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South Coast Air Quality Management District

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

In The Matter Of

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

vs.

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

Respondent.

Case No. 6290-1

**[PROPOSED] FINDINGS AND
DECISION**

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

[PROPOSED] FINDINGS AND DECISION OF THE HEARING BOARD

This Petition for an Order for Abatement was heard on August 18, 2026, pursuant to notice in accordance with the provisions of California Health and Safety Code §§ 40823 and 42451(a). The following members of the Hearing Board were present: Micah Ali, Chair; Robert Pearman, Vice Chair; Cynthia Verdugo-Peralta, Dr. Jerry Abraham MD, MPH, CMQ, and Mohan Balagopalan. Petitioner, Executive Officer, was represented by Nathan Wong, Deputy District Counsel I. Respondent, Hector Martinez Armendariz, conducts business as Industry Body Shop (hereinafter referred to as "Respondent"), located at 257 Turnbull Canyon Rd., City of Industry, California 91745. Respondent was represented by Hector Armendariz, owner and

operator of Industry Body Shop. The public was given the opportunity to testify, evidence was received, and the matter was submitted. The Hearing Board finds and decides as follows:

FINDINGS OF FACT

1. Petitioner is a body corporate and politic established and existing pursuant to California Health and Safety Code §§ 40000, *et seq.* and §§ 40400, *et seq.*, and is the sole and exclusive local agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

2. Respondent, Hector Martinez Armendariz, is an individual doing business as Industry Body Shop. Respondent operates an automobile repair shop located at 257 Turnbull Canyon Rd., City of Industry, California 91745 ("Facility"). Respondent is located within and subject to the jurisdiction of the District. As part of the regular business operations at the Facility, Respondent operates a paint spray booth. Hector Martinez Armendariz is the owner and operator of Industry Body Shop.

3. **District Rule 203(a)** states, "A person shall not operate or use any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit to operate from the Executive Officer, or except as provided in Rule 202."

4. Respondent operates a paint spray booth at the Facility, which causes the issuance of air contaminants into the atmosphere.

5. Respondent's paint spray booth was initially issued Permit to Operate (P/O) for a paint spray booth (P/O G13809) in May 2011.

6. Permit to Operate G13809 became inactive due to non-payment of required fees for over one year. The permit went inactive on or about December 18, 2012, and the permit cannot be reinstated.

7. On or around December 20, 2018, Inspector Alemayehu Solomon arrived at the Facility to conduct a compliance inspection. Inspector Solomon observed the Facility's paint spray booth prepared for operation. Finding that the previous permit had expired, Inspector Solomon

1 issued Notice to Comply #E46613 to Respondent, requiring that Respondent obtain a permit to
2 operate for its paint spray booth.

3 8. On or around June 4, 2019, Inspector Solomon conducted a follow up inspection of
4 Respondent's Facility and observed the paint spray booth prepared for operation. Despite the
5 issuance of NC #E46613, Respondent continued to operate the paint spray booth without a valid
6 permit to operate in violation of District Rule 203(a). Inspector Solomon issued Notice of
7 Violation (NOV) P65876 and personally served it to Respondent for violating District Rule 203(a).

8 9. On or around December 12, 2024, District Inspector Andrea Barlow conducted a
9 compliance inspection of Respondent's Facility. Inspector Barlow observed the Facility's paint
10 spray booth prepared for operation without a valid permit.

11 10. Respondent was unable to provide any records detailing volatile organic compound
12 usage despite Inspector Barlow's request under District Rule 109(c)(1). Inspector Barlow then
13 issued and personally served NOV P75638 to Respondent for violating Rule 109(c)(1) and Rule
14 203(a).

15 11. Despite the expiration of the Permit and issuance of NOVs P65876 and P75638,
16 Respondent has continued to operate the unpermitted equipment thereby causing the issuance of
17 air contaminants into the atmosphere without a valid permit. In so doing, Respondent is in
18 ongoing violation of District Rule 203(a). Furthermore, Respondent has not provided evidence of
19 VOC records in ongoing violation of District Rule 109(c)(1).

20 **CONCLUSION**

21 12. This Order for Abatement is not intended to be, nor will it act as, a variance.

22 13. Respondent is in violation of District Rules 203(a) and 109(c)(1).

23 14. Nothing herein shall be deemed or construed to limit the authority of the District to
24 issue Notices of Violation, to seek civil penalties or injunctive relief, or other administrative or
25 legal relief for violation of District rules. The Findings of Fact are based on evidence and
26 stipulations presented by Petitioner and Respondent as of the date hereof.

15. The issuance of an Order for Abatement upon a fully noticed hearing would not constitute a taking of property without due process of law.

16. The issuance of the prayed for 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.

17. The Hearing Board may modify the Order for Abatement without the stipulation of the parties upon a showing of good cause, therefore, and upon making the findings required by Health and Safety Code Section 42451(a) and South Coast AQMD Rule 805(a). Any modification of the Order shall be made only at a public hearing to be held upon 10 days published notice and appropriate written notice to Respondent.

ORDER AND CONDITIONS

THEREFORE, based on the aforesaid Facts, Conclusion, as well as all evidence and testimony received, and good cause appearing, this Board orders Respondent to:

1. Respondent shall refrain from any use or operation of the spray booth identified in inactive Permit to Operate No. G13809 unless and until Respondent submits a full and complete application for a permit to operate the spray booth and pays expedited permitting and any associated fees due so that the permit can be processed and issued. Respondent shall submit a permit application and pay any applicable fees no later than August 25, 2026.

2. Respondent shall provide any additional information requested by South Coast AQMD to process the permit application for the paint spray booth within three (3) business days (excluding weekends and federally observed holidays) or date requested by South Coast AQMD, whichever is later.

3. Respondent shall notify the South Coast AQMD (Andrea Barlow, abarlow@aqmd.gov, Leslie Rodriguez, lrodriguez@aqmd.gov, and Nathan Wong, nwong3@aqmd.gov) within three (3) business days of submission of a permit application for the paint spray booth.

1 4. Respondent shall notify the Clerk of the Board (front_pc@aqmd.gov) and South
2 Coast AQMD (nwong3@aqmd.gov) in writing within three (3) business days of when final
3 compliance (that is, when the permit application has been deemed complete and required
4 permitting fees paid) has been achieved.

5 5. Respondent shall maintain VOC usage records once the paint spray booth permit
6 application compliance has been achieved as provided in Condition 4. Respondent shall provide
7 these records to the South Coast AQMD (Andrea Barlow, abarlow@aqmd.gov, and Nathan Wong,
8 nwong3@aqmd.gov) for each month, within five (5) days of the following month, starting
9 September 1, 2026. Condition 5 shall expire November 30, 2026.

10 6. Respondent shall notify the Clerk of the Board in writing when final compliance is
11 achieved.

12 7. The Hearing Board shall retain jurisdiction until Respondent has fully complied
13 with the terms of this Order and achieved compliance.

14
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16 BOARD MEMBER: _____

17
18 DATED: _____