

Brydant Real Estate, LLC  
3333 E. Camelback Rd, Ste. 265  
Phoenix, AZ 85018  
602.875.5662  
www.brydant.com



Date: September 16, 2019  
To: John Merwin  
From: Rose Arck, Brydant  
602-684-8969 Cell  
CC: Scott Backes, Brydant  
480-646-7231 Cell  
SUBJECT: Foam Manufacturing in the City of Glendale, AZ – M2 Zoning District

A portal has been set up on the Brydant website; go to [Brydant.com/Foam](http://Brydant.com/Foam) to access this memo and all the attachments.

**Richard Sumner – Permitting Division Manager  
Maricopa County Air Quality Department**

I spoke with Richard regarding the permitting process for Foam Manufacturing in Maricopa County. He stated the permit application is submitted to his department and a non-Title V permit would take about 3-6 months. To make sure he understood what type of manufacturing I was talking about I asked him if he had any companies permitted already making foam. Coincidentally, he sent me the Flex Foam permit renewal stating, "I think this is what you are looking for."

Richard's emails and a copy of the Flex Foam permit is attached. Richard would be glad to get on the phone and speak with the Brooklyn Bedding team. I checked with the Sinomax proposed construction company and was told they were trying to go into the City of Buckeye. This is a very small town and the infrastructure is not strong. They said one of the problems was the lack of available power and the City was looking for Sinomax to pay for bring the additional power, water, streets, etc. to the building. He was not aware of a problem with the City regarding the use but would not be surprised if the Buckeye Fire Department was not familiar with certain uses manufacturing with complicated chemical materials.

**Randy Huggins – Economic Development Officer  
City of Glendale, AZ  
And  
Robert Perez – Senior Fire Plans Examiner  
Glendale Fire Marshal's Office**

I spoke with Randy Huggins several times to clarify that 1) the Commercial Use Permit would be approved and 2) the Fire Department would allow the use and be "spooked" by the TDI chemical used for foam manufacturing. I sent them the Flex Foam permit to make very sure they understood exactly the magnitude of what the chemicals would be.

There is a recording of the phone message Randy left for me attached in the file as well as an email from Randy forwarding the email from the Fire Chief's Office regarding the use. The Fire Department did not seem overly phased by the use and Randy provided the Flex Foam permit to make sure they understood the use.

In the conversation I had with Randy he stated this area of the City of Glendale is in their Planning & Zoning Map as Heavy Industrial/Manufacturing. A company just started production of explosive for airbags. I have

highlighted on the attached aerial map the proposed Brooklyn Bedding location and the new Airbag explosive manufacturing plant. They are less than a mile from each other. Below is the definition of the chemical they are making:

Automobile **airbag** detonator - ultra- fine **zirconium** powder with larger surface energy, **zirconium** powder is easy to burst into flames in the air, generally used as the carrier rocket fuel, bullets ammunition additives of bullets, and automobile **airbag** detonator.

Randy said he would be glad to have a conference call with the Brooklyn Bedding team and the City Team to discuss any questions or concerns. The use permit notice must be mailed to any owner within 300 feet there are only about three owners that would receive the notice and they are manufacturers as well. The Zoning people told Randy this is the exact location we would stir a company to with this type of use. The M-2 Zoning is for very heavy industrial manufacturing.

Please let me know if you would like to set up a conference call to speak with any of these people. We can use our conference call-in number so it would very confidential as to who was on the line asking questions.



## Rose Arck

---

**From:** Richard Sumner (AQD) <Richard.Sumner@Maricopa.gov>  
**Sent:** Wednesday, September 11, 2019 4:17 PM  
**To:** Rose Arck  
**Cc:** Scott Backes  
**Subject:** RE: Manufacturing of Polyurethane Foam

Rose,

Here are the answers to your questions.

1. Approval to obtain an air quality permit is typically based on emissions from the source and the impact on air quality. Siting issues are usually addressed by zoning/planning departments.
2. MCAQD regulations would apply equally to existing facilities as well as a new facility.
3. We do not “transfer” permits. A new permit would be issued for the Glendale address based on activity and emissions at that site.
4. As noted above, the permit would not be transferred. You should plan on 3-6 months to obtain a new non-Title V permit from Maricopa County. The classifications you referenced are used by ADEQ and not by Maricopa County. You would be receiving a non-Title V permit if your emissions are less than 100 tons/year.
5. Maricopa County AQD is the permitting authority for the proposed operation. EPA would have an opportunity to review the permit if emissions are greater than 50 tons/year. In that instance, MCAQD would receive the application and prepare/issue the permit, subject to final EPA review.

6. You MUST obtain the permit prior to commencement of operations. I am interpreting your question to be, “What can we do before we receive the permit?” This is an area where there is a discrepancy between local (MCAQD/ADEQ) and EPA rules. Here is our definition of “begin actual construction” (County Rule 100 Section 200.24):

**BEGIN ACTUAL CONSTRUCTION:** Initiation of physical on-site construction activities on an emissions unit, which are of a permanent nature. With respect to a change in method of operation, “begin actual construction” refers to those on-site activities, other than preparatory activities, which mark the initiation of change.

a. For purposes of title I, parts C and D and section 112 of the Act, and for purposes of applicants that require permits containing limits designed to avoid the application of title I, parts C and D and section 112 of the Act, these activities include installation of building supports and foundations, laying of underground pipe work, and construction of permanent storage structures but do not include any of the following, subject to Section 200.24(c) of this rule:

- (1) Clearing and grading, including demolition and removal of existing structures and equipment, stripping and stockpiling of topsoil.
- (2) Installation of access roads, driveways and parking lots.
- (3) Installation of ancillary structures, including fences, office buildings and temporary storage structures that are not a necessary component of an emissions unit or associated air pollution control equipment for which the permit is required.
- (4) Ordering and on-site storage of materials and equipment.

b. For purposes other than those identified in Section 200.24(a) of this rule, these activities do not include any of the following, subject to Section 200.24(c) of this rule:

- (1) Clearing and grading, including demolition and removal of existing structures and equipment, stripping and stockpiling of topsoil and earthwork cut and fill for foundations.
- (2) Installation of access roads, parking lots, driveways and storage areas.



- (3) Installation of ancillary structures, including fences, warehouses, storerooms and office buildings, provided none of these structures impacts the design of any emissions unit or associated air pollution control equipment.
- (4) Ordering and on-site storage of materials and equipment.
- (5) Installation of underground pipework, including water, sewer, electric and telecommunications utilities.
- (6) Installation of building and equipment supports, including concrete forms, footers, pilings, foundations, pads and platforms, provided none of these supports impacts the design of any emissions unit or associated air pollution control equipment.

c. An applicant's performance of any activities that are excluded from the definition of "begin actual construction" under Sections 200.24 (a) or (b) of this rule shall be at the applicant's risk and shall not reduce the applicant's obligations under these rules. The Control Officer shall evaluate an application for a permit or permit revision and make a decision on the same basis as if the activities allowed under Sections 200.24 (a) or (b) of this rule had not occurred.

We are in the process of revising our rules to be consistent with the EPA definition and will possibly become effective in about a year. That EPA definition is as follows:

**Begin actual construction** means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipework and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

As you can see, the second definition is much simpler, but much more restrictive. If you read the rest of the rule for both MCAQD and EPA, it says that you cannot begin actual construction until you have a permit in hand.

Hope these answers are helpful to you.

**Richard A. Sumner, PE** • Permitting Division Manager

Maricopa County Air Quality Department

Desk: 602.506.1842 | [CleanAirMakeMore.com](http://CleanAirMakeMore.com)

*Help Reduce Ozone Pollution. Drive Less, Refuel After Dark and Avoid Idling.*

---

**From:** Rose Arck <[rose.arck@brydant.com](mailto:rose.arck@brydant.com)>

**Sent:** Wednesday, September 11, 2019 2:57 PM

**To:** Richard Sumner (AQD) <[Richard.Sumner@Maricopa.gov](mailto:Richard.Sumner@Maricopa.gov)>

**Cc:** Scott Backes <[scott.backes@brydant.com](mailto:scott.backes@brydant.com)>; Rose Arck <[rose.arck@brydant.com](mailto:rose.arck@brydant.com)>

**Subject:** RE: Manufacturing of Polyurethane Foam

Hi Richard,

Thank you for taking my call regarding manufacturing foam at the Bethany Home and 52<sup>nd</sup> Avenue location. Here are the questions we have:

- 1) Is the foam manufacturing license dependent upon a location approval. Specifically, the Bethany Home and 52<sup>nd</sup> Avenue location?
- 2) If you are already processing polyurethane foam, say in the South Phoenix area, is that location/license "grandfathered" or do they have to follow the same rules/regs/inspections that would be required at a new location and are they inspected annually?
- 3) Is it difficult to transfer a license to a new location, say to Bethany Home and 52<sup>nd</sup> Ave; and is the timeline shorter or the same as applying for a new license?
- 4) For the type of foam that would be manufactured for bedding, what would the typical classification be? Class 1 PSD/NNSR Permit 365 calendar day approval or Class 1 Permit 180 calendar day approval. What is the time frame to transfer either of these licenses.



- 5) Who is the responsible agency for receiving and approving the foam manufacturing application? (EPA, ADEQ, Maricopa County Air Quality Department)
- 6) Can we obtain an permit approval prior to operations commencement? We want to know that before we purchase all the equipment and design & permit the new building we have license approval subject to meeting all the requirements of the license.

Thank you for your assistance.

**Rose Arck**

Senior Vice President, Partner

**BRYDANT** Real Estate

Office: 602.875.5662 | Cell: 602.684.8969

3333 E Camelback Rd. | Suite 265 | Phoenix, AZ 85018

rose.arck@brydant.com

*"If you want to be happy, set a goal that commands your thoughts, liberates your energy, and inspires your hopes."* Andrew Carnegie

CONFIDENTIAL NOTICE: This email, and any documents, files, or previous email messages attached to it, may contain confidential information, some or all of which may be legally privileged. If you have received this email transmission in error, please immediately notify us by reply email or via telephone and destroy the original email transmission and its attachments.



**Permitting Division**  
Phone: 602.506.6010  
Fax: 602.506.6985  
  
Maricopa.gov/AQ  
CleanAirMakeMore.com



FLEX FOAM DIVISION  
WESTERN BONDED PRODUCTS INC  
ATTN: MS. CHERYL E. CORTWRIGHT  
617 N. 21<sup>ST</sup> AVENUE  
PHOENIX, AZ 85009

The purpose of the letter is to inform you that the application for a permit renewal has been approved and will be incorporated into Air Quality Permit 030015. The applicable Permit Conditions are enclosed with this letter.

If you need assistance with the permit, please contact the Small Business Assistance Coordinator office at 602.506.5102 or contact the undersigned at 602.506.7248. Email communications may be sent to [AQPermits@mail.maricopa.gov](mailto:AQPermits@mail.maricopa.gov).



MARICOPA COUNTY AIR QUALITY DEPARTMENT  
Engineering and Permitting Division  
3800 N. Central Avenue, Suite 1400, Phoenix, Arizona 85012  
Phone: (602) 506-6010 Fax: (602) 506-6985

**AIR QUALITY PERMIT TO OPERATE AND/OR CONSTRUCT**

*(As required by Title 49, Chapter 3, Article 2, Section 49-480, Arizona Revised Statutes)*

**ISSUED TO**

**Flex Foam Division  
617 N. 21<sup>st</sup> Avenue  
Phoenix, AZ 85009**

*This air quality permit to operate and/or construct does not relieve the applicant of the responsibility of meeting all air pollution regulations.*

THE PERMITTEE IS SUBJECT TO THE SPECIFIC AND GENERAL CONDITIONS IDENTIFIED IN THIS PERMIT.

PERMIT NUMBER: 030015 REVISION DATE: 01/14/2019

REVISION NUMBER: 3.0.0.0 EXPIRATION DATE: 03/31/2024

*Todd Martin*

Todd Martin, Non-Title V Permit Supervisor

**TABLE OF CONTENTS**

SPECIFIC CONDITIONS.....1

Facility Wide.....1

1. Allowable Emissions:.....1

2. Opacity:.....1

3. VOC Containment and Disposal:.....1

4. Solvent Handling Requirements:.....2

5. Recordkeeping and Reporting:.....2

Subpart OOOOOO National Emission Standards for Hazardous Air Pollutants (NESHAP) For Flexible Polyurethane Foam Production and Fabrication Area Sources.....3

6. Operating Requirements:.....3

7. Recordkeeping and Compliance Requirement:.....3

Fuel Burning Equipment-Boilers .....4

8. Operational Limitations: .....4

Facility Changes .....4

9. Method of Operations: .....4

GENERAL CONDITIONS .....4

10. Posting of Permit:.....4

11. Compliance: .....4

12. Malfunctions, Emergency Upsets, and Excess Emissions: .....4

13. Revision / Reopening / Revocation:.....4

14. Records:.....5

15. Right to Entry:.....5

16. Severability: .....5



Any cited regulatory paragraphs or section numbers refer to the version of the rules and regulations that were in effect on the first date of public notice of the applicable Permit Condition unless specified otherwise. However, in the event the rules and regulations are amended during the term of this Permit, the amended rules and regulations shall apply to this Permit. Whenever the term, Control Officer, is used in this Permit it shall be interpreted to mean, Control Officer or designated representative. Where the term "Rule" appears, it shall be construed to mean "Maricopa County Air Pollution Control Regulations" unless otherwise noted.

**SPECIFIC CONDITIONS**

**Facility Wide**

**1. Allowable Emissions:**

The Permittee shall not allow emissions into the atmosphere in excess of any of the following:

	Twelve Month Rolling Total Emission Limits (lbs)
Volatile Organic Compounds (VOC)	37,000.0
Any Individual (Single) HAP-TDI	8,250.0
Total HAPs	24,000.0

- a. The 12-month rolling total emissions shall be calculated monthly by the end of the following month by summing the emissions over the most recent 12 calendar months. The Permittee shall keep this emission record on-site for inspection or submittal upon request.

[Rule 220 §302.2][Rule 241§301][Locally Enforceable Only]

**2. Opacity:**

No person shall discharge into the ambient air from any single source of emissions any air contaminant, other than uncombined water, in excess of 20% opacity for a period aggregating more than three minutes in any 60-minute period.

- a. If any non-compliant visible emissions (excluding water vapor) are detected or reported, the Permittee shall determine the cause and/or the source of emissions. The Permittee shall then take immediate corrective action(s) and if necessary, shut down the applicable equipment. If visible emissions (excluding water vapor) exceed the above opacity standards subsequent to implementing corrective action(s), the Permittee shall shut down the applicable equipment and institute repairs or changes necessary to ensure compliance prior to resuming operations.
- b. Compliance with the opacity requirement shall be determined by observations of visible emissions conducted in accordance with EPA Reference Method 9 as modified by EPA Reference Method 203B.

[Rule 300 §§301, 501]

**3. VOC Containment and Disposal:**

The Permittee shall not store, discard, or dispose of VOC or VOC-containing material in a way intended to cause or to allow the evaporation of VOC to the atmosphere. Reasonable measures shall be taken to prevent such evaporation which include but are not limited to the following:

- a. All materials from which VOC can evaporate, including adhesives, fresh solvent, waste solvent and solvent-soaked rags and residues, shall be stored in closed containers when not in use, and
- b. Such containers one gallon and larger shall be legibly labeled with their contents.
- c. Discarded Materials: Maintain records of the type, amount, and method of disposing of VOC-containing materials on each day of disposal. Records of hazardous waste disposal shall be kept in accordance with hazardous waste disposal statutes.

[Rule 330 §§306.2, 503.4][Locally Enforceable Only]



**4. Solvent Handling Requirements:**

The Permittee shall comply with all of the following:

- a. All cleaning solvent, including solvent soaked materials, shall be kept in closed, leak free, impervious containers that are opened only when adding or removing material.
  - i. Porous or absorbent materials used for wipe cleaning shall be stored in closed containers when not in use.
  - ii. Each container shall be clearly labeled with its contents.
- b. If any cleaning solvent escapes from a container:
  - i. Wipe up or otherwise remove immediately if in accessible areas.
  - ii. For areas where access is not feasible during normal production, remove as soon as reasonably possible.
- c. Unless records show that VOC-containing cleaning material was sent offsite for legal disposal, it will be assumed that it evaporated on site.

[SIP Rule 331 §301]

**5. Recordkeeping:**

The Permittee shall maintain the following records which shall be retained for five years and be made available to the Control Officer upon request.

**a. Current List:**

- i. Maintain a current list of adhesives, cleaning solvents; state the VOC content of each in pounds VOC per gallon of material or grams per liter of material.
- ii. A facility using any conforming solvent shall have on site the written value of the total VOC vapor pressure of each such solvent, in one of the following forms:
  - 1) A manufacturer's technical data sheet,
  - 2) A manufacturer's safety data sheet (SDS), or
  - 3) Actual test results.

**b. Usage Records:**

- i. Monthly:

Records of the amount of adhesives, cleaning solvent used shall be updated by the end of month for the previous month. Show the type and amount of each adhesive, makeup and all other cleaning solvent to which this Permit Section is applicable.
- ii. Annually:
  - 1) Certain Concentrates: Use of concentrate that is used only in the formulation of adhesives and low-VOC cleaner shall be updated at least annually. For a low-VOC cleaner, the Permittee need not keep a record of a cleaning substance that is made by diluting a concentrate with water or non-precursor compound(s) to a level that qualifies as a low-VOC cleaner, if records of the concentrate usage are kept in accordance with this permit.
  - 2) Grouping by VOC Content: For purposes of recording usage, the Permittee may give adhesives and cleaning solvents of similar VOC content a single group name, distinct from any product names in the group. The total usage of all the products in that group is then recorded under just one name. (In such a case, the Permittee must also keep a separate list that identifies the product names of the particular adhesives, and solvents included under the group name). To the group name shall be assigned the highest VOC content among the members of that group, rounded to the nearest 0.1 pound of VOC per gallon of material, or to the nearest gram VOC per liter of material.

[Rule 331 §501][Rule 330 §503]



- c. Records of the 12-month rolling total emissions, as required by Permit Condition 1.  
[Rule 220 §302.7][Locally Enforceable Only]

**Subpart 000000 National Emission Standards for Hazardous Air Pollutants (NESHAP) For Flexible Polyurethane Foam Production and Fabrication Area Sources**

**6. Operating Requirements:**

- a. Slabstock flexible polyurethane foam production.
- i. The Permittee shall use no material containing methylene chloride for any purpose in any slabstock flexible foam production process, including but not limited to using methylene chloride as an adhesive, an equipment cleaner or a mold release agent  
[40 CFR §63.11416(b)(2) & (e)]
  - ii. The Permittee shall use no material containing methylene chloride for any purpose in rebond foam production process, including but not limited to using methylene chloride as an equipment cleaner and as mold release agent in a rebond process  
40 CFR § 63.11416(d)(1)&(2)]

**7. Recordkeeping and Compliance Requirement:**

The Permittee shall maintain copies of the following records for a period of at least 5 years after the date of each record. Copies of records shall be kept on site in a printed or electronic form that is readily accessible for inspection for at least the first two years after their date, and may be kept off-site after that two-year period unless otherwise specified. The records shall be made available to the Control Officer without delay during normal business hours.

- a. The Permittee shall demonstrate compliance in accordance with §63.11417(b)(2) and §63.11417(c)(2) by keeping copies of any submitted notification of compliance status.
- b. The Permittee shall demonstrate compliance to the requirements in Permit Condition 6 by maintaining chemical usage records, Safety Data Sheets and engineering calculations.  
[40 CFR§63. 11416(f)] [40 CFR§63. 11417(b)(3)]
- c. In order to demonstrate compliance to Permit Condition 1, the Permittee shall maintain a current list of any VOCs and/or HAPs containing materials.
  - i. The Permittee shall express VOCs and/or HAPs content in one of the following forms:
    - 1) Pounds VOCs and/or HAPs per gallon,
    - 2) Grams VOCs and/or HAPs per liter, or
    - 3) Percent VOCs and/or HAPs by weight along with the specific gravity or density (2 numbers are required).
  - ii. The Permittee shall have the written value of the VOCs and/or HAPs containing material in one of the following forms. The documentation must provide accurate VOCs and/or HAPs content values or be based on enforceable test methods as approved by the Administrator to determine the VOC content.
    - 1) A manufacturer's technical data sheet;
    - 2) A manufacturer's safety data sheet (SDS); or
    - 3) Actual test results.
  - iii. The Permittee shall maintain usage or purchase records as follows:
    - 1) Monthly: Records of the amount of VOCs and/or HAPs containing materials purchased or used shall be totaled by the end of the month for the previous month. This includes, but is not limited to, all materials added during preparation of foam production, and all materials used to clean production equipment.



[Rule 220§302]

- d. Records of the 12-month rolling total emissions, as required by Permit Condition 1 .  
[Rule 220 §302.7][Locally Enforceable Only]

### **Fuel Burning Equipment-Boilers**

#### **8. Operational Limitations:**

The Permittee may only use natural gas, butane and propane as fuels for boilers.

[Rule 220 §302.2]

### **Facility Changes**

#### **9. Method of Operations:**

The Permittee may make any physical change or change in the method of operation unless the change requires a permit revision under Rule 220 Section 403 or is subject to logging or notice requirements in Rule 220 Section 404.2 or 404.3.

[Rule 220 §403.1]

### **GENERAL CONDITIONS**

#### **10. Posting of Permit:**

This Permit shall be posted in a clearly visible and accessible location on the site where the equipment is installed.

[Rule 200 §312][Locally Enforceable Only]

#### **11. Compliance:**

- a. The issuance of any Permit or Permit revision shall not relieve the Permittee from compliance with any Federal laws, Arizona laws, or the County or SIP Rules, nor does any other law, regulation or permit relieve the Permittee from obtaining a Permit or Permit revision required under the County Rules.

[Rule 200 §§309, 310.3][Rule 220 §406.3][Locally Enforceable Only]

- b. The Permittee shall comply with all conditions of this Permit including all applicable requirements of Federal laws, Arizona laws, and Maricopa County Air Pollution Control Rules and Regulations now in effect and as amended in the future. Any Permit noncompliance is grounds for enforcement action, Permit termination or revocation, or for denial of a renewal application. In addition, non-compliance with any federally enforceable requirements constitutes a violation of the Clean Air Act.

[Rule 200 §310.4][Rule 220 §302.24][A.A.C. R18-2-306.A.8.a][Locally Enforceable Only]

- c. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with these Permit Conditions.

[Rule 220 §302.10][A.A.C. R18-2-306.A.8.b][Locally Enforceable Only]

- d. Rights and Privileges: This Permit does not convey any property rights or exclusive privilege of any sort.

[Rule 220 §302.12][Locally Enforceable Only]

- e. Fees: The Permittee shall pay all fees to the Control Officer in accordance with Rule 280. No permit or permit revision is valid until the applicable permit fee has been received and until the permit is issued by the Control Officer.

[Rule 200 §409][Rule 280 §302][A.R.S. 49-480(D)][SIP Rule 28]

#### **12. Malfunctions, Emergency Upsets, and Excess Emissions:**

An affirmative defense of an emergency, excess emission, and/or during startup and shutdown shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence as outlined in Rule 130 for emergencies and Rule 140 for excess emissions.

[Rule 130 §§201, 400][Rule 140 §§400, 500][SIP Rule 140]

#### **13. Revision / Reopening / Revocation:**

The Permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request



by the Permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any Permit Condition.

[Rule 220 §302.11][Locally Enforceable Only]

#### 14. Records:

- a. The Permittee shall furnish information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing this permit, or terminating this permit, or to determine compliance with this permit. The information shall be provided in a timeframe specified by the Control Officer. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by this Permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator along with a claim of confidentiality.

[Rule 220 §302.13][SIP Rule 40]

- b. If the Permittee fails to submit any relevant facts or has submitted incorrect information in a permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, the Permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application is filed but prior to release of a proposed permit. Willful misrepresentation of facts in a permit application is cause for revocation or denial of a permit.

[Rule 220 §§301.5, 301.6][Locally Enforceable Only]

#### 15. Right to Entry:

- a. The Control Officer during reasonable hours, for the purpose of enforcing and administering County or SIP Rules or the Clean Air Act, or any provision of the Arizona Revised Statutes relating to the emission or control prescribed pursuant thereto, may enter every building, premises, or other place, except the interior of structures used as private residences. Every person is guilty of a petty offense under A.R.S. 49-488 who in any way denies, obstructs or hampers such entrance or inspection that is lawfully authorized by warrant.
- b. The Permittee shall allow the Control Officer or his designated representatives, upon presentation of proper credentials (e.g., Maricopa County Air Quality Department identification) and other documents as may be required by law, to:
  - i. Enter upon the Permittee's premises where a source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of the permit;
  - ii. Have access to and copy, at reasonable times, any records that are required to be kept pursuant to the conditions of the permit;
  - iii. Inspect, at reasonable times, any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required pursuant to this permit;
  - iv. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the Permit or other applicable requirements; and
  - v. Record any inspection by use of written, electronic, magnetic, and photographic media.

[Rule 100 §105][Rule 220 §302.17-21][SIP Rule 43]

#### 16. Severability:

The rules, paragraphs, clauses, provisions, and/or sections of this Permit are severable, and, if any rule, paragraph, clause, provision, and/or section of this Permit is held invalid, the remainder of this Permit shall not be affected thereby.

[Rule 220 §302.9][SIP Rule 80]

## Rose Arck

---

**From:** Huggins Jr, Randy <RHuggins@GLENDALEAZ.com>  
**Sent:** Friday, September 13, 2019 2:19 PM  
**To:** Rose Arck  
**Cc:** Scott Backes; Pederson, Jessi  
**Subject:** Fwd: Brooklyn Bedding - Confidential

Good Afternoon Rose,

I spoke with the Fire Marshal's office explicitly about the production of foam in the Brooklyn Bedding facility at the location proposed. They confirmed that it is absolutely an allowable type of production. Please see the City of Glendale Fire Marshal confirmation email below.

Thank you

Randy Huggins  
City of Glendale  
Economic Development  
Sent from my iPhone

Begin forwarded message:

**From:** "Perez, Robert" <RPerez2@GLENDALEAZ.COM>  
**Date:** September 13, 2019 at 8:46:06 AM MST  
**To:** "Huggins Jr, Randy" <RHuggins@GLENDALEAZ.com>  
**Cc:** "Jenkins, Charles" <CFJenkins@GLENDALEAZ.com>  
**Subject:** RE: Brooklyn Bedding - Confidential

Good morning,

Foam material manufacturing that complies with all adopted city codes, IFC 2018 with local amendments and IBC 2018 with local amendments is an allowable type of occupancy.

Regards,

Robert Perez | Sr. Fire Plans Examiner  
Glendale Fire Marshal's Office  
5850 W Glendale Ave | Glendale AZ, 85301  
O: +1 623-930-3127



[https://www.glendaleaz.com/live/city\\_services/public\\_safety/fire\\_department/fire\\_prevention](https://www.glendaleaz.com/live/city_services/public_safety/fire_department/fire_prevention)

LOOK. LISTEN. LEARN  
PLAN AND PRACTICE YOUR ESCAPE  
← PLAN 2 WAYS OUT! →

"Don't wait: Check the date replace smoke alarms every 10 years"  
Effective January 1, 2019 resistance to common nuisance sources





Airbag  
Explosive  
Company