



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
FAYETTE 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: 01-08804

Fac ID: 0124010066

DATE: 5/10/2005

Bunge North America East Inc
Doug Eggman
12574 State Route 41
Jeffersonville, OH 43128

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

CDO



**Permit To Install
Terms and Conditions**

**Issue Date: 5/10/2005
Effective Date: 5/10/2005**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 01-08804

Application Number: 01-08804
Facility ID: 0124010066
Permit Fee: **\$1450**
Name of Facility: Bunge North America East Inc
Person to Contact: Doug Eggman
Address: 12574 State Route 41
Jeffersonville, OH 43128

Location of proposed air contaminant source(s) [emissions unit(s)]:
**12574 state route 41
Jeffersonville, Ohio**

Description of proposed emissions unit(s):
Grain handling F003 and grain storage F004.

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

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 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)

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

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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.

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 permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the

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permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

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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>
PE	49.2

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>
F003 - Grain material handling	OAC rule 3745-31-05(A)(3)	Particulate emissions shall not exceed 122 pounds per hour and 45.7 tons per year. Visible fugitive particulate emissions shall not exceed 20% opacity as a three-minute average.
	OAC rule 3745-17-11(B)	The particulate emissions limit specified by this rule is less stringent than the emissions limit established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

- 2.a The hourly emission limitation was established to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop additional monitoring, record keeping and/or reporting requirements to ensure compliance with these limits.

B. Operational Restrictions

- 1. The permittee shall not receive more than 487,200 tons of grain per year.
- 2. The permittee shall maintain all loading, unloading, conveying and auger system enclosures at all times during which the units are in operation in order to minimize or eliminate particulate emissions.

C. Monitoring and/or Recordkeeping Requirements

1. The Permittee shall keep annual records of the amount of grain received in tons per year.
2. The permittee shall visibly monitor all grain handling activities for visible particulate emissions at all times during grain load in, conveying and load out operations and record whether visible particulate emission can be seen coming from enclosure openings during load in, conveying and load out operations.

D. Reporting Requirements

1. The permittee shall submit annual deviation (excursion) reports which identify any exceedance of the 487,200 tons of grain per year limit.
2. The permittee shall notify the Director (the Ohio EPA, Central District Office) in writing identifying that all periods of time during which the visible particulate emissions did not comply with the allowable limit specified above. The notification shall be sent to the Director (the Ohio EPA, Central District Office) within 30 days after the event occurs.

E. Testing Requirements

1. Compliance with the emission limitations in section A.1. of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation:
Particulate emissions shall not exceed 122 pounds per hour.

Applicable Compliance Method:

The hourly emission limitation is based on AP-42, table 9.9.1-1, emissions factors and maximum hourly through puts as follows:

Truck receiving - (840 tons/hr)(0.108 #/ton) = 90.7 #PE/hr
 Grain conveying - (840 tons/hr)(0.061 #/ton)(1-0.6) = 20.5 #PE/hr
 Rail load out - (700 tons/hr)(0.027 #/ton)(1-0.6) = 7.6 #PE/hr
 Truck load out - (90 tons/hr)(0.086 #/ton)(1-0.6) = 3.1 #PE/hr
 Total = 122 lbs PE/hr

- b. Emission Limitation:
Particulate emissions shall not exceed 45.7 tons per year.

Applicable Compliance Method:

Compliance with the annual emission limitation shall be determined through the permit

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recordkeeping contained in this permit. The annual emissions shall be based on AP-42, table 9.9.1-1, emissions factors and the actual annual through puts as follows:

Truck receiving - $(487,200 \text{ tons/yr})(0.108 \text{ \#/ton}) / 2000 = 26.3 \text{ TPY PE}$
Grain conveying - $(690,200 \text{ tons/yr})(0.061 \text{ \#/ton})(1-0.6) / 2000 = 8.4 \text{ TPY PE}$
Rail load out - $(487,200 \text{ tons/yr})(0.027 \text{ \#/ton})(1-0.6) / 2000 = 2.6 \text{ TPY PE}$
Truck load out - $(487,200 \text{ tons/yr})(0.086 \text{ \#/ton})(1-0.6) / 2000 = 8.4 \text{ TPY PE}$
Total = 45.7 TPY PE

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- c. Emission Limitation:
Visible fugitive particulate emissions shall not exceed 20% opacity as a three-minute average.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emissions observation performed in accordance with 40 CFR Part 60, Appendix A, Method 9.

F. Miscellaneous Requirements

None

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>
F004 - Grain storage	OAC rule 3745-31-05(A)(3)	<p>Particulate emissions shall not exceed 8.4 pounds per hour and 3.5 tons per year.</p> <p>The silos shall be adequately enclosed and mineral oil will be used to provide adequate dust control. . The enclosure shall be sufficient to eliminate visible emissions of fugitive dust at the point of capture.</p> <p>Visible fugitive particulate emissions from silo vents shall not exceed 10% opacity as a three-minute average.</p>
	OAC rule 3745-17-11(B)	<p>The particulate emissions limit specified by this rule is less stringent than the emissions limit established pursuant to OAC rule 3745-31-05(A)(3).</p>

2. Additional Terms and Conditions

- 2.a The hourly emission limitation was established to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop additional monitoring, record keeping and/or reporting requirements to ensure compliance with these limits.

B. Operational Restrictions

1. The permittee shall not store more than 690,200 tons of grain per year.

2. The permittee shall maintain all enclosures at all times in order to minimize or eliminate particulate emissions.
3. The permittee shall use mineral oil to provide adequate dust control in the grain silo, as needed, based on best engineering practices and operator experience.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall keep annual records of the amount of grain stored in tons per year.
2. The permittee shall visibly monitor all grain storage activities for visible particulate emissions at all times during grain load in and load out operations and record whether visible particulate emission can be seen coming from silo enclosures and vents.
3. The permittee shall keep records of the amount and frequency of mineral oil applications in the grain silo.

D. Reporting Requirements

1. The permittee shall submit annual deviation (excursion) reports which identify any exceedance of the 690,200 tons of grain per year limit.
2. The permittee shall notify the Director (the Ohio EPA, Central District Office) in writing identifying that all periods of time during which the visible particulate emissions did not comply with the allowable limit specified above. The notification shall be sent to the Director (the Ohio EPA, Central District Office) within 30 days after the event occurs.
3. The permittee shall submit annual reports identifying the amount of mineral oil used in the grain silo.

E. Testing Requirements

1. Compliance with the emission limitations in section A.1. of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emission Limitation:
Particulate emissions shall not exceed 8.4 pounds per hour.

Applicable Compliance Method:

The hourly emission limitation is based on AP-42, table 9.9.1-1, emissions factor for grain storage bin vents of 0.025 #PE/ton of grain stored and a maximum hourly through put of 840 tons/hr. 60% control is calculated for mineral oil application.

$$(840 \text{ tons/hr})(0.025 \text{ #PE/ton grain})(1-0.6) = 8.4 \text{ #PE/hr}$$

- b. Emission Limitation:
Particulate emissions shall not exceed 3.5 tons per year.

Applicable Compliance Method:

Compliance with the annual emission limitation shall be determined through the permit recordkeeping contained in this permit. The annual emissions shall be based on AP-42, table 9.9.1-1, emissions factor for grain storage bin vents of 0.025 #PE/ton of grain stored and the actual annual through put.

$$(690,200 \text{ tons/yr})(0.025 \text{ #/ton grain})(1-0.6) / 2000 \text{ #/ton} = 3.5 \text{ TPY PE}$$

- c. Emission Limitation:
Visible fugitive particulate emissions from silo vents shall not exceed 10% opacity as a three-minute average.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emissions observation performed in accordance with 40 CFR Part 60, Appendix A, Method 9.

Emission Limitation:
No visible emissions

Applicable Compliance Method:

If required, compliance with the visible emission limitation for the grain silo(s) identified above shall be determined in accordance with Test Method 22.

F. Miscellaneous Requirements

None