Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Certified Mail

1/31/2011

| | |
|---|---|
| No | TOXIC REVIEW |
| No | PSD |
| No | SYNTHETIC MINOR TO AVOID MAJOR NSR |
| No | CEMS |
| No | MACT/GACT |
| No | NSPS |
| No | NESHAPS |
| No | NETTING |
| No | MAJOR NON-ATTAINMENT |
| No | MODELING SUBMITTED |
| No | SYNTHETIC MINOR TO AVOID TITLE V |
| No | FEDERALLY ENFORCABLE PTIO (FEPTIO) |

Scott Weyandt
Shearers Foods Massillon OH
692 Wabash Ave. North
Brewster, OH 44613

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 1576135005
Permit Number: P0107246
Permit Type: Initial Installation
County: Stark

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install and Operate (PTIO) which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

The issuance of this PTI is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00, made payable to “Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General’s Office, Environmental Enforcement Section. 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, OH 43215

If you have any questions, please contact Canton City Health Department at (330)489-3385 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPC Web page, www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: Canton

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

Ohio | Environmental Protection Agency

# FINAL

# Division of Air Pollution Control
# Permit-to-Install and Operate
for
Shearers Foods Massillon OH

| | |
|---|---|
| Facility ID: | 1576135005 |
| Permit Number: | P0107246 |
| Permit Type: | Initial Installation |
| Issued: | 1/31/2011 |
| Effective: | 1/31/2011 |
| Expiration: | 1/31/2021 |

Ohio Environmental Protection Agency

**Division of Air Pollution Control**
**Permit-to-Install and Operate**
for
Shearers Foods Massillon OH

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# Authorization

Facility ID: 1576135005
Application Number(s): A0040766, A0040771
Permit Number: P0107246
Permit Description: Installation PTIO for Shearer's Foods for a continuous potato chip frying line which includes the chip fyer with exhaust hood controlled by a high efficiency filter and hot oil natural gas-fired heat exchanger equipped with low-NOx burners.
Permit Type: Initial Installation
Permit Fee: $400.00
Issue Date: 1/31/2011
Effective Date: 1/31/2011
Expiration Date: 1/31/2021
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

Shearers Foods Massillon OH
4100 Millennium Blvd SE
Massillon, OH 44613

of a Permit-to-Install and Operate for the emissions unit(s) identified on the following page.

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Canton City Health Department
420 Market Avenue
Canton, OH 44702-1544
(330)489-3385

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (emissions unit(s)) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the described emissions unit(s) will operate in compliance with applicable State and federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director

# Authorization (continued)

Permit Number: P0107246
Permit Description: Installation PTIO for Shearer's Foods for a continuous potato chip frying line which includes the chip fyer with exhaust hood controlled by a high efficiency filter and hot oil natural gas-fired heat exchanger equipped with low-NOx burners.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

| | |
|---|---|
| **Emissions Unit ID:** | **P001** |
| Company Equipment ID: | PC4200 Continuous Potato Chip Fryer |
| Superseded Permit Number: | |
| General Permit Category and Type: | Not Applicable |

# A. Standard Terms and Conditions

**1. What does this permit-to-install and operate ("PTIO") allow me to do?**

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

**2. Who is responsible for complying with this permit?**

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above. The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

**3. What records must I keep under this permit?**

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

**4. What are my permit fees and when do I pay them?**

There are two fees associated with permitted air contaminant sources in Ohio:

- PTIO fee. This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

  You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. Unless otherwise specified, facilities subject to one or more synthetic minor restrictions must use Ohio EPA's "Air Services" to submit annual emissions associated with this permit requirement. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

**5. When does my PTIO expire, and when do I need to submit my renewal application?**

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

**6. What happens to this permit if my project is delayed or I do not install or modify my source?**

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

**7. What reports must I submit under this permit?**

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

**8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?**

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2). The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

**9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?**

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.

**10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?**

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Canton City Health Department in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted

emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred. If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

**11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?**

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

**12. What happens if one or more emissions units operated under this permit is/are shut down permanently?**

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31. You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting[1] a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emissions unit once the certification has been submitted to Ohio EPA by the authorized official. You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated. Again, you cannot resume operation of any emissions unit certified by the authorized official as being permanently shut down without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

**13. Can I transfer this permit to a new owner or operator?**

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

**14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?**

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or

[1] Permittees that use Ohio EPA's "Air Services" can mark the affected emissions unit(s) as "permanently shutdown" in the facility profile along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).

modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

**15. What happens if a portion of this permit is determined to be invalid?**

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.

# B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

   a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

      (1) None.

   b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

      (1) None.

# C. Emissions Unit Terms and Conditions

## 1. P001, PC4200 Continuous Potato Chip Fryer

PC4200 Continuous potato chip fryer with exhaust hood controlled by high efficiency mesh filters and 15 MM Btu/hr hot oil natural gas-fired heat exchanger

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

| | Applicable Rules/Requirements | Applicable Emissions Limitations/Control Measures |
|---|---|---|
| a. | OAC rule 3745-31-05(A)(3), as effective 11/30/2001 | Particulate emissions (PE) and PE 10 microns or less in diameter (PM10) from the potato chip fryer shall not exceed 0.61 lbs/hour and 2.7 tons per year.<br><br>See b)(2)a, b)(2)b, c)(1), and c)(3). |
| b. | OAC rule 3745-31-05(A)(3), as effective 12/01/2006 | See b)(2)c |
| c. | OAC rule 3745-17-10 | PE shall not exceed 0.02 pound per MM Btu actual heat input. |
| d. | OAC rule 3745-17-07(A) | Visible PE shall not exceed 20% opacity, as a six-minute average, except as provided by rule. |
| e. | OAC rule 3745-18-06(G) | This emissions unit is exempt from the requirements of OAC rule 3745-18-06(G) during any calendar day in which natural gas is the only fuel combusted. See c)(2). |
| f. | OAC rule 3745-17-11 | The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3). |

(2) Additional Terms and Conditions

a. Emissions from the products of combustion in the natural gas burner shall not exceed 1.46 pound nitrogen oxides (NOx) per hour and 6.38 tons per year; and 1.22 pounds carbon monoxide (CO) per hour and 5.36 tons per year. The emissions from the other combustion products (VOC, OC, and SO2) are less than one ton per year each.

b. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutant less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plant (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then these emission limits/control measures no longer apply.

c. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

i. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the particulate emissions (PE) from this air contaminant source since the calculated annual emission rate for PE is less than 10 tons per year taking into account the use of the high efficiency mesh filters.

ii. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the $SO_2$, $NO_x$, CO, OC, and VOC emissions from this air contaminant source since the uncontrolled potential to emit for $SO_2$, $NO_x$, CO, OC, and VOC is less than 10 tons per year each.

c) Operational Restrictions

(1) The permittee shall operate the high efficiency mesh filters any time this emissions unit is in operation.

(2) The permittee shall burn only natural gas in this emissions unit.

(3) The permittee shall use low NOx burners in this emissions unit.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain daily records that document any time periods when the high efficiency mesh filters were not in service when the emissions unit was in operation.

(2) For each day during which the permittee burns a fuel other than natural gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

e) Reporting Requirements

(1) The permittee shall report in the PER excursions/deviations that identify:

a. each day that the high efficiency mesh filters were not in service when the emissions unit was in operation; and

b. each day when a fuel other than natural gas was burned in this emission unit.

(2) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form a manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve months for each air contaminant source identified in this permit.

f) Testing Requirements

(1) Compliance with the emissions limitations in b)(1) and b)(2) shall be determined in accordance with the following methods:

a. <u>Emission Limitations</u>:

PE and PM10 emissions from the potato chip fryer shall not exceed 0.61 lbs/hour and 2.7 tons per year.

<u>Applicable Compliance Method</u>:

The emission limitations are based on the maximum potential-to-emit from potato chip fryer plus the burning of natural gas in the hot oil heat exchanger. Compliance with the hourly limit is calculated from emission factors using the following methods:

① Potato Chip Fryer:
Emission Factor = 0.24 $lb_{PE\text{-}filterable}$ per ton of chips produced
Reference: U.S. EPA, AP-42 Chapter 9 Table 9.13.3-2

(0.24 $lb_{PE}$/ton chips) x (4,200 lbs chips produced/hr) x (1 ton/2,000 lbs) =
= 0.50 $lb_{PE}$/hr

② Natural gas combustion:
Emission Factor = 7.6 $lb_{PE\text{-}filterable}$ per mmcf natural gas burned
Reference: U.S. EPA, AP-42 Table 1.4-2.

(7.6 $lb_{PE}$/mmcf) x (1 cf/1030 Btu) x (15.00 mmBtu/hr) = 0.11 $lb_{PE}$/hr

① + ② = 0.50 + 0.11 = 0.61 $lb_{PE}$/hr

If required, compliance shall be determined according to OAC rule 3745-17-03(B)(10), Method 5 or any other method approved by Ohio EPA.

Compliance with the annual emission limitations shall be determined by multiplying the hourly emission rate by the actual hours of operation (maximum 8760 hours/year) and dividing by 2000 lbs/ton. Therefore, compliance with the annual emission limitation shall be ensured if compliance with the hourly limitation is maintained.

b. Emission Limitation:

PE shall not exceed 0.02 pound per MM Btu actual heat input.

Applicable Compliance Method:

The PE emission limitation is based upon the emission factor from AP-42 "Compilation of Air Pollutant Emission Factors", 5th Edition, Section 1.4-6, Table 1.4-2 (9/98). Compliance with the lb/MMBtu emission limitation may be determined by converting the 7.6 lbs/mmscf emission factor into lb PE/MMBtu by dividing by 1030 Btu.

If required, compliance shall be determined according to OAC rule 3745-17-03(B)(9), Method 5 or any other method approved by Ohio EPA.

c. Emission Limitations:

Emissions of NOx shall not exceed 1.46 lbs/hr and 6.38 tons per year

Applicable Compliance Method:

Compliance with the hourly emissions limitation can be determined by dividing 100 lbs per MM standard cubic feet of gas, the emission factor in AP-42 “Compilation of Air Pollutant Emission Factors”, Table 1.4-2 (2/98) by 1030 Btu per cubic feet of gas and multiplying by 15.00 MM Btu/hour, the heat input rating of this unit.

Compliance with the annual emission limitations shall be determined by multiplying the hourly emission rate by the actual hours of operation (maximum 8760 hours/year) and dividing by 2000 lbs/ton.

d. Emission Limitations:

Emissions of CO shall not exceed 1.22 lbs/hr and 5.36 tons per year

Applicable Compliance Method:

Compliance with the hourly emissions limitation can be determined by dividing 84 lbs per MM standard cubic feet of gas, the emission factor in AP-42 “Compilation of Air Pollutant Emission Factors”, Table 1.4-2 (2/98) by 1030 Btu per cubic feet of gas and multiplying by 15.00 MM Btu/hour, the heat input rating of this unit.

Compliance with the annual emission limitations shall be determined by multiplying the hourly emission rate by the actual hours of operation (maximum 8760 hours/year) and dividing by 2000 lbs/ton.

g) Miscellaneous Requirements

(1) None.