

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

STAFF REPORT

April 8, 2026

INTERIM VARIANCE

DOCKET No. N-26-01i

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 nos. 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 an interim variance, to be followed by a regular variance to provide relief from the 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 May 1, 2026, inclusive, or until the petition for a regular variance can be heard. 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:

To grant an interim variance, the Northern Region Hearing Board must make a finding of good cause. The District believes the good cause determination shall be based on evidence presented to demonstrate that:

1. SENSIENT will be in violation of Section 41701 of the California Health and Safety Code (CH&SC), or of any rule, regulation or order of the District, or that such violation is imminent,
2. There is some certainty that the six prerequisite findings set forth in Section 42352 of the CH&SC can be made during the subsequent hearing for regular variance,

3. The circumstances leading to the violation could not reasonably have been avoided by SENSIENT, or anticipated in sufficient time to provide for public notice of the variance hearing, and
4. That SENSIENT exercised diligence in petitioning for the interim variance, which shall mean that SENSIENT filed a variance petition as soon as feasible after the time that SENSIENT knew, or should have known, that a variance would, more likely than not, be necessary.

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 an interim variance to SENSIENT, the District would recommend the following conditions:

1. The variance shall be effective from April 1, 2026, through May 1, 2026, inclusive, or until the petition for the regular variance can be heard, 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 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 May 16, 2026, or no later than 15 calendar days after the end of the interim variance, SENSIENT shall submit a summary report to the District. However, if the regular variance is granted, SENSIENT shall submit a summary report for the combined interim and regular variance period to the District in accordance with the time frame established by the regular variance. If the report due date should fall on a day the District is closed, it shall be due the next business day. 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

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void with the possibility of enforcement action taken that may include monetary penalties.