	Case No.: 6280-1 Facility I.D.: 167755 **DECLARATION OF ROBERT MACDONALD IN SUPPORT OF PETITION FOR INTERIM VARIANCE** Hearing Date: November 18, 2025

1. I am the President of The Conservtech Group ("Conservtech"), an environmental consulting firm based in Commerce, California. I have a bachelor of science in mechanical engineering founded Conservtech in 2002 and specialize in assisting companies with air quality compliance. I have been consulting on environmental compliance for the Bon Appetit facilities in Vernon, California, including the facility at 4525 District Bvld. (Facility ID 167755; the "Facility") on an as-needed basis since 2009. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto under oath.

2. I am familiar with Bon Appetit's Petition for an *Ex Parte* Emergency, Interim and Regular Variance filed on October 23, 2025 in this case, including the District Rules referenced in the petition.

3. This declaration is submitted pursuant to the Rules and Procedures of the District Hearing Board Rule 4(a) in support of Bon Appetit's Petition for an interim variance filed on October 23, 2025.

PERMITTING BACKGROUND

4. The equipment that is the subject of the variance are two tunnel ovens, referred to as follows:

- Oven No. 1 is a Bakery Oven located in Building 4529 and referred to as the "4529 Oven," (Permit no. G78618), which has three burners and is permitted to bake yeast-containing products; and
- Oven No. 2 is a Food Oven located in Building 4525 and referred to as the "4525 Oven," (Permit no. G78915), which has four burners and is permitted to bake products containing cake batter.

The ovens typically operate approximately 20 hours per day, 5 days per week.

5. The Permits to Operate (PTO) for these ovens were issued on January 23, 2025 (for the 4529 Oven) and February 25, 2025 (for the 4525 Oven). The PTOs required that initial source testing be completed within one year of permit issuance. The South Coast AQMD

approved the source test protocol in September 2025, and Bon Appetit scheduled source testing for October 20, 2025.

6. As described in the Declaration of Sonny Cutwright, Bon Appetit has engaged me as needed in connection with emissions compliance for its equipment. I also provided support in connection the source test protocol developed by Alliance, the source testing company. As has become apparent both during the source testing and in the continued investigation into the subject ovens and their burners, some of the BABBCO specifications and operating parameters have not been expressly stated by the manufacturer.

7. Separate and apart from the efforts related to the permitting, source testing and troubleshooting of the ovens and support for the variance petition, I assisted Bon Appetit in providing its timely response to the Notice to Comply issued on October 24, 2025.

CIRCUMSTANCES LEADING TO THE VARIANCE

8. As described in more detail in the Declaration of Sonny Cutwright (and Exhibit A to his declaration, which is the chronology developed to document the events), the ovens did not perform as expected, or within NOx emissions limits, when conducting preliminary testing or source testing.

9. I have been in communication with South Coast AQMD staff (including Mr. Michael Pua, Ms. Faye Gasner, and Mr. Kevin Yee) regarding the status of the source testing for both ovens, including regarding the need to reschedule the commencement of source testing on October 20th and the decision on October 21st to suspend source testing for the 4525 Oven when it was apparent that, despite efforts to make adjustments that would bring the oven into compliance, the oven would not be able to pass a source test.

10. On October 21st, while source testing the 4529 Oven, we realized that, to our surprise, both ovens would be unable to pass the source tests. I realized that the problem may be more serious than initially thought. After the District asked us to continue the failing source tests, I contacted Mr. Mark Abramowitz, President of Community Environmental Services and former Hearing Board Chair and Member, having worked with him prior and knowing of Mr.

Abramowitz's expertise and experience in solving difficult air quality regulatory issues with the South Coast AQMD. Mr. Abramowitz advised Mr. Cutwright and I to seek emergency variance protection. We agreed and retained Mr. Abramowitz to assist us throughout the process. That same day, while source testing continued, we worked with Mr. Abramowitz to pull together the needed information to complete the variance application. We also agreed with Mr. Abramowitz's recommendation that we should seek further legal assistance in seeking the needed variances, and Mr. Abramowitz was tasked with finding appropriate legal counsel..

EXCESS EMISSIONS AND REDUCTION AND MONITORING THEREOF

11. Because the two tunnel ovens are currently operating at the Facility and do not comply with the NOx limitations of 30 ppmv @ 3% O2, we expect there will be excess NOx emissions from the continued operation of the ovens as we continue to troubleshoot them.

12. I am able to estimate these NOx emissions looking forward by calculating the operating hours and maximum heat input value, as previously described in Attachment C to the Petition. We are providing an update to that information here.

13. On November 12th, I conferred with South Coast AQMD Senior Air Quality Engineer Christopher Gill to ensure that the excess emissions calculation presented here are consistent with the District's approach to calculating excess emissions. Accordingly, I have included an updated calculation as **Exhibit A** to this Declaration. The estimated daily excess emissions assume a worst-case scenario using the default emissions factor used by the District when there is not a completed source test on which to rely, and assume the ovens operate for 24 hours per day. Accordingly, the below table represents the worst-case excess emissions for days when excess emissions occur:

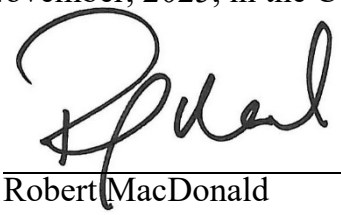
Pollutant	Total Estimated Excess Emissions (lbs/day
NOx (Oven #1; 4529)	15.84
NOx (Oven #2; 4525)	21.12

14. I expect, based on the preliminary testing done on the engines, the operating hours of typically less than 24-hours per day, and the calculation of actual emissions thus far (generally between 13 and 17 pounds per day as shown in Exhibit A,) that actual NOx emissions during the variance period will be lower than the worst-case estimates above.

15. While we have not currently seen the ovens exceed the CO limits imposed by the permits and Table 1 of Rule 1153.1, it is possible that during the troubleshooting period there will be CO exceedances because CO and NOx often have an inverse relationship: as NOx is decreased, CO may increase. As we work through the troubleshooting process, we will make efforts to avoid any excess CO emissions, but the possibility remains some could occur.

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

Executed this 12th day of November, 2025, in the County of Los Angeles, State of California.



Robert MacDonald

Exhibit A

Bon Appetit Bakery – Calculation of Excess NOx Emissions

November 12, 2025

Hourly Excess NOx Emissions Calculations for Each Oven

The subject ovens are required to meet a NOx concentration of 30 ppmvd @ 3% O_2. This equates to an emissions factor of 37.8 lbs NOx/mmcf of natural gas. Using the default AQMD heating value of natural gas, the emission factor based on heat input is:

(37.80 lbs NOx/mmcf) x (mmcf /1,050 MMBtu) = 0.036 lbs NOx/MMBtu

The default emission factor for external combustion equipment fueled by natural gas as put forth in the Annual Emissions Report guidelines is 130.00 lbs NOx/mmcf. The emission factor based on heat input is therefore:

(130.00 lbs NOx/mmcf) x (mmcf /1,050 MMBtu) = 0.124 lbs NOx/MMBtu

For Oven #1 (4529, 7.5 MMBtu/hr Bakery Oven), excess emissions are calculated as:

Excess Emissions = (7.5 MMBtu/hr) x (0.124 lbs NOx/MMBtu – 0.036 lbs NOx/MMBtu)

Excess Emissions = **0.66 lbs NOx/hour**

For Oven #2 (4525, 10.0 MMBtu/hr Food Oven), excess emissions are calculated as:

Excess Emissions = (10.0 MMBtu/hr) x (0.124 lbs NOx/MMBtu – 0.036 lbs NOx/MMBtu)

Excess Emissions = **0.88 lbs NOx/hour**

Maximum Daily Excess Emissions

If an oven operated for 24 hours/day, the maximum daily emission emissions would be:

For Oven #1:

(0.66 lbs NOx/hour) x (24 hours/day) = 15.84 lbs NOx/day

For Oven #2:

(0.88 lbs NOx/hour) x (24 hours/day) = 21.12 lbs NOx/day

Actual operating days and hours for the period from 10/17/25 through 11/11/25 are attached. Estimated excess NOx emissions are calculated for each day that the ovens operated during that time.

Bon Appetit Bakery Facility ID# 167755

Calculation of Excess NOx Emissions

Oven #1 (4529, Bakery Oven)

Date	Operating Hours	x	Hourly Excess Emissions (lbs NOx/hr)	=	Daily Excess Emissions (lbs NOx/day)
10/17/2025	12	x	0.66	=	7.92
10/18/2025	0				-
10/19/2025	0				-
10/20/2025	20				13.20
10/21/2025	15				9.90
10/22/2025	20				13.20
10/23/2025	20				13.20
10/24/2025	10				6.60
10/25/2025	0				-
10/26/2025	0				-
10/27/2025	20				13.20
10/28/2025	14				9.24
10/29/2025	20				13.20
10/30/2025	20				13.20
10/31/2025	20				13.20
11/1/2025	0				-
11/2/2025	0				-
11/3/2025	2				1.32
11/4/2025	2				1.32
11/5/2025	20				13.20
11/6/2025	20				13.20
11/7/2025	20				13.20
11/8/2025	20				13.20
11/9/2025	0				-
11/10/2025	20				13.20
11/11/2025	20				13.20

Total Excess Emissions **207.90** lbs NOx

30-Day Daily Average Excess Emissions **8.00** lbs NOx/day

Bon Appetit Bakery Facility ID# 167755

Calculation of Excess NOx Emissions

Oven #2 (4525, Food Oven)

Date	Operating Hours	x	Hourly Excess Emissions (lbs NOx/hr)	=	Daily Excess Emissions (lbs NOx/day)
10/17/2025	12	x	0.88	=	10.56
10/18/2025	0				-
10/19/2025	0				-
10/20/2025	20				17.60
10/21/2025	12				10.56
10/22/2025	20				17.60
10/23/2025	20				17.60
10/24/2025	16				14.08
10/25/2025	0				-
10/26/2025	0				-
10/27/2025	20				17.60
10/28/2025	20				17.60
10/29/2025	20				17.60
10/30/2025	20				17.60
10/31/2025	20				17.60
11/1/2025	0				-
11/2/2025	0				-
11/3/2025	20				17.60
11/4/2025	20				17.60
11/5/2025	20				17.60
11/6/2025	20				17.60
11/7/2025	20				17.60
11/8/2025	20				17.60
11/9/2025	0				-
11/10/2025	20				17.60
11/11/2025	20				17.60

Total Excess Emissions **316.80** lbs NOx

30-Day Daily Average Excess Emissions **12.18** lbs NOx/day