

**SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT
NORTHERN REGION
4800 Enterprise Way
Modesto, California 95356
(209) 557-6400**

STAFF REPORT

May 6, 2026

REGULAR VARIANCE

DOCKET No. N-26-01R

FACILITY: Sensient Natural Ingredients LLC
9984 West Walnut Avenue
Livingston, CA 95334

LOCATION: Same as Above

RULE VIOLATION: 2010 – *Permits Required*
2070 – *Standards for Granting Applications*
2092 – *Standards for Permits to Operate*
2201 – *New and Modified Stationary Source Review*
2520 – *Federally Mandated Operating Permits*
4309 – *Dryers, Dehydrators, and Ovens*

PERMIT NUMBERS: See recommendations

EPA AIRS NUMBER: 06-099-N1657

NOV NUMBER: N/A

TYPE OF BUSINESS: Dehydrated Vegetable Processing

NATURE OF THE PROBLEM:

Sensient Natural Ingredients LLC (SENSIENT) operates a vegetable dehydration facility in the City of Livingston, California. The facility operates 24/7 at full production during the harvesting seasons of onions, garlic, and parsley, which is typically between mid-February and mid-November. The equipment applicable to this variance are five vegetable dehydrators.

Raw vegetables are delivered using various modes of transportation and off-loaded at the facility utilizing conveyors and other mechanisms. The produce are stored, washed, dried, then undergo the dehydration process. This process includes wet processing, soaking, curing, slicing, coring, additional (tube) drying, and dehydration with multiple control devices (e.g., baghouse, cyclones) to capture regulated pollutants in accordance with applicable District regulations and rules. These dehydrated vegetables are further blended to produce multiple spices for commercial and personal usage.

The dehydrators are an integral component of drying vegetables at the ideal, constant temperature across the drying surface area uniformly to produce a high quality end-product. These dryers are internally identified as Dryers 1, 2, 3, 6, and 7. These dryers are 12-foot wide and configured with four different heating stages (i.e., A, B, C, and D). Each stage is programmed to create a unique, proprietary, dehydration environment that complements the

previous stage and supports the consequent stages. It should be noted that temperature is a critical parameter of the dehydration process. Approximately 70% of moisture is removed from raw vegetables during the dehydration process. Any out-of-specification can result in one of more of the following: poor product quality, safety hazards, environmental compliance, and potential failures of quality standards for food borne pathogens.

Sensient installed new Low-NOx line-burners on dehydrators 1, 2, 3, 6 and 7 to replace existing end-of-life cycle for existing burners that are 20+ years old to minimize failures of burners, which directly impacts production. The new burners require troubleshooting and fine-tuning. This has been on-going for months and while improvements have been made, the synchronizing of the burners for each dehydrator has been complex. During the "proof of concept" process (i.e., adjusting the burners for efficiencies, and reduced emissions as stated in manufacturer's specifications), to simulate typical and atypical seasons and the daily natural gas usage limitations will most likely be exceeded. The frequency of exceedances is unknown.

PETITIONER'S REQUEST:

SENSIENT has requested a regular variance from applicable requirements of District Rules 2010, 2070, 2092, 2201, 2520 and 4309, in addition to the applicable conditions on the subject permits. The requested variance period would be from April 1, 2026, through April 1, 2027, inclusive. If granted, the variance would allow SENSIENT to continue to operate the dehydrators with excess emissions and would allow the exceedance of the daily fuel usage until the troubleshooting on the new burners is complete and the dehydrators are back into compliance.

EXCESS EMISSIONS:

Excess emissions have been calculated with a worst case scenario should any unforeseen issues arise during the variance. SENSIENT anticipates up to **54,925** pounds of excess NOx, **1,423** pounds of excess SOx, **2,746** pounds of excess VOC, **1,498** pounds of excess PM2.5/PM10 and **47,935** pounds of excess CO emissions during the variance period.

IMMEDIATE COMPLIANCE:

SENSIENT is currently in compliance.

COMMENTS ON REQUIRED FINDINGS:

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.***

Operation of the dehydrators with excess emissions and exceeding the daily fuel usage while conducting the troubleshooting of the new burners will result in a violation of District Rules 2010, 2070, 2092, 2201, 2520 and 4309, in addition to the applicable conditions on 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 dehydrators are an integral component of drying vegetables at the ideal, constant temperature across the drying surface area uniformly to produce a high quality end-product. This upgrade was mandated due to the significant increase of burner failures over the previous two seasons (2023/2024), which hampered production. The original burners were installed in approximately 2002, which is well past the 20 years life cycle for these types of units. It would be a taking of property if SENSIENT were not allowed to manage their equipment in a way that they believe will lead to efficiencies, safety, the maximizing of production, and continued long-term compliance.

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

The closing or taking would result in the inability to dehydrate and sell products utilizing the dehydrators. There are no options to reduce or mitigate excess emissions without a severe loss of production and economic harm to SENSIENT. If the variance was not granted, SENSIENT would initially lose out on the investment made to upgrade their existing equipment and sales commitment. Currently, SENSIENT has invested well over \$2.5 million dollars (\$2.3 million for the burners and installation; \$300K for fine-tuning by certified installation staff and consultant fees).

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

A total operational curtailment is not feasible as the economic loss is estimated at a total of \$2,500,000.00. Requiring SENSIENT to shutdown would have a significant impact to employees and contractors that support the dehydration operations. Additionally, the dehydrators must be in operation in order to conduct the troubleshooting.

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

During the variance period, SENSIENT will be able to monitor the dehydrators to assure that they operate efficiently and at the lowest possible emission concentration. Any excess emissions would be subject to the District's emission fee requirement, including Rule 4320 emission fees. SENSIENT will also complete the troubleshooting of the new burners 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.*

SENSIENT currently collects daily natural gas usage data, which can be used to quantify emissions from each dehydrator. These daily reports can be provided to the District upon request during and after the variance period.

ADDITIONAL COMMENTS:

A nuisance as defined in District Rule 4102 is not expected to occur as a result of this variance. Nor would continued operations 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, should it be granted. SENSIENT should be aware that the EPA could take enforcement action on this matter if it deems such action is appropriate.

RECOMMENDATIONS:

Should the Northern Region Hearing Board make the required findings and move to grant a regular variance to SENSIENT, the District would recommend the following conditions:

1. The variance shall be effective from April 1, 2026, until April 1, 2027, or until the troubleshooting of the new burners is complete and the dehydrators are back into compliance, whichever occurs first.
2. Variance relief shall be granted from the applicable requirements of District Rules 2010, 2070, 2092, 2201, 2520 and 4309, in addition to the following:

ATC N-1657-0-4	Condition 5
ATC N-1657-1-8	Conditions 6, 8, 12
ATC N-1657-2-9	Conditions 9, 10, 11, 12
ATC N-1657-3-9	Conditions 9, 10, 11, 12
ATC N-1657-9-8	Conditions 9, 10, 12
ATC N-1657-22-10	Conditions 8, 10, 12

3. The variance shall allow the continued operation of the dehydrators with excess emissions and will allow the exceedance of the daily fuel usage while the troubleshooting of the new burners is completed and the dehydrators are back into compliance.
4. Excess NOx emissions shall not exceed **54,925 pounds** over the duration of the variance period
5. Excess SOx emissions shall not exceed **1,423 pounds** over the duration of the variance period.
6. Excess VOC emissions shall not exceed **2,746 pounds** over the duration of the variance period.
7. Excess PM2.5/PM10 emissions shall not exceed **1,498 pounds** over the duration of the variance period.
8. Excess CO emissions shall not exceed **47,935 pounds** over the duration of the variance period.
9. Excess emissions fee will be assessed at the conclusion of the variance at \$3.00 per pound. Additionally, should the total excess emissions per pollutant exceed one ton (2,000 pounds),

SENSIENT shall pay \$3.75 of mitigation fees for each pound of total excess emissions. Payment of the excess/mitigation emission fees shall occur within 30 days after the end of the variance. Payment shall be made to the District and shall be directed to the "Miscellaneous Incentive Grant – Hearing Board," account.

10. A Federal Title V Deviation Report shall be submitted to the District each time a Federal Title V permit condition is violated; within 10 days of discovery. The Deviation Report must be sent to the facility inspector.
11. Should the facility experience operational conditions likely to cause a public nuisance, SENSIENT shall cease the operations causing the problems and take all necessary actions to abate the problem immediately.
12. At the conclusion of this variance, SENSIENT must be in compliance with all their permit conditions and applicable District Rules. If SENSIENT 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.
13. By April 16, 2027, or no later than 15 calendar days after completing the troubleshooting of the new burners and returning the dehydrators to compliant status, whichever occurs first, SENSIENT shall submit to the District a summary report. If the report due date should fall on a date the District is closed, it shall be due the next day the District is open. The report shall include the following:
 - A. A summary of all work conducted and the actions taken to achieve compliance;
 - B. The total amount of excess emissions occurring during the variance period; and
 - C. The required certification of truth, accuracy, and completeness, signed by the designated responsible official of the municipality, as required by Sections 9.13.1 and 10.0 of District Rule 2520 – *Federally Mandated Operating Permits*.
14. The end of the variance summary report shall be submitted to the attention of:

Esthela Soto
Senior Air Quality Specialist
SJVAPCD, Compliance Department
1990 E Gettysburg Ave
Fresno, CA 93726
Telephone: (559) 230-5879
E-mail: esthela.soto@valleyair.org
15. Failure to comply with any condition of this variance may render the variance null and void with the possibility of enforcement action taken that may include monetary penalties.