

1. CERTAINTEED operates a fiberglass insulation manufacturing operation at 17775 Avenue 23 ½, in Chowchilla, California.
2. The equipment subject to this variance is a pre-conditioning chamber, caustic soda injection, and dry electrostatic precipitator (EP) used in the control of particulate matter (PM) emissions from the glass melting furnace.
3. Duly issued District permits authorize the operation of the subject equipment.

Petitioner CertainTeed LLC
Docket No. C-26-06S
Date April 15, 2026
Page 2

BACKGROUND

CertainTeed LLC (CERTAINTEED) operates a glass-melting furnace and other equipment associated with the production of fiberglass insulation. In order to control particulate matter (PM) emissions, exhaust from the furnace is vented through a pre-conditioning chamber with caustic soda injection and dry electrostatic precipitator (EP) which creates a high voltage electrical field on discharge plates inside the unit. PM from the exhaust stream receive an electrical charge when passing through the discharge plates and are then deposited on the grounded collector plates.

It is a recognized industry standard that the EP and caustic soda injection system require annual inspection and maintenance for safe, compliant operation. CERTAINTEED plans to complete this assessment and cleaning in May this year. To complete the work, they need to shut down and bypass the entire emissions control system, including the continuous emission monitoring system (CEMS) and the Continuous Opacity Monitoring System (COMS), which are on the main exhaust stack. District Rule 4354–Glass Melting Furnaces, allows for excess emissions (NOx, VOC, CO, SOx, and PM) during maintenance of an add-on emission control system for up to 144 hours per year. However, the emissions exemption for maintenance does not apply to visible emissions. District Rule 4101–Visible Emissions limits visible emissions to no more than 20% opacity for up to 3 minutes in any one hour. In the past, CERTAINTEED has experienced visible emissions as high as 95% opacity during maintenance of the emission control system. Therefore, CERTAINTEED is seeking relief from emissions monitoring requirements, since the CEMS and COMS will be bypassed, as well as visible emissions limits. They are requesting a consecutive 72-hour period in order to perform maintenance on the EP.

Variance protection is necessary because the glass-melting furnace, once heated up, operates non-stop for many years in what is known as a campaign. It cannot be shut off without causing significant damage to the furnace. A glass-melting furnace takes several days to shut down and several weeks to get back to operational temperature.

RULE REQUIREMENTS

1. The equipment subject to this variance are regulated by the following District Rules:
 - A. 1080 – *Stack Monitoring*
 - B. 2010 – *Permits Required*
 - C. 2070 – *Standards for Granting Applications*
 - D. 2201 – *New and Modified Stationary Source Review Rule*
 - E. 2520 – *Federally Mandated Operating Permits*
 - F. 4101 – *Visible Emissions*
 - G. 4354 – *Glass Melting Furnace*
 - H. CH&SC § 41701
2. District Rules 1080, 2201, and 4354 require that the glass melting furnace be equipped with a functional CEMS. District Rules 2010, 2070, and 2520 require that the subject equipment not be operated contrary to the conditions of the applicable permits. Rule 4101 and CH&SC § 41701 requires that visible emissions not exceed 20% opacity for more than three minutes in any one hour.

Petitioner CertainTeed LLC
Docket No. C-26-06S
Date April 15, 2026
Page 3

FINDINGS OF FACT

Pursuant to CH&SC § 42352, the following findings have been made:

1. ***That the petitioner for a variance is, or will be, in violation of Section 41701 or of any rule, regulation, or order of the District.***

The Hearing Board finds that operating the glass-melting furnace while bypassing the emissions control equipment and CEMS, and with excess visible emissions, will result in a violation of applicable requirements of District Rules 1080, 2010, 2070, 2201, 2520, 4101, 4354, and CH&SC § 41701, in addition to applicable conditions of the subject permits.

2. ***That, due to conditions beyond the reasonable control of the petitioner requiring compliance would result in either (1) an arbitrary or unreasonable taking of property, or (2) the practical closing and elimination of a lawful business.***

The Hearing Board finds that CERTAINTEED needs to conduct the repairs and maintenance on the EP and caustic scrubber which are recognized as industry standard. CERTAINTEED must bypass the emissions control system and cool down the EP before workers can begin the repairs and maintenance. Not only is the EP extremely hot but it is not safe to work around when operating because of the electrical current that is surging through the device.

For CERTAINTEED to continue to stay in compliance, they would have to shut down the glass-melting furnace while the control equipment is off-line. This is not an acceptable industry practice because it would bring about an unreasonable taking of property through severe damage to the furnace and process equipment. A glass melting furnace is designed to run non-stop for many years. If it is cooled down, the refractory has a tendency to crack and break. A glass melting furnace takes several days to shut down and several weeks to get back to operational temperature.

3. ***That the closing or taking would be without a corresponding benefit in reducing air contaminants.***

The Hearing Board finds that the closing or taking would be without a corresponding benefit in reducing air contaminants as the furnace would have to be shut down. The repairs and maintenance will take approximately 72 hours. The shutdown of the furnace would take several days, and the startup would take several weeks. The shutdown could result in damage to the furnace as well. To start the furnace back up, CERTAINTEED would have to submit a startup plan to the District and bring in a specialized crew to handle the intricacies of bringing a glass melting furnace up to temperature without causing any damage. A cold start of the furnace would produce a lot of emissions before the furnace comes up to temperature and the EP is hot enough to restart. During the downtime, CERTAINTEED would not be able to provide their customers with product and could lose valuable market share to their competitors. Therefore, a closing or taking would be without a corresponding benefit in reducing air contaminants.

Petitioner CertainTeed LLC
Docket No. C-26-06S
Date April 15, 2026
Page 4

4. *That the applicant for the variance has given consideration to curtailing operations of the source in lieu of obtaining a variance.*

The Hearing Board finds that curtailing production will not limit visible emissions to below 20% and the variance would still be necessary to continue to operate with excess visible emissions.

5. *During the period the variance is in effect, that the applicant will reduce excess emissions to the maximum extent feasible.*

The Hearing Board finds that CERTAINTEED will perform the repairs and maintenance as expeditiously as practicable.

6. *During the period the variance is in effect, that the applicant will monitor or otherwise quantify emission levels from the source, if requested to do so by the District, and report these emissions levels to the District pursuant to a schedule established by the District.*

The Hearing Board finds that during the variance period, CERTAINTEED will monitor visible emissions from the source twice a day by using personnel certified in performing a visible emissions evaluation (VEE). This information will be provided to the District at the end of the variance.

GENERAL COMMENTS

The Hearing Board also finds that a nuisance as defined in District Rule 4102 is not expected to occur as a result of this variance. Nor would continued operation likely create an immediate threat or hazard to public health or safety.

It should be noted that the US Environmental Protection Agency (EPA) which monitors major sources might not recognize this variance. CERTAINTEED should be aware that the EPA could take enforcement action on this matter if it deems such action is appropriate.

CONCLUSIONS AND ORDER

NOW, THEREFORE, the CENTRAL REGION HEARING BOARD ORDERS that a short variance be granted to CERTAINTEED, subject to the following conditions:

1. The variance shall be effective for a consecutive 72-hour period to occur between May 1, 2026, and May 30, 2026, inclusive, or until the maintenance/repairs have been made and the emissions control equipment has returned to compliant operation, whichever occurs first.
2. Variance relief shall be granted from the requirements of the applicable section of District Rules 1080, 2010, 2070, 2201, 2520, 4101, 4354, and CH&SC section 41701, in addition to the listed conditions of the following permits to operate:

C-261-0-4	Conditions 8, 25
C-261-2-32	Conditions 25, 26, 32, 33, 36, 37

Petitioner CertainTeed LLC
Docket No. C-26-06S
Date April 15, 2026
Page 5

3. The variance shall allow for continued glass manufacturing with excess visible emissions while the exhaust stream bypasses the emissions control system, including the CEMS/COMS, so CERTAINTEED can perform maintenance to the emissions control system.
4. CERTAINTEED shall notify the District at least 24 hours, but no earlier than 96, prior to going into bypass mode. Notification shall be by email to lupe.jauregui@valleyair.org.
5. Visible emissions shall not exceed 95% opacity or Ringelmann 4 $\frac{3}{4}$ during the variance period.
6. CERTAINTEED shall conduct a VEE twice each day during daylight hours. The evaluations shall be at least 6 hours apart. Determination of visible emissions shall be made in accordance with EPA Method 9 with a minimum of 24 consecutive observations recorded in fifteen-second intervals. The person(s) monitoring visible emissions shall be certified by CARB to read visible emissions. A written report of each VEE shall be maintained and a copy shall be provided to the District along with the summary report.
7. CERTAINTEED shall document the bypass time and shall count it towards their 144 hours of annual maintenance allowed per Rule 4354, section 5.10.
8. A Federal Title V deviation report shall be submitted to the District within 10 days each time a Federal Title V permit condition is violated. It should be noted that multiple deviation reports may need to be submitted during this variance period. The deviation report must be sent to the facility inspector.
9. Should the facility experience operational conditions likely to cause a public nuisance, CERTAINTEED shall cease the operations causing the problems and take all necessary actions to abate the problem immediately.
10. At the conclusion of this variance CERTAINTEED must be in compliance with all their permit conditions and applicable District Rules. If CERTAINTEED will not achieve compliance prior to conclusion of this variance they must contact the District as soon as possible and before the variance period ends.
11. By June 14, 2026 or no later than 15 calendar days after finishing the maintenance and returning to compliant operation, whichever occurs first, CERTAINTEED shall submit to the District a summary report. If the report due date should fall on a day the District is closed, it shall be due by the end of the next business day. The report shall include the following:
 - A. A summary of all activities that took place during the variance period,
 - B. The date(s), time(s) and duration of the bypassing,
 - C. Documentation of the VEEs, including the name of person(s) responsible for conducting the visible emission monitoring and copies of their CARB certification, and
 - D. The required certification of truth, accuracy, and completeness, signed by the designated official of the limited liability company, as required by sections 9.13.1 and 10.0 of District Rule 2520 – *Federally Mandated Operating Permits*.

- Shannon Moore
SJVAPCD, Compliance Department
1990 E. Gettysburg Ave
Fresno, CA 93726
Telephone: (559) 230-5874
E-mail: shannon.moore@valleyair.org

- | | | | |
|-------------------|--------------------------------------|----------------|---------|
| MOTION: | Robertson | SECOND: | Goodwin |
| Ayes: | Hartwig, Soldani, Robertson, Goodwin | | |
| Noes: | None | | |
| Abstained: | None | | |
| Recused: | None | | |
| Absent: | Mulligan | | |

Signed by:

4/21/2026

Date

Signed by:

4/21/2026

Date _____

Certificate Of Completion

Envelope Id: 216F7948-68C2-4E16-B8C6-6B73531E7FBA

Status: Completed

Subject: Complete with Docusign: Docket C-26-06S.pdf

Source Envelope:

Document Pages: 6

Signatures: 2

Envelope Originator:

Certificate Pages: 5

Initials: 0

Diseree Alvarez

AutoNav: Enabled

1990 E GETTYSBURG AVE

Envelopeld Stamping: Enabled

FRESNO, CA 93726

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Diseree.Alvarez@valleyair.org

IP Address: 12.219.204.245

Record Tracking

Status: Original

Holder: Diseree Alvarez

Location: DocuSign

4/21/2026 3:39:10 PM

Diseree.Alvarez@valleyair.org

Security Appliance Status: Connected

Pool: StateLocal

Signer Events

Daniel Hartwig

dthartwig@gmail.com

Security Level: Email, Account Authentication
(None)

Signature

Signed by:

F1EBF8A9B30346F...

Timestamp

Sent: 4/21/2026 4:05:33 PM

Viewed: 4/21/2026 4:16:27 PM

Signed: 4/21/2026 4:17:18 PM

Signature Adoption: Drawn on Device

Using IP Address: 2a02:26f7:c358:8011:0:a800:0:3

Signed using mobile

Electronic Record and Signature Disclosure:

Accepted: 4/21/2026 4:16:27 PM

ID: 40ee2a94-ad5f-4f50-b4a6-a03f50c8032d

Katrina Rojas

katrina.rojas@valleyair.org

Operations Support Supervisor

Security Level: Email, Account Authentication
(None)

Signed by:

5A5039220E1D454...

Sent: 4/21/2026 4:17:19 PM

Viewed: 4/21/2026 4:21:47 PM

Signed: 4/21/2026 4:22:26 PM

Signature Adoption: Drawn on Device

Using IP Address: 12.219.204.250

Electronic Record and Signature Disclosure:

Not Offered via Docusign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/21/2026 4:05:33 PM
Certified Delivered	Security Checked	4/21/2026 4:21:47 PM

Envelope Summary Events	Status	Timestamps
Signing Complete	Security Checked	4/21/2026 4:22:26 PM
Completed	Security Checked	4/21/2026 4:22:26 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, SJVAPCD (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact SJVAPCD:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: imtiazh.haq@valleyair.org

To advise SJVAPCD of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at imtiazh.haq@valleyair.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from SJVAPCD

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to imtiazh.haq@valleyair.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with SJVAPCD

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to imtiazh.haq@valleyair.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify SJVAPCD as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by SJVAPCD during the course of your relationship with SJVAPCD.