

1 OFFICE OF THE GENERAL COUNSEL
2 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
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9 Attorney for Petitioner
10 South Coast Air Quality Management District

11
12 **BEFORE THE HEARING BOARD OF THE**
13 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

14 **In The Matter Of**

15 SOUTH COAST AIR QUALITY
16 MANAGEMENT DISTRICT,

17 Petitioner,

18 vs.

19 HECTOR MARTINEZ ARMENDARIZ,
20 Individually and dba INDUSTRY BODY
21 SHOP [Facility ID No. 167722]

22 Respondent.

Case No. 6290-1

DECLARATIONS IN SUPPORT OF AN
ORDER FOR ABATEMENT

Date: August 18, 2026
Time: 9:30 am
Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

23 **DECLARATIONS IN SUPPORT OF AN ORDER FOR ABATEMENT**

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1 permit went inactive and nonrenewable on December 18, 2012, for failure to pay required renewal
2 fees.

3 9. I issued Notice to Comply (NC #E46613), instructing the Facility to obtain an active permit
4 to operate for their paint spray booth. A true and correct copy of NC #E46613 is attached hereto as
5 **Exhibit 1**. Before leaving the Facility, I informed Mr. Armendariz about how he could apply for a
6 permit and seek assistance if needed.

7 10. On June 4, 2019, I conducted a follow up inspection of Respondent's Facility and
8 observed the paint spray booth again prepared for operation. Inside the booth, I observed a silver
9 pickup truck, partially covered by tape. I took multiple pictures of the paint spray booth prepared
10 for operation on my District-issued smartphone. True and correct copies of the paint spray booth
11 prepared for operation are attached hereto as **Exhibit 2**.

12 11. Although Respondent asserted that he had attempted to pay the permit application fees, he
13 was unable to produce a receipt. After checking the District's database, I found no application for a
14 permit to operate, which would indicate that Respondent had paid necessary fees for the processing
15 of a new application.

16 12. I also asked Respondent for receipts and records showing that the paint spray booth was in
17 operation. Mr. Armendariz then provided me with 17 estimates for repairs dating from 2014 –
18 2019. All documents included phrases such as, "primer," "refinish," and "paint job," suggesting
19 that the paint spray booth were in operation. Notably, three estimates for repairs were dated after
20 the initial issuance of NC #E46613 on December 20, 2018. True and correct copies of example
21 estimates for repairs are attached hereto as **Exhibit 3**. Based on these estimates, I determined that
22 the paint spray booth has been in operation without a valid permit to operate, even after issuing NC
23 #E46613.

24 13. Since the Facility demonstrated that it was continuing to operate its paint spray booth
25 without a valid permit, I issued Notice of Violation ("NOV") P65876 and served it to Respondent
26 for violating Rule 203(a). A true and correct copy of NOV P65876 is attached hereto as **Exhibit 4**.
27 Before leaving, I informed Mr. Armendariz that he must reapply for an active permit to operate for
28 the paint spray booth and pay the required fees.

1 14. To date, Respondent has not applied for a permit to operate for its paint spray booth and is
2 operating in ongoing violation of District Rule 203(a).

3 15. I have reviewed the Proposed Findings and Decision filed in this matter, and I believe that
4 Respondent's compliance with the proposed conditions will ensure compliance with Rule 203(a).

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

7 Executed this 6 day of August 2026, at Diamond Bar, California.

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10 Alemayehu Solomon
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EXHIBIT 1



South Coast Air Quality Management District
21865 COPLEY DR., P.O. Box 4941, DIAMOND BAR, CA 91765-0941

NOTICE TO COMPLY

12/20/2018

DATE OF INSPECTION

Facility Name: Industry Body Shop, Hector Arrendariz	Facility ID#: 167722	Sector: CH
Location Address: 257 Turnbull Canyon Road	City: City of Industry	Zip: 91745
Mailing Address: 257 Turnbull Canyon Road	City: City of Industry	Zip: 91745

This Notice to Comply is being issued to:

- ☐ Request additional information needed to determine compliance with clean air requirements.
☒ Correct a minor violation found during an inspection.

Failure to respond or take corrective action, or providing false statements in response to this Notice to Comply can lead to issuance of a Notice of Violation pursuant to the California Health and Safety Code. The facility cited above is subject to re-inspection at any time to ensure compliance.

YOU ARE HEREBY DIRECTED TO COMPLY WITH:

#	AQMD RULE / CAL H&S CODE	REQUIREMENT	COMPLIANCE DUE DATE	COMPLIANCE ACHIEVED DATE
1	203(a)	Apply for an air quality permit for your paint spray booth; provide me with a copy of any receipts you obtain from the SCAQMD once you apply and pay the required fees.	1-3-2019	-Not achieved NOV 16 19876 Issued
2				6/4/2019
3				
4				
5				
6				

Served To: Hector Arrendariz	Served By: Alemyeh Soloman		
Title: Owner	Date Served: 12-20-2018	Phone: 909.378.0539	Fax:
Email Address:	Phone: 626.330.649	Email Address: asoloman	Forms/Applications/Info available at: www.aqmd.gov

Instructions:

- For each minor violation cited above, compliance shall be achieved by the compliance deadline specified for that particular violation.
- Within 5 working days of achieving compliance for each respective violation, the owner/responsible officer of the cited facility must complete and return a signed copy of this Notice to Comply to the South Coast Air Quality Management District at the address listed above.
- Please copy and return this Notice to Comply as many times as necessary to provide the required information. On each copy, include the date on which compliance was achieved. Date, sign, and send all completed copies to the attention of the inspector named above.

I hereby certify that the facility cited in this Notice to Comply has achieved compliance with the requirements listed above.

~~ANTHONY GUTERGA~~
NAME OF OWNER/RESPONSIBLE OFFICIAL

TITLE

SIGNATURE

DATE

NOTICE#: E 46613

FILE COPY (Blue)

FACILITY COPY (Gold)

INSPECTOR COPY (White)

6/4/19

NOTICE TO COMPLY

Fac ID#: 167722	Date NC Entered: 12-20-2018	Entered By: Alemayehu Solomon
Follow-up Insp. Date: 6-4-2019	Follow-up Inspector: Alemayehu Solomon	Date Entered: 6-4-2019
Status: ☐ In-Compliance ☒ Notice of Violation ☐ Variance		
Comment: - Inactive - NR on 12-18-2012, per PAATS system, needs F/U inspection, NOV # P65676 issued pursuant to standard rule 263(a).		

EXHIBIT 2





EXHIBIT 3

**Body &
Fender
Repairing**



INDUSTRY BODY SHOP

257 TURNBULL CANYON ROAD / INDUSTRY, CALIFORNIA 91745
(626) ~~720-2222~~ 639. 4456

DATE 6/13/14

CITY

YEAR 1950	COLOR Red Primer	MAKE Chevrolet	MODEL Suburban	
REGISTRATION NO.		SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.			ADJUSTOR	

[illegible]

~~The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject, to change.~~

TOTAL PARTS -----	\$ 1,000.00
TOTAL LABOR -----	\$
TOTAL REFINISH -----	\$
TOTAL SUBLET -----	\$
-----	\$
-----	\$
-----	\$
-----	\$ 5,500.00

Foreign &
Domestic

Body &
Fender
Repairing



ESTIMATE FOR REPAIRS

INDUSTRY BODY SHOP

257 TURNBULL CANYON ROAD / INDUSTRY, CALIFORNIA 91745
(626) 639-4456

NAME		DATE	
[REDACTED]		11/29/14	
STREET		[REDACTED]	
YEAR	COLOR	MAKE	MODEL
1964	D. Blue	Chevrolet	P/V Truck
REGISTRATION NO.	SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.		ADJUSTOR	

REPLACE	REPAIR	DESCRIPTION	PARTS	LABOR	REFINISH	SUBLET
	✓	Body work in General				
	✓	ALig. DOORS Hood Fenders				
	✓	RUST				
		Complete Paint Job (M. Blue)				
		(Inside silver or GRAY)				
		clear coat				
		color Sand & Rub out				
		(Labor & MAT. only no PARTS)				
		Adv. on Repairs \$3000.00				
		check # 980				
		Balance Due \$3000.00				
		12/11/14				
		Payment on Repairs				
		\$1000.00 check # 981				
		TOTALS				
		Balance Due \$2000.00				

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject, to change.

TOTAL PARTS	\$	Motor a.
TOTAL LABOR	\$	
TOTAL REFINISH	\$	
TOTAL SUBLET	\$	
TAX	\$	
TOTAL	\$	6000.00

**Body &
Fender
Repairing**



INDUSTRY BODY SHOP

257 TURNBULL CANYON ROAD / INDUSTRY, CALIFORNIA 91745
(626) 720-0000 639-4456

NAME [REDACTED]		PHONE [REDACTED]		DATE 7/3/16	
STREET [REDACTED]			CITY [REDACTED]		
YEAR 2011	COLOR Blue	MAKE Lexus	MODEL 15250		
REGISTRATION NO. [REDACTED]		SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY	
INSURANCE CO.			ADJUSTOR		

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	1,200 ⁰⁰ _____

Body & Fender Repairing



INDUSTRY BODY SHOP

257 TURNBULL CANYON ROAD / INDUSTRY, CALIFORNIA 91745
(626) 799-6396 639-4456

NAME [REDACTED]		PHONE [REDACTED]	DATE 1/4/17
STREET [REDACTED]		CITY	
YEAR 98	COLOR white	MAKE Ford F150	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject, to change.

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	1700 ⁰⁰

*Body &
Fender
Repairing*



INDUSTRY BODY SHOP

A.O. 001

NAME [REDACTED]		PHONE [REDACTED]	DATE 1/11/17
STREET [REDACTED]		[REDACTED]	
YEAR 2010	COLOR blue	MAKE Toyota	MODEL Camry LE
REGISTRATION NO. [REDACTED]	SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO. [REDACTED]		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	<u>950.00</u>

**Body &
Fender
Repairing**



INDUSTRY BODY SHOP

code # PUG

(626) 306-4568 • (626) 639-4456

NAME		PHONE		DATE
[REDACTED]		[REDACTED]		11/28/18
STREET		CITY		
YEAR	COLOR	MAKE	MODEL	
2009	Cooler Bronze	DODGE	CRIBBER	
[REDACTED]		SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.		ADJUSTOR		

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

TOTAL PARTS	\$
TOTAL LABOR	\$
TOTAL REFINISH	\$
TOTAL SUBLET	\$
TAX	\$
	\$
TOTAL	\$ <u>500.00</u>

**Body &
Fender
Repairing**



INDUSTRY BODY SHOP

(626) 330-8163 • (626) 639-4456

NAME [REDACTED]			PHONE [REDACTED]	DATE 4/6/19
STREET [REDACTED]			CITY [REDACTED]	
YEAR 1965	COLOR ORANGE	MAKE chevrolet	MODEL EL Camino	
[REDACTED]		SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.			ADJUSTOR	

[illegible]

TOTAL PARTS	\$
TOTAL LABOR	\$
TOTAL REFINISH	\$
TOTAL SUBLET	\$
TAX	\$
	\$
TOTAL	\$ <u>700.00</u>

*Body &
Fender
Repairing*



INDUSTRY BODY SHOP

(626) ~~338-8163~~ • (626) 639-4456

NAME		PHONE		DATE
[REDACTED]		[REDACTED]		4/29/19
STREET		CITY		
[REDACTED]		[REDACTED]		
YEAR	COLOR	MAKE	MODEL	
2005	BLK	GMC	Canyon	
[REDACTED]		SERIAL NO.	ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.		ADJUSTOR		

REPLACE	REPAIR	DESCRIPTION	PARTS	LABOR	REFINISH	SUBLET
	✓	Body work				
		complete Paint Job (same color)				
		clear coat				
		color sand & Rub out				
		Adv. on Paint Job \$900 ⁰⁰				CASH
		Balance Due \$700 ⁰⁰				
		TOTALS				

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	1600.00

EXHIBIT 4



South Coast Air Quality Management District
21865 COPLEY DRIVE, DIAMOND BAR, CA 91765-4178

P 65876

NOTICE OF VIOLATION

DATE OF VIOLATION		
Month:	Day:	Year:
6	13	2014

Facility Name: Industry Body Shop, Hector Armondoz		Facility ID#: 167722	Sector: CH
Location Address: 257 Turnbull Canyon Road		City: City of Industry	Zip: 91745
Mailing Address: 257 Turnbull Canyon Road		City: City of Industry	Zip: 91745

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.

DESCRIPTION OF VIOLATIONS

#	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	203(a)			Operation of a paint spray booth without a valid permit to operate.
2	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
3	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
4	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
5	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				

Served To: Hector Martinez Armondoz	Phone: 626-639-4456	Served By: Hector Martinez Armondoz	Date Notice Served: 6-4-2014
Title: Owner	Email:	Phone No: ☒ 909-396-3256 ☐ 310-233-	Email: asolomon @ aqmd.gov

*Key to Authority Abbreviations:

SCAQMD - South Coast Air Quality Management District
CCR - California Code of Regulations

CH&SC - California Health and Safety Code
CFR - Code of Federal Regulations

Method of Service:

☒ In Person ☐ Certified Mail

ORIGINAL

What is a Notice of Violation?

A Notice of Violation is issued by an SCAQMD Air Quality Inspector to inform a business that a failure to comply with one or more applicable federal, state, and/or local (SCAQMD) air pollution rules and regulations or legal requirements is being alleged.

What happens when I receive a Notice of Violation?

If you are operating in violation of one or more applicable federal, state, and/or local (SCAQMD) air pollution rules and regulations or legal requirements, each day or part of a day that you operate in violation is considered a separate violation even if only one Notice of Violation has been issued. Continuing to operate in violation may subject you to substantial civil or criminal penalties. **It is in your best interest to resolve any compliance problem immediately before you resume operation.**

What if I need to continue to operate the equipment named in the Notice of Violation?

If continued operation of equipment cited in the Notice of Violation is necessary, you may be able to obtain a variance from SCAQMD's Hearing Board. A **variance** is an administrative order that allows a company to continue operating without penalties while it takes appropriate steps to meet air pollution control requirements. Proof of specific legal circumstances must be provided before a variance can be granted. Timeliness in seeking such relief will be considered by the Hearing Board. Additional information concerning variances can be found in California Health & Safety Code §§ 42350-42359.5 and at <http://www.aqmd.gov/home/about/hearing-board>.

During a hearing for a variance, you may be represented either by yourself or by your attorney or consultant. You will have the opportunity to present evidence and testimony, and to cross-examine any SCAQMD witness.

If you fail to comply with any order of the Hearing Board, you may be subject to additional civil or criminal penalties set forth in California Health & Safety Code §§ 42400 *et seq.* and 42402 *et seq.*

How are Notices of Violation resolved?

The SCAQMD General Counsel's office reviews each alleged violation and, based on the facts, determines how best to resolve the allegation. Options available to the General Counsel's office include:

• Minor Source Penalty Assessment Program

Certain Notices of Violation may be eligible for resolution through SCAQMD's Minor Source Penalty Assessment Program if they are issued to a minor source or for violations other than emitting air toxics or creating a public nuisance involving injury or property damage.

If your case is handled by this program, you will receive a letter or phone call from an investigator in the SCAQMD General Counsel's office offering to settle your violation. Settlement terms usually call for a penalty payment and written proof of current compliance. The investigator's name and telephone number are included in the initial settlement letter in the event you would like to discuss the case.

Be prepared to describe any facts about the violation that you believe SCAQMD should know in considering your case. Sharing your knowledge of the facts, possible causes for the violation and plans to avoid future violations will help the investigator arrive at an appropriate disposition.

Be sure to respond by the date indicated in the letter to avoid further legal action.

If the Minor Source Penalty Assessment Program fails to result in a settlement, your Notice of Violation may be referred to an SCAQMD attorney and handled under the procedures for Civil Prosecution or resolved through a Small Claims Court.

• Civil Prosecution

If your case is handled as a civil matter, it will be reviewed by an attorney from the SCAQMD General Counsel's office, who will typically make first contact with you through a letter that asks for information about your case. If the allegations in the Notice of Violation cannot be informally resolved, the SCAQMD is authorized to file a civil lawsuit in court to recover civil penalties. In cases involving serious harm or danger, however, SCAQMD may immediately commence a legal action for civil penalties and a court-ordered injunction. A **mandatory injunction** is a court order compelling a person and/or company to take specific action. A **prohibitory injunction** is a court order compelling a person and/or company to refrain from taking a specific action. Injunctions, which may even lead to shutting down a business, may be sought by SCAQMD to prevent continuing or serious violations or damages from occurring.

• Criminal Prosecution

If SCAQMD determines that criminal prosecution is appropriate, the case will be referred to the appropriate state or federal law enforcement agency. That agency will determine if criminal prosecution is warranted.

Civil and Criminal Penalties

Penalties are determined by California Health & Safety Code §§ 42400 *et seq.* and 42402 *et seq.*

Available Resources

You can obtain SCAQMD Rules, permit application forms, and detailed information about SCAQMD and the Hearing Board using the resources provided below:

Contact Numbers	Useful Links
General Information:	
SCAQMD Headquarters General Number (909) 396-2218	About SCAQMD http://www.aqmd.gov/home/about
General Counsel's Office (909) 396-3400	Enforcement Authority http://www.aqmd.gov/home/about/authority/enforcement
	Compliance Notices http://www.aqmd.gov/home/regulations/compliance/compliance-notice
	SCAQMD Rules http://www.aqmd.gov/home/regulations/rules
Obtaining Permit or Billing Information:	
Small Business Assistance (800) 388-2121	Getting Permits http://www.aqmd.gov/home/permits
Permit Information (909) 396-2468	Permit Forms http://www.aqmd.gov/home/permits/permit-application-forms
Billing Services (866) 888-8838 (909) 396-2900	Permitting Fees http://www.aqmd.gov/home/permits/fees
Variances:	
Clerk of the Hearing Board (909) 396-2500	The Hearing Board http://www.aqmd.gov/home/about/hearing-board