

PETITION FOR A HEARING
BEFORE THE HEARING BOARD OF THE
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

☐ Northern Region Office
4800 Enterprise Way
Modesto, CA 95356

☒ Central Region Office
1990 E. Gettysburg Ave.
Fresno, CA 93726

☐ Southern Region Office
34946 Flyover Court
Bakersfield, CA 93308

TYPE OF HEARING

FEES (Non-Refundable)

☒ A.	Short Variance (90 Days or Less)	\$1066.00
☐ B.	Interim & Short Variance	\$1559.00
☐ C.	Emergency Variance	\$ 371.00
☐ D.	Regular Variance	\$1227.00
☐ E.	Interim & Regular Variance	\$1720.00
☐ F.	Appeal Hearing	\$1227.00
☐ G.	Extension of Variance	\$ 493.00
☐ H.	Modification of Variance	\$ 493.00
☐ I.	Modification of Variance Schedule of Progress	\$ 493.00
☐ J.	Product Variance	\$1637.00
☐ K.	Rehearing	\$1227.00
☐ L.	Revocation of Variance	\$ 493.00
☐ M.	Special Hearing	\$1227.00

In addition to the filing fee above, an excess emissions fee will be assessed at the conclusion of the variance at \$3.25 per pound on the excess emissions emitted during the variance period. Additionally, a \$3.75 per pound mitigation fee will be assessed if excess emissions are greater than 2000 pounds.

A. NAME OF FACILITY: Guardian Industries, LLC

PHYSICAL ADDRESS OF FACILITY: 11535 E. Mountain View Ave

CITY: Kingsburg STATE: CA ZIP CODE: 93631

NAME OF PERSON FILLING OUT PETITION: Janaina Quintiliano

TELEPHONE: 559-663-0005 **E-MAIL:** jquintiliano@guardian.com

NAME OF PERSON AUTHORIZED TO RECEIVE NOTICES: Rafael Latini

MAILING ADDRESS: 11535 E. Mountain View Ave

CITY: Kingsburg STATE: CA ZIP CODE: 93631

TELEPHONE: 559-896-6400 **E-MAIL:** rlatini@guardian.com

B. TYPE OF ENTITY (Check One)

☒ LLC

☐ Partnership

☐ Corporation

☐ Other Entity

Please include the name, title, and address of officers, if a corporation; partners, if a partnership; or the person(s) in control, if other entity.

(Attach additional sheets, if needed)

NAME	TITLE	ADDRESS
Rafael Latini	Plant Manager	11535 E. Mountain View Ave Kingsburg, CA 93631

In accordance with State Law, the District will provide assistance to small businesses in preparing and filing the petition for the hearing. Small business has the same meaning as defined in the Small Business Administration, except that no stationary source which is a major source can be a small business.

If you plan on having attendees participate via the video teleconferencing system in a region other than that of which you filed the petition, please check the box(s) below for the region they will be participating:

☐ Bakersfield

☐ Fresno

☐ Modesto

1. Describe the type of business conducted at your facility.

Float Glass Manufacturing

2. Describe in detail the equipment or activity that is the subject of this petition, what the equipment is used for, and why it is necessary to the operation of your facility. Include all pertinent information necessary to describe the activity including: fuels burned, raw materials processed, product produced, true vapor pressure of all volatile organic compounds, site diagrams, material flow charts, fuel systems, and diagrams of air pollution control systems if necessary. Provide photos as well.

PTO C-598-4-21 - 212 MMBtu/hour float glass furnace with associated emission control systems (ECS). Furnace induction and exhaust system includes a pair of regenerators consisting of a checkerboard pattern of refractory. Air is introduced through the regenerator on one side of the furnace and exhausted through the other. The regenerator absorbs heat from the exhaust to help lower exhaust temperatures to a range suitable for treatment in downstream portions of the emission control system. Every 20 minutes, the regenerator "reverses" and the exhaust becomes the intake. At this time, heat captured by the regenerator is given up to the intake air, allowing lower amounts of fuel to generate greater amounts of heat, with lower associated emissions.

As flue gases pass over the regenerator packs on the exhaust side, precipitates of sulfates and other products of combustion build up on the refractory surface. This has the effect of both insulating the refractory from efficient heat transfer and causing mechanical damage through thermal stress caused by differences in surface temperatures.

At regular intervals, it is necessary to perform maintenance on these regenerator packs. Maintenance is performed by adding two (2) auxiliary natural gas fired burners, included in the equipment description for C-598-4-21, and rated at 10 MMBtu/hour, to ports in the bottom of the regenerator. The burners allow the regenerator pack to reach temperatures of approximately 2000 deg F, allowing the sulfates and other contaminants to melt from the refractory and drip to the bottom of the regenerator, where they are later cleaned out manually. The burners are moved manually from port to port until the entire pack is cleaned. This typically takes 10 to 15 days of continuous burn to completely clean the regenerators on both sides of the furnace. After the burning of the regenerators, cleaning of the bottom regenerators will take 5 to 10 days. This operation is typically conducted annually, although the frequency of cleanings increases as the furnace ages.

During the regenerator burn, the remaining elements of the ECS because the maximum operating temperature for the Dry Scrubber, Electrostatic Precipitator and Selective Catalytic Reduction units can be exceeded, causing a bypass to occur. Excess opacity will occur due to accumulation of materials in the bypass damper and the regenerator access doors.

3. List all the District Permits to Operate and/or Authorities to Construct and the corresponding permit conditions for which you are requesting variance protection and **explain** how you are violating, or will violate the condition(s). Please list the current version(s).

PTO C-598-0-6

Condition #3 - The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application.

Condition 41 - No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (11/15/01). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition.

PTO C-598-4-21

Condition 2 - The Control Devices, SCR, DS, and PD, shall be in operation at all times during normal operations, and whenever technologically feasible including during Furnace Start-up, Idling and Shutdown conditions.

Condition 4 - At all times, including during Idling, a Furnace Start-up, a Control Device Start-up, Malfunction, and Maintenance, the Permittee shall maintain and operate the Furnace, all Control Devices, and any other associated air pollution control equipment in accordance with 40 CFR 60.11(d).

Condition 13 - NOx emissions from the glass melting Furnace, except during periods of Start-up, Shutdown, and Idling, shall not exceed any of the following limits: 81.67 lb/hr or 2.8 lb/ton of glass pulled, based on a block 24-hour average; or 2.5 lb/ton of glass pulled, based on a rolling 30-day average.

Condition 19 - Permittee shall Operate the Furnace (except during Furnace Start-up, or Maintenance of the DS or PD) passing all stack gases through a DS, and SOx emissions from the Furnace, except during periods of Start-up, Shutdown, Maintenance of the DS or PD, and Idling, shall not exceed any of the following limits: 49.58 lb/hr or 1.7 lb/ton of glass pulled, based on a block 24-hour average; or 1.2 lb/ton of glass pulled, based on a rolling 30-day average.

Condition 24 - CO emissions from the Furnace, except during periods of Start-up, Shutdown, routine Maintenance, and Idling, shall not exceed either of the following limits: 22.05 lb/hr or 101 ppmv @ 8% O2 (equivalent to 0.104 lb/MMBtu), based on a 3-hour rolling average.

4. List all District Rule numbers, including subsections, for which you are requesting variance protection and **explain** how you are violating or will violate the rule(s).

2010 Conducting an activity not specifically permitted.

2070 Operating outside of existing permit conditions.

2201 Conducting an activity not specifically permitted under our new source review.

2520 Operating outside of Federally Mandated Permit Conditions.

4101 Opacity from the stack during transition into emission control system bypass will exceed 20% for periods in excess of 3 minutes per hour.

4354 - Operating outside the established emission limits for Glass Furnaces

5. Why is it beyond your reasonable control to comply with the rule(s) and/or permit condition(s)?

As the regenerator burner is moved along the pack, it is likely that the overall air/fuel ratio in the furnace will change, causing brief periods of excess CO, SO_x and possibly NO_x generation. In addition, a safety setpoint causes the ECS to automatically bypass if the incoming exhaust gas to the electrostatic precipitator exceeds 860 deg F for more than 16 minutes. Although operators strive for the best possible outcome, it is unlikely for this plant to achieve the high temperature needed for effective cleaning of the regenerators checker packs without exceeding this high temperature setpoint at the electrostatic precipitator.

As the bottom of the regenerator is cleaned as a result of the regenerator checker pack burn, a pressure difference could be created within the furnace which can cause debris material to be pushed through the exhaust causing an opacity exceedance.

6. What would be the harm to your business if the variance were not granted? Include business closure, economic losses in dollar amounts, breach of contracts, hardships on customers, employee lay-offs, loss of market share to competitors, etc.

If this variance is not granted, the only option would be to attempt to shut down the float glass furnace. A glass furnace takes several weeks to shutdown and re-start. The cost of lost production and potential equipment damage due to thermal stress from heating and cooling would be in excess of \$10 million.

7. What date, and under what circumstances, did your facility first become aware that it would **not** be in compliance?

This event is a planned maintenance event done annually. Furnace process engineers began planning on August 19, 2026.

8. What actions have you taken since that time to achieve compliance?

The facility is currently in compliance. Scheduling this activity will ensure that the facility sustains the proper operation of the ECS to maintain compliance with applicable operating permit limits.

9. Explain what options have been evaluated towards curtailment or termination of operations in lieu of obtaining a variance.

Because a glass furnace needs weeks to shut down and restart, and refractory furnace lining can be damaged by thermal shock in both conditions, a furnace needs to run non-stop in a campaign of 15-25 years. Stopping the furnace is not an option without the complete reconstruction of the furnace, known as a "cold tank repair". This last took place in 2007 & 2008, meaning that this furnace is expected to run about 4 more years without shut down. In addition, the process of shutting down and re-starting can cause more emissions than those released during a short-term bypass for cleaning and maintenance.

10. Estimate the excess emissions in total pounds over the duration of the variance period. *Estimate the maximum amount of excess emissions that will occur.*

Pollutant	Pollutant Limit	Actual Emissions	<i>Excess emissions are those that are in excess of the rules or permit conditions or otherwise lawfully allowed</i>	Total Estimated Excess Emissions
VOC	6.6 ppm / 0.83 lb/hr	0.77 ppm / 0.06 lb/hr		0
NO _x	81.67 lb/hr / 2.8 lb/ton	55.4 lb/hr / 1.98 lb/ton		2000 lbs
CO	101 ppm / 22.05 lb/hr	2.3 ppm / 0.4 lb/hr		2000 lbs
SO _x	49.58 lb/hr / 1.7 lb/ton	28.9 lb/hr / 1.04 lb/ton		2000 lbs
PM ₁₀	20.42 lb/hr / 0.7 lb/ton	1.89 lb/hr / 0.035 lb/ton		0
PM _{2.5}	N/A	N/A		

Highest Opacity level anticipated: 95 %

11. Show all calculations and provide references for emission factors used in estimating excess emissions.

The facility CEMS will continue to operate during the bypass period.

12. Explain how you can reduce or mitigate excess emissions during the variance period. (such as shutting equipment down or reducing production to offset excess emissions)

Careful vigilance by the operators should reduce the chance of entering emergency bypass and having excess emissions.

13. If there are excessive hazardous or toxic emissions, attach a health risk assessment and receptor modeling data.

14. Can you monitor or quantify emission levels from the subject equipment or activity during the variance period and make such records available to the District? Source tests, engineering tests, or portable emission analyzers can be utilized.
Yes: ☒ No: ☐ Provide an explanation of your response.

The facility CEMS monitors NOx, SO2, CO and COMS for Opacity. All records are available to the District upon request.

15. How do you intend to achieve compliance with the rules or permit conditions? Include a detailed description of any equipment to be installed and/or modifications to be made, a listing of the dates by which the actions will be completed, and an estimate of the total cost, if available.

After the regenerator burn is complete and the system is closed back up, compliance should be immediate.

16. State the dates you are requesting the variance to begin and end (the end date should be the date you expect to achieve compliance with the rules, regulations, and permit conditions). Please overestimate the time needed to allow for any contingencies.

Begin variance: September 28, 2026 End variance: October 28, 2026

17. Please state if you need special time designations. For example: "We need 15 non-consecutive days between such and such date."

We need 25 days between September 28, 2026, and October 28, 2026.

18. If a variance, or series of variances, is to extend beyond one year, you must attach a Schedule of Increments of Progress pursuant to Rule 5050 –*Compliance Schedule* which must specify certain dates or milestones to be met in achieving compliance.
19. List the names of any District personnel who are familiar with the facility (inspectors, permit engineers, etc.) or with whom facility representatives have had contact concerning this variance petition, or any related NOV or NTC.

Vishal Patel, Lupe Jauregui, Clay Bishop, Sajjad Ahmad, Shannon Moore, Chris Kalashian, Tristen Kuhn.

Based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete:

Date: 09/1/2026

*Signature: Rafael Latini Franca

Title: Plant Manager

Print Name: Rafael Latini Franca

**must be signed by a responsible official if petitioner is a Title V source*

The original petition in this format, and any attachments must be submitted to the District. Any attachments that are extraordinarily difficult to reproduce, such as full color photographs, must be submitted as six copies. Petitions which are incomplete, illegible, submitted in the wrong format, or without the necessary filing fee will be returned. If you need assistance completing this petition and/or developing a compliance schedule, contact the Compliance Department in your region.

Northern Region Office
(209) 557-6440

Central Region Office
(559) 230-5950

Southern Region Office
(661) 392-5540

You may hand deliver, mail, or email this petition to variance@valleyair.org