



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
BUTLER COUNTY**

CERTIFIED MAIL

Street Address:

122 S. Front Street

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:
Lazarus Gov. Center
P.O. Box 1049

Application No: 14-05341

Fac ID: 1409000687

DATE: 7/7/2005

Pierre Foods
Gary Sluss
9990 Princeton Road
West Chester, OH 45246

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: USEPA

HCDES



**Permit To Install
Terms and Conditions**

**Issue Date: 7/7/2005
Effective Date: 7/7/2005**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 14-05341

Application Number: 14-05341
Facility ID: 1409000687
Permit Fee: **\$0**
Name of Facility: Pierre Foods
Person to Contact: Gary Sluss
Address: 9990 Princeton Road
West Chester, OH 45246

Location of proposed air contaminant source(s) [emissions unit(s)]:

**9990 Princeton
West Chester, Ohio**

Description of proposed emissions unit(s):

Administrative modification to include additional controls agreed to by permittee.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

Pierre Foods
PTI Application: 14-05341
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Facility ID: 140900068

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon

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the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

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The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

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12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this

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permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons Per Year</u>
PM / PM10	4.46

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

- 1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
P009 - Cook Line 9 - modification	OAC rule 3745-31-05(A)(3)	Particulate emissions (PE) from this emissions unit shall not exceed 0.51 pound per hour and 2.23 tons per year.
		Particulate emissions 10 microns and less in diameter (PM10) from this emissions unit shall not exceed 0.51 pound per hour and 2.23 tons per year.
		The requirements of this rule also include compliance with the requirements of OAC rule 3745-07-07(A)(1).
	OAC rule 3745-17-07(A)(1)	See Term A.2.a
	OAC rule 3745-17-11	The emissions limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

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Modif

Facility ID: 140900068

Emissions Unit ID: P009

- 2.a** The visible particulate emissions from any stack shall not exceed 20 % opacity, as a six- minute average, except as specified by rule.
- 2.b.** Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of a rotoclone, stainless steel filters, the opacity limitation and emission limitations.
- 2.c** The hourly emission limitation outlined in term A.1. is based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with this limit.

B. Operational Restrictions

1. This emissions unit shall be operated with the use of a rotoclone centrifuge and two stainless steel filters on the oven line exhaust stacks.
2. The stainless steel filters on the oven line exhaust stacks shall be replaced with clean filters at least once every four days.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall keep a record of the replacement of used stainless steel filters with clean stainless steel filters on the oven line exhaust stacks. This record shall be retained on site for a period of not less than three years.

D. Reporting Requirements

1. The permittee shall notify the Director (the appropriate Ohio EPA District Office or local agency) in writing of any record showing that this emissions unit was operated for more than four days without the stainless steel filters on the oven line exhaust stacks being replaced with clean stainless steel filters. The notification shall include a copy of such record and shall be sent to the Director (the appropriate Ohio EPA District or local air agency) within 30 days after the exceedance occurs.

E. Testing Requirements

1. If required, compliance with the visible particulate emissions limitation shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002.

Pierre

PTI A

Modification Issued: 7/7/2005

Emissions Unit ID: **P009**

2. Compliance with the emissions limitations in term A.1 shall be determined in accordance with the following methods:

a. Emission Limitation:

0.51 lb/hr PE

0.51 lb/hr PM10

Pierre**PTI A****Modification Issued: 7/7/2005**Emissions Unit ID: **P009****Applicable Compliance Method:**

Compliance with the emission limitation in lb/hour shall be determined by multiplying the maximum capacity of the equipment times the maximum fat loss times the emission factor of 1.6 pounds of PE-PM10 per 1000 pounds of raw material(based on previous performance testing). The resulting number is then multiplied by 1-0.3 (30% control efficiency for the rotoclone).

If required, compliance shall be determined in accordance with Test Method 5A as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources.")

b. Emission Limitation:

2.23 TPY PE

2.23 TPY PM10

Applicable Compliance Method

Compliance with the emission limitation in TPY shall be determined by multiplying the maximum hourly emissions times 8760 hours per year divided by 2000 lbs/ton.

F. Miscellaneous Requirements

1. The terms and conditions of this Modification to Permit To Install 14-05341 shall supercede the terms and conditions of Permit To Install 14-05341 issued September 12, 2002.

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
P010 - Cook Line 10 - modification	OAC rule 3745-31-05(A)(3)	Particulate emissions (PE) from this emissions unit shall not exceed 0.51 pound per hour and 2.23 tons per year.
		Particulate emissions 10 microns and less in diameter (PM10) from this emissions unit shall not exceed 0.51 pound per hour and 2.23 tons per year.
		The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07 (A)(1).
	OAC rule 3745-17-07 (A)(1)	See Term A.2.a
	OAC rule 3745-17-11	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

- 2.a** The visible particulate emissions from any stack shall not exceed 20 % opacity, as a six- minute average, except as specified by rule.
- 2.b.** Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of a rotoclone, stainless steel filters, the opacity limitation and emission limitations.
- 2.c** The hourly emission limitation outlined in term A.1. is based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with this limit.

B. Operational Restrictions

- 1. This emissions unit shall be operated with the use of a rotoclone centrifuge and two stainless steel filters on the oven line exhaust stacks.
- 2. The stainless steel filters on the oven line exhaust stacks shall be replaced with clean filters at least once every four days.

C. Monitoring and/or Recordkeeping Requirements

- 1. The permittee shall keep a record of the replacement of used stainless steel filters with clean stainless steel filters on the oven line exhaust stacks. This record shall be retained on site for a period of not less than three years.

D. Reporting Requirements

- 1. The permittee shall notify the Director (the appropriate Ohio EPA District Office or local agency) in writing of any record showing that this emissions unit was operated for more than four days without the stainless steel filters on the oven line exhaust stacks being replaced with clean stainless steel filters. The notification shall include a copy of such record and shall be sent to the Director (the appropriate Ohio EPA District or local air agency) within 30 days after the exceedance occurs.

E. Testing Requirements

- 1. If required, compliance with the visible particulate emissions limitation shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"),

Pierre

PTI A

Modification Issued: 7/7/2005

Emissions Unit ID: **P010**

as such Appendix existed on July 1, 2002.

2. Compliance with the emissions limitations in term A.1 shall be determined in accordance with the following methods:

- a. Emission Limitation:

0.51 lb/hr PE

0.51 lb/hr PM10

Applicable Compliance Method:

Compliance with the emission limitation in lb/hour shall be determined by multiplying the maximum capacity of the equipment times the maximum fat loss times the emission factor of 1.6 pounds of PE-PM10 per 1000 pounds of raw material(based on previous performance testing). The resulting number is then multiplied by 1-0.3 (30% control efficiency for the rotoclone).

If required, compliance shall be determined in accordance with Test Method 5A as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources.")

b. Emission Limitation:

2.23 TPY PE
2.23 TPY PM10

Applicable Compliance Method

Compliance with the emission limitation in TPY shall be determined by multiplying the maximum hourly emissions times 8760 hours per year divided by 2000 lbs/ton.

3. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
- a. The emission testing shall be conducted within 90 days of the issuance of this permit.
 - b. The emission testing shall be conducted to demonstrate compliance with the allowable particulate emissions limitation in Section A.1. of this permit.
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s): U.S. EPA Methods 1 - 4 and 5A. Alternative U.S. EPA approved test methods may be used with prior approval from the Hamilton County Department of Environmental Services.
 - d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Hamilton

Pierre Foods**PTI Application: 14-05341****Modif****Facility ID: 140900068****Emissions Unit ID: P010**

County Department of Environmental Services.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Hamilton County Department of Environmental Services. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Hamilton County Department of Environmental Services refusal to accept the results of the emission test(s).

Personnel from the Hamilton County Department of Environmental Services shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Hamilton County Department of Environmental Services within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Hamilton County Department of Environmental Services.

F. Miscellaneous Requirements

1. The terms and conditions of this Modification to Permit To Install 14-05341 shall supercede the terms and conditions of Permit To Install 14-05341 issued September 12, 2002.

Pierre

PTI A

Modification Issued: 7/7/2005

Emissions Unit ID: B006

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

- 1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	
B006 - Boiler Number 6 - 12.56 MMBTU/hr gas fired boiler	OAC rule 3745-31-05(A)(3)	OAC rule 3745-18-06(A) 40 CFR Part 60 Subpart Dc
	OAC rule 3745-17-07(A)(1)	
	OAC rule 3745-17-10(B)(1)	

Pierre

PTI A

Modification Issued: 7/7/2005

Emissions Unit ID: **B006**

Applicable Emissions
Limitations/Control Measures

See term C.1.

NOx: 0.10 lb/MMBtu, 5.78 TPY

CO: 0.088 lb/MMBtu, 4.85
TPY

S02: 0.001 lb/MMBtu, 0.03
TPY

PM/PM 10: 0.002 lb/MMBtu,
0.11 TPY

VOC: 0.006 lb/MMBtu, 0.32
TPY

The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(A)(1) and 40 CFR Part 60 Subpart Dc.

Visible particulate emissions shall not exceed twenty percent (20%) opacity, as a six-minute average, except as specified by rule.

The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

Exempt

2. Additional Terms and Conditions

- 2.a** Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of natural gas and compliance with specified emission limits.
- 2.b** The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.
- 2.c** The lb/MMBtu emission limitation outlined in term A.1. is based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with this limit.

B. Operational Restrictions

1. The permittee shall burn only natural gas as fuel in this emissions unit.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall record and maintain monthly records of the amounts of natural gas burned in this emissions unit.

D. Reporting Requirements

1. Pursuant to the NSPS, the permittee is hereby advised of the requirement to report the following at the appropriate times:
 - a. Construction date (no later than 30 days after such date);
 - b. Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
 - c. Actual start-up date (within 15 days after such date); and
 - d. The design heat input capacity of the emissions unit and the identification of the fuel to be combusted in the emissions unit (no later than 30 days after the construction date).

Pierre

PTI A

Modification Issued: 7/7/2005

Emissions Unit ID: **P010**

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
P. O. Box 1049
Columbus, Ohio 43216-1049

and

Hamilton County Department of Environmental Services
250 William Howard Taft Road
Cincinnati, Ohio 45219

E. Testing Requirements

1. Compliance with the visible particulate emission limitation in term A.1. shall be demonstrated by Method 9, 40 CFR Part 60 Appendix A.
2. Compliance with the emissions limits in term A.1 shall be demonstrated by using the emissions factors in AP-42, Section 1.4, tables 1.4-1 and 1.4-2 natural gas combustion revised 7/98 .

F. Miscellaneous Requirements

None