

OFFICE OF THE GENERAL COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
JOSEPHINE LEE, SBN 308439
Senior Deputy District Counsel
Email: jlee4@aqmd.gov
21865 Copley Drive
Diamond Bar, California 91765
TEL: 909.396.3400 • FAX: 909.396.2961

Attorneys for Petitioner
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.

QUAKER CITY PLATING COMPANY &
SILVERSMITH LTD

[Facility ID No. 52525]

Respondent.

CASE NO. 5348-2

**[PROPOSED] FINDINGS AND
DECISION FOR A STIPULATED
ORDER FOR ABATEMENT**

District Rules 202 and 1469

Date: April 22, 2025

Time: 9:30 a.m.

Place: Hearing Board

South Coast Air Quality
Management District

21865 Copley Drive
Diamond Bar, CA 91765

FINDINGS AND DECISION OF THE HEARING BOARD

This petition for a Stipulated Order for Abatement was heard on April 22, 2025, pursuant to notice and in accordance with the provisions of California Health and Safety Code Section 40823 and District Rule 812. The following members of the Hearing Board were present: Micah Ali, Chair; Robert Pearman, Vice Chair; Mohan Balagopalan; Cynthia Verdugo-Peralta; and Dr. Jerry P. Abraham, MD, MPH, CMQ. The Executive Officer of the South Coast Air Quality Management

District (hereinafter referred to as “South Coast AQMD” or “District” or “Petitioner”), was represented by Josephine Lee, Senior Deputy District Counsel. Respondent Quaker City Plating Company & Silversmith Ltd (hereinafter referred to as “Respondent” or “Quaker City Plating”), was represented by Charles H. Pomeroy, Esq. of Stiles Pomeroy LLP. The public was given the opportunity to testify. Evidence was received and the matter was submitted.

The public was given the opportunity to testify. The matter was submitted and evidence received. The Hearing Board finds and decides as follows:

FINDINGS OF FACT

1. Petitioner is a body corporate and politic established and existing pursuant to 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 operates a decorative electroplating facility (“Facility”) located at 11729 East Washington Blvd. in Whittier, within South Coast AQMD’s jurisdiction and subject to South Coast AQMD rules.

3. As a part of its business, and relevant to this Order for Abatement, Respondent operates the following plating line and air pollution control equipment:

Table 1: Subject Equipment

Permit	Description
A/N 614351	Tank HTL-POP-1, Tier III Hexavalent Chromium
A/N 614351	Tank HTL-39, Trivalent Chrome
A/N 613916	Air Pollution Control System

4. **District Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations**, was adopted in October 1998.

5. **District Rule 1469(h)(3)** requires subject owners or operators of decorative chromium electroplating tanks using a trivalent chromium bath to control chromium emissions by one or more methods, including an add-on air pollution control device that meets ≤ 0.01 milligrams of total chromium per dry standard cubic meter of air (mg/dscm). The emissions limits must be

1 demonstrated through a source test pursuant to subdivision (k). Another method of compliance is to
2 use a chemical fume suppressant containing a wetting agent that is not a PFOS
3 (perfluorooctanesulfonic acid)-based fume suppressant.

4 **6. District Rule 1469(h)(4)(A)(iv)** requires subject owners or operators of Tier III
5 hexavalent chromium tanks (excluding chromium electroplating and chromic acid anodizing tanks)
6 to collect and vent hexavalent chromium emissions to an add-on air pollution control device or
7 alternative compliance method to meet a hexavalent chromium emission limit of 0.004 mg/hr-ft² or
8 applicable emission limit. The emissions limits must be demonstrated through a source test pursuant
9 to subdivision (k).

10 **7. District Rule 1469(k)(6)** requires that each add on-air pollution control device meets
11 the design criteria and ventilation velocities specified in *A Manual of Recommended Practice for*
12 *Design*. Specifically, the manual specifies the slot velocity to be a minimum of 2,000 fpm.

13 **8. District Rule 202(a)** states that “the permit to construct shall serve as a temporary
14 permit for operation...until the permit to operate is granted or denied. The equipment...shall not be
15 operated contrary to the conditions specified in the permit to construct.” **District Rule 202(b)** states
16 that “[t]he permit to construct granted to modify equipment... shall serve as a temporary permit for
17 operation of the equipment...until a new permit to operate is granted or denied. The altered
18 equipment...shall not be operated contrary to the conditions specified in the permit to construct.”

19 **9.** Tank HTL-POP-1 and Tank HTL-39 (A/N 614351) are operating under a temporary
20 permit to operate pursuant to District Rule 202(b).

21 **10.** There are several conditions that specify operation requirements for Tanks HTL-
22 POP-1 and HTL-39, including the following:

23 a) Condition 16 specifies that Tank HTL-POP-1 shall not be operated unless the tank is
24 vented to air pollution control equipment that is in full use and has been issued a valid
25 South Coast AQMD permit consisting of a three-stage mist eliminator and ULPA
26 filters.

27 b) Condition 22 specifies that the total chromium emissions from Tank HTL-39 shall
28 not exceed 0.01 mg/dscm.

- 1 c) Condition 32 specifies the source testing requirements to measure the total chromium
2 and hexavalent chromium emissions at the outlet of the air pollution control
3 equipment. Condition 32 requires the source test to be run while Tanks HTL-POP-1
4 and HTL-39 are in operation at maximum load, and specifies certain data from the
5 tanks that must be monitored and recorded during the source test.

6 11. The air pollution control system (A/N 613916) is operating under a temporary permit
7 to operate pursuant to District Rule 202(a).

8 12. There are several conditions that specify source testing and/or operational
9 requirements for the air pollution control system, including the following:

- 10 a) Condition 23 specifies that the exhaust flow rate shall be a minimum of 5,000 CFM
11 that must be continuously measured and recorded by a flow measuring device.

- 12 b) Condition 25 specifies the source testing requirements to measure the total chromium
13 and hexavalent chromium emissions at the outlet of the air pollution control
14 equipment. Condition 25 requires the source test to be run while Tanks HTL-POP-1
15 and HTL-39 are in operation at maximum load, and specifies certain data from the
16 tanks that must be monitored and recorded during the source test.

17 13. Tank HTL-39 is a decorative chromium electroplating tank using a trivalent
18 chromium bath. Per Rule 1469(h)(3), Respondent must operate Tank HTL-39 to control chromium
19 emissions by one of more methods, including: 1) an add-on air pollution control device that meets \leq
20 0.01 milligrams of total chromium per dry standard cubic meter of air (mg/dscm); or 2) use a
21 chemical fume suppressants containing a wetting agent that is not a PFOS based fume suppressant.
22 Currently, Tank HTL-39 is permitted to vent to an add-on air pollution control device. Therefore,
23 Respondent must demonstrate that HTL-39 meets \leq 0.01 mg/dscm through an approved source test.
24 This emission limit is also reflected in Condition 22 of A/N 614351.

25 14. Tank HTL-POP-1 is a Tier III Hexavalent Chromium Tank because its temperature
26 exceeds 140°F, and is not a chromium electroplating or chromic acid anodizing tank. Per Rule
27 1469(h)(4)(A)(iv), Respondent must operate Tank HTL-POP-1 to collect and vent hexavalent
28 chromium emissions to an add-on air pollution control device or alternative compliance method to

1 meet hexavalent chromium emission limits of 0.004 mg/hr-ft² or applicable limit. This emission
2 limit must be demonstrated through an approved source test.

3 15. Respondent hired Almega Environmental to conduct source tests for Tanks HTL-
4 POP-1 and HTL-39, as well as the air pollution control system according to the approved protocol.
5 The source tests were conducted in late September 2020.

6 16. District Source Test Engineering evaluation, dated November 22, 2024, concluded
7 that the source test results were deemed unacceptable and compliance indeterminate. The emissions
8 limits could not be demonstrated as the capture velocities did not meet the minimum slot velocity
9 requirement under Rule 1469(k)(6).

10 17. Additionally, in March 2025, after determining that compliance for its prior source
11 test was deemed indeterminate by the District, Quaker reviewed its air pollution control system and
12 discovered that its filters were HEPA-certified, but not ULPA-certified. The District was
13 immediately informed, and Quaker ceased operation of Tank HTL-POP-1 by covering it with a metal
14 tank cover, reducing the temperature to less than 120°F, and locking the temperature controller.
15 Quaker has ordered ULPA filters that are expected to be received in May 2025.

16 18. In February 2025, Respondent was informed by District Engineering that its existing
17 August 2024 permit application (A/N 655061) for the tank link may be able to be used for further
18 modifications if Respondent also filed a permit application for the air pollution control system. The
19 permit application (A/N 658603) for the air pollution control system was filed on February 25, 2025,
20 but was automatically returned due to unpaid back fees for the facility. The District subsequently
21 requested that new expedited permit applications be filed for both the tank link and the air pollution
22 control system. Expedited applications for the tank link (A/N 658987) and air pollution control
23 system (A/N 658986) were filed March 17, 2025.

24 **CONCLUSION**

25 1. The parties have stipulated to the issuance of this Order for Abatement, pursuant to
26 Health & Safety Code Section 42451(b). In accordance with that section and District Rule 806(b),
27 the Hearing Board is not required to make a finding that Respondent is in violation of Health &
28

1 Safety Code Section 41700 or District Rule 402. Good cause exists to grant this Stipulated Order
2 for Abatement.

3 2. This Stipulated Order for Abatement is not intended to be nor does it act as a variance.
4 Respondent is subject to all rules and regulations of the District and to all applicable provisions of
5 California law. Nothing herein shall be deemed or construed to limit the authority of the District to
6 issue Notices of Violation, to seek civil penalties or injunctive relief, or to seek other administrative
7 or legal relief. The Findings of Fact are based on evidence presented by Petitioner and Respondent
8 as of the date hereof.

9 3. The issuance of the Order for Abatement is not expected to result in the closing or
10 elimination of an otherwise lawful endeavor, but if it does result in such closure or elimination, the
11 District contends that it would not be without a corresponding benefit in reducing air contaminants.

12 4. Issuance of this Stipulated Order for Abatement, upon a fully noticed hearing, will
13 not constitute a taking of property without due process of law.

14 **MODIFIED ORDER**

15 THEREFORE, in reliance on the stipulation of the parties, the aforesaid statements,
16 additional evidence and testimony, and good cause appearing, Respondent is hereby ordered to cease
17 and desist from all violations of District Rules 202 and 1469 regarding the operation of Tank HTL-
18 POP-1 and Tank HTL-39 (A/N 614351) and the associated air pollution control system (A/N
19 613916) or, in the alternative, to comply with the following conditions:

20 1. Effective immediately from the date of this Order until the ULPA filters have been
21 installed on the APC, Respondent shall minimize emission from HTL-POP-1 by ensuring the
22 following:

- 23 a. Tank HTL-POP-1 shall be covered at all times using the pre-existing cover that
24 Respondent maintains when tank HTL-POP-1 is not in use. The cover shall be
25 maintained to minimize any fugitive emissions. Repair or replacement of the tank
26 cover shall be recorded and shall include the date, time, and actions taken to repair or
27 replace the tank cover.
28

1 b. Temperature of the solution of tank HTL-POP-1 shall be less than 120 degrees
2 Fahrenheit at all times. A calibrated temperature gauge shall be installed within 24
3 hours of this Order to continuously monitor the temperature of this tank. The
4 temperature of this tank shall be recorded daily.

5 2. Respondent shall conduct a smoke test on Tank HTL-POP-1 pursuant to Rule 1469
6 Appendix 8 within 48 hours of the ULPA filter installation on the APC, and at least once every 7
7 calendar days thereafter. The test shall be recorded on video and sent to Air Quality Inspector
8 Alemayehu Solomon (asolomon@aqmd.gov) and Air Quality Engineer Armando Coronado
9 (acoronado@aqmd.gov) within 24 hours of the test. Submittals shall include the video and the date
10 and time the smoke test was conducted.

11 a. If it is determined the test is not acceptable, an acceptable retest shall be completed
12 and sent to Air Quality Inspector Alemayehu Solomon (asolomon@aqmd.gov) and
13 Air Quality Engineer Armando Coronado (acoronado@aqmd.gov) within 24 hours
14 of District's written notification that the test is not acceptable. The retest shall be
15 submitted within 24 hours of completion.

16 b. If the retest is determined to not be acceptable, heating of tank HTL-POP-1 shall be
17 reduced to less than 120 degrees Fahrenheit within two working hours of District's
18 written notification that the test is not acceptable. HTL-POP-1 shall remain heated to
19 less than 120 degrees Fahrenheit until an acceptable smoke test is conducted. The
20 date, time, and temperature shall be recorded when heat is reduced and started for
21 this condition.

22 3. Respondent shall measure slot velocity for each slot, in feet per minute, on HTL-
23 POP-1 within 48 hours of the ULPA filter installation on the APC, and at least once every 7 calendar
24 days thereafter. The measurement shall be recorded and sent to Air Quality Inspector Alemayehu
25 Solomon (asolomon@aqmd.gov) and Air Quality Engineer Armando Coronado
26 (acoronado@aqmd.gov) within 24 hours of the completed measurement.

1 4. Respondent shall keep daily records for tank HTL-POP-1 showing date and time
2 initial parts are entered in, date and time final parts are removed, and temperature of the solution in
3 the tank.

4 5. Respondent shall operate tank HTL-39 with a non-PFOS based chemical fume
5 suppressant containing a wetting agent in accordance with Rule 1469 (h)(3), (o)(10) and (p)(5), and
6 ensure the following:

- 7 a. For each addition of the chemical fume suppressant to tank HTL-39, the Petitioner
8 shall record the date, time, amount, and name of chemical fume suppressant added.
9 b. Respondent shall record the date, time, and beginning ampere-hour meter reading
10 when they first begin to use tank HTL-39 with this wetting agent.
11 c. The report required by Rule 1469 (p)(5) shall be sent to Air Quality Inspector
12 Alemayehu Solomon (asolomon@aqmd.gov) and the Rule 1469 inbox
13 (Rule1469info@aqmd.gov).

14 6. Respondent shall request expedited review and processing of any Source Test
15 Protocol and the Source Test Report pertaining to this Order by submitting the Expedited Evaluation
16 Request Form 222-XST.

17 7. The Hearing Board may modify the Order for Abatement without the stipulation of
18 the parties upon a showing of good cause, therefore, and upon making the findings required by
19 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the Order
20 shall be made only at a public hearing held upon 10 days published notice and appropriate written
21 notice to Respondent.

22 8. Respondent shall notify the Clerk of the Board in writing when final compliance has
23 been achieved.

24 9. The Hearing Board shall retain jurisdiction over this matter until January 30, 2026 or
25 until Respondent has fully complied with the terms of this Order and achieved compliance,
26 whichever occurs earlier, unless this Order is amended and modified.

27 This Order for Abatement does not act as a variance, and Respondent is subject to all rules
28 and regulation of the District, and with all applicable provisions of California law. Nothing herein

1 shall be deemed or construed to limit the authority of the District to issue Notices of Violation, or to
2 seek civil penalties, criminal penalties, or injunctive relief, or to seek further orders for abatement,
3 or other administrative or legal relief.

4
5 **FOR THE BOARD:** _____

6 **DATED:** _____
7

8
9 Reviewed by Charles H. Pomeroy, Representative for Respondent

10 Prepared by Josephine Lee, Attorney for Petitioner
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28