



Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

8/26/2011

Certified Mail

Mr. Ryne Stefanacci, P.E.
Cargill, Inc. - Dayton
3201 Needmore Road
Dayton, OH 45414

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0857041124
Permit Number: P0107922
Permit Type: OAC Chapter 3745-31 Modification
County: Montgomery

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	MAJOR GHG
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it 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

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. If you have any questions regarding this permit, please contact the Regional Air Pollution Control Agency. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

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

Cc: U.S. EPA
RAPCA; Indiana; Kentucky



FINAL

**Division of Air Pollution Control
Permit-to-Install
for
Cargill, Inc. - Dayton**

Facility ID: 0857041124
Permit Number: P0107922
Permit Type: OAC Chapter 3745-31 Modification
Issued: 8/26/2011
Effective: 8/26/2011



Division of Air Pollution Control
Permit-to-Install
for
Cargill, Inc. - Dayton

Table of Contents

Authorization 1
A. Standard Terms and Conditions 3
1. Federally Enforceable Standard Terms and Conditions 4
2. Severability Clause 4
3. General Requirements 4
4. Monitoring and Related Record Keeping and Reporting Requirements 5
5. Scheduled Maintenance/Malfunction Reporting 6
6. Compliance Requirements 6
7. Best Available Technology 7
8. Air Pollution Nuisance 7
9. Reporting Requirements 7
10. Applicability 8
11. Construction of New Sources(s) and Authorization to Install 8
12. Permit-To-Operate Application 9
13. Construction Compliance Certification 9
14. Public Disclosure 9
15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 10
16. Fees 10
17. Permit Transfers 10
18. Risk Management Plans 10
19. Title IV Provisions 10
B. Facility-Wide Terms and Conditions 11
C. Emissions Unit Terms and Conditions 13
1. B006, CB Package Boiler 4 14

Authorization

Facility ID: 0857041124

Facility Description: wet corn milling

Application Number(s): A0039663

Permit Number: P0107922

Permit Description: This permit is for the application submitted pursuant to the terms of the Consent Decree lodged on August 31, 2005 and entered by the U.S. District Court for the District of Minnesota on March 3, 2006 in United States v. Cargill, Inc., No. 05-2037 (D. Minn.). Specifically, this permit addresses the following paragraphs and appendices of the Consent Decree: Paragraph 15 and Appendix B, Paragraph 18 and Appendix D, Paragraph 23 and Appendix H, Paragraph 24 and Appendix I, Paragraph 25 and Appendix J, Paragraph 26 and Appendix K, and Paragraph 39. This permit also makes technical corrections to several emissions units not named therein but are affected by other facility changes required in the Consent Decree.

Permit Type: OAC Chapter 3745-31 Modification

Permit Fee: \$2,250.00

Issue Date: 8/26/2011

Effective Date: 8/26/2011

This document constitutes issuance to:

Cargill, Inc. - Dayton
3201 Needmore Road
P.O. Box 1400 A
Dayton, OH 45413-8001

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

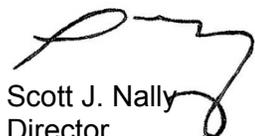
Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Regional Air Pollution Control Agency
117 South Main Street
Dayton, OH 45422-1280
(937)225-4435

The above named entity is hereby granted a Permit-to-Install for the 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 emissions unit(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 and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency



Scott J. Nally
Director



Authorization (continued)

Permit Number: P0107922

Permit Description: This permit is for the application submitted pursuant to the terms of the Consent Decree lodged on August 31, 2005 and entered by the U.S. District Court for the District of Minnesota on March 3, 2006 in United Sates v. Cargill, Inc., No. 05-2037 (D. Minn.). Specifically, this permit addresses the following paragraphs and appendices of the Consent Decree: Paragraph 15 and Appendix B, Paragraph 18 and Appendix D, Paragraph 23 and Appendix H, Paragraph 24 and Appendix I, Paragraph 25 and Appendix J, Paragraph 26 and Appendix K, and Paragarph 39. This permit also makes technical corrections to several emissions units not named therein but are affected by other facility changes required in the Consent Decree.

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

Emissions Unit ID:	B006
Company Equipment ID:	CB Package Boiler 4
Superseded Permit Number:	08-04789
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:
 - (1) Standard Term and Condition A.2.a), Severability Clause
 - (2) Standard Term and Condition A.3.c) through A. 3.e)General Requirements
 - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
 - (4) Standard Term and Condition A.9., Reporting Requirements
 - (5) Standard Term and Condition A.10., Applicability
 - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
 - (7) Standard Term and Condition A.14., Public Disclosure
 - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (9) Standard Term and Condition A.16., Fees
 - (10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

- a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

- a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.

- b) 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 the federally enforceable terms and conditions of this permit.
- c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d) This permit does not convey any property rights of any sort, or any exclusive privilege.
- e) 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 or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
 - (1) The date, place (as defined in the permit), and time of sampling or measurements.
 - (2) The date(s) analyses were performed.
 - (3) The company or entity that performed the analyses.
 - (4) The analytical techniques or methods used.
 - (5) The results of such analyses.
 - (6) The operating conditions existing at the time of sampling or measurement.
- b) 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.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
 - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Regional Air Pollution Control Agency.

- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Regional Air Pollution Control Agency. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.
 - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Regional Air Pollution Control Agency every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
 - (4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

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, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Regional Air Pollution Control Agency in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

- a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.
- b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

- c) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
 - (1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
 - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - (4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- d) The permittee shall submit progress reports to the Regional Air Pollution Control Agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
 - (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - (2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. 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.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Regional Air Pollution Control 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 state-only required 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 Regional Air Pollution Control 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 (i.e., postmarked) quarterly, 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.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. 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 this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit 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.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. 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.
- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., 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) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in Ohio EPA's "Air Services" 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).

- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., 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). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. 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.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

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., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. 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 any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in Air Services once the transfer is legally completed. The change must be submitted through Air Services within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.
2. The permittee shall ensure that any emissions unit(s) subject to the Clean Air Interstate Rule (CAIR) complies/comply with the requirements of the Ohio Administrative Code (OAC) Chapter 3745-109, which includes submitting timely permit applications.

C. Emissions Unit Terms and Conditions



1. **B006, CB Package Boiler 4**

Operations, Property and/or Equipment Description:

318.5 MMBtu/hr Natural Gas and No. 2 Oil-Fired CB Package Boiler 4

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit 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) (PTI 08-04215 issued 7/10/01)	Sulfur dioxide (SO ₂) emissions shall not exceed 0.1 lb/mmBtu of actual heat input. Volatile organic compound (VOC) emissions shall not exceed 1.72 lbs/hr and 7.52 TPY as a rolling, 12-month summation. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subpart Db and OAC rules 3745-17-10(B)(1) and 3745-31-05(D) [Synthetic minor to avoid PSD rule requirements].
b.	ORC 3704.03(T)	Carbon monoxide (CO) emissions shall not exceed 0.39 lb/mmBtu of actual heat input. Nitrogen oxides (NO _x) emissions shall not exceed 0.06 lb/mmBtu of actual heat input, as a 30-day average.
c.	OAC rule 3745-31-05(D) (Synthetic minor to avoid PSD rule requirements)	SO ₂ emissions shall not exceed 9.80 TPY as a rolling, 12-month summation. Particulate emissions (PE) shall not exceed 11.0 TPY as a rolling, 12-month summation.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
d.	OAC rule 3745-17-10(B)(1)	PE shall not exceed 0.020 lb/mmBtu of actual heat input.
e.	40 CFR Part 60, Subpart Db	The NO _x emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(D) [Limitations pursuant to Consent Decree]. Visible PE shall not exceed 20% opacity as a 6-minute average, except for one 6-minute period per hour of no more than 27% opacity.
f.	OAC rule 3745-31-05(D) (Limitations pursuant to Consent Decree, United States v. Cargill, Incorporated, (Civil Action No. 05-2037 JMR/FLN), which was lodged with the United States District Court for the District of Minnesota on September 1, 2005)	NO _x emissions from this emissions unit shall not exceed 0.06 lb/mmBtu of actual heat input, as a 30-day average. See b)(2)a. Combined NO _x emissions from emissions units B004 and B006 and VOC emissions from emissions units P032, P037, P040, P052, P057, P058, P067, P072, P088, P104, P105 and P582 shall not exceed 854 TPY as a rolling, 12-month summation.
g.	OAC rule 3745-17-07(A)	The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to 40 CFR Part 60, Subpart Db.
h.	OAC rule 3745-18-06(D)	The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3).
i.	OAC rules 3745-31-21 through 3745-31-27 (non-attainment New Source Review)	See b)(2)b.
j.	40 CFR Part 63, Subpart DDDDD	See b)(2)e.

(2) Additional Terms and Conditions

- a. The NO_x control plan includes the use of low NO_x burners and flue gas recirculation. NO_x emissions monitoring shall be accomplished through the use of CEMS conducted in accordance with 40 CFR Part 60. Compliance with 40 CFR Part 60 shall be deemed compliance with the consent decree.
- b. The requirements of non-attainment New Source Review (NSR) are applicable but non-compliance with NSR is resolved through the Consent Decree, *United States v. Cargill, Incorporated*, (Civil Action No. 05-2037 JMR/FLN), which was lodged with the United States District Court for the District of Minnesota on September 1, 2005.
- c. The permittee shall maintain a written quality assurance/quality control plan for the continuous NO_x monitoring system, designed to ensure continuous valid and representative readings of NO_x emissions in units of the applicable standard(s). Except as allowed below, the plan shall follow the requirements of 40 CFR Part 60, Appendix F and 40 CFR Part 75, Appendix B. The quality assurance/quality control plan and a logbook dedicated to the continuous NO_x monitoring system must be kept on site and available for inspection during regular office hours.

The plan shall include the requirement to conduct relative accuracy test audits for the continuous NO_x monitoring system in accordance with the frequencies required pursuant to 40 CFR Part 60 and 40 CFR Part 75; or may follow relative accuracy test audit frequency requirements for monitoring systems subject to 40 CFR 75, Appendix B, in lieu of frequencies required in 40 CFR Part 60. In either case, results shall be recorded and reported in units of the applicable standard(s) in accordance with 40 CFR Part 60.

The plan shall include the requirement to conduct quarterly cylinder gas audits or relative accuracy audits pursuant to 40 CFR Part 60, and linearity checks pursuant to 40 CFR Part 75; however, linearity checks completed pursuant to 40 CFR Part 75, Appendix B, may be substituted for the quarterly cylinder gas or relative accuracy test audits required per 40 CFR Part 60.

- d. The continuous emission monitoring system consists of all the equipment used to acquire data to provide a record of emissions and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data recording/processing hardware and software.
- e. On May 16, 2011, U.S. EPA decided to Stay the Boiler MACT (40 CFR Part 63, Subpart DDDDD). This delay of effectiveness will remain in place until the proceedings for judicial review are completed or U.S. EPA completes its reconsideration of the rules, whichever is earlier, and the Agency publishes a notice in the Federal Register announcing that the rules are in effect. Upon being effective, this emissions unit will be subject to 40 CFR Part 63, Subpart DDDDD.

c) Operational Restrictions

- (1) The annual No. 2 fuel oil usage for this emissions unit shall not exceed 1,150,000 gallons based upon a rolling, 12-month summation of the No. 2 fuel oil usage rates.
- (2) The maximum sulfur content of the fuel oil burned in this emissions unit shall not exceed 0.1%, by weight.
- (3) The permittee shall burn only natural gas and/or No. 2 fuel oil in this emissions unit.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall maintain monthly records of the following:
 - a. An identification of each type of fuel burned.
 - b. The amount of each fuel type burned, in gallons for No. 2 fuel oil, and in mmcf for natural gas.
 - c. The rolling, 12-month summation of the No. 2 fuel oil usage, in gallons.
 - d. The monthly PE, NO_x, SO₂ and VOC emissions rates, in tons.
 - e. The rolling, 12-month summation of the PE, NO_x, SO₂ and VOC emissions rates, in tons.
- (2) The permittee shall maintain on site, the document(s) of certification received from the U.S. EPA or the Ohio EPA's Central Office documenting that the continuous NO_x monitoring system has been certified to meet the requirements of 40 CFR Part 60, Appendix B, Performance Specification 2; and has been certified by U.S. EPA or recommended for certification by Ohio EPA to U.S. EPA under 40 CFR Part 75. The letter(s)/document(s) of certification under Part 60 and certification or recommendation for certification under Part 75 shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon request.

Each continuous monitoring system consists of all the equipment used to acquire and record data in units of all applicable standard(s), and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data processing hardware and software.

- (3) The permittee shall operate and maintain equipment to continuously monitor and record NO_x emissions from this emissions unit in units of the applicable standard(s). The continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60 and 40 CFR Part 75.

The permittee shall maintain records of data obtained by the continuous NO_x monitoring system including, but not limited to:

- a. emissions of NO_x in parts per million on an instantaneous (one-minute) basis;
 - b. emissions of NO_x in all units of the applicable standard (lb/mmBtu of actual heat input) in the appropriate averaging period (30-day average);
 - c. results of quarterly cylinder gas audits or linearity checks;
 - d. results of daily zero/span calibration checks and the magnitude of manual calibration adjustments;
 - e. results of required relative accuracy test audit(s), including results in units of the applicable standard(s);
 - f. hours of operation of the emissions unit and continuous NO_x monitoring system;
 - g. the date, time, and hours of operation of the emissions unit without the continuous NO_x monitoring system;
 - h. the date, time, and hours of operation of the emissions unit during any malfunction of the continuous NO_x monitoring system; as well as,
 - i. the reason (if known) and the corrective actions taken (if any) for each such event in d)(3)(g) and d)(3)(h).
- (4) For each shipment of oil received for burning in this emissions unit, the permittee shall maintain records of the total quantity of oil received, the permittee's or oil supplier's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/mmBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch, or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the oil for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.
- The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the director.
- (5) For each day during which the permittee burns a fuel other than natural gas and/or No. 2 fuel oil, 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 submit quarterly deviation (excursion) reports that identify the following:

- a. All exceedances of the rolling, 12-month No. 2 fuel oil usage limitation.
- b. All exceedances of the fuel oil sulfur content limitation.
- c. All exceedances of the rolling, 12-month PE, SO₂ and/or VOC emissions limitations.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

- (2) The permittee shall comply with the following quarterly reporting requirements for the emissions unit and its continuous NO_x monitoring system:
 - a. Pursuant to the monitoring, record keeping, and reporting requirements for continuous monitoring systems contained in 40 CFR 60.7 and 60.13(h) and the requirements established in this permit, the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency, documenting all instances of NO_x emissions in excess of any applicable limit specified in this permit, 40 CFR Part 60, 40 CFR Parts 75 and 76, OAC Chapters 3745-14 and 3745-23, and any other applicable rules or regulations. The report shall document the date, commencement and completion times, duration, and magnitude of each exceedance, as well as the reason (if known) and the corrective actions taken (if any) for each exceedance. Excess emissions shall be reported in units of the applicable standard(s).
 - b. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall include the following:
 - i. the facility name and address;
 - ii. the manufacturer and model number of the continuous NO_x and other associated monitors;
 - iii. a description of any change in the equipment that comprises the continuous emission monitoring system (CEMS), including any change to the hardware, changes to the software that may affect CEMS readings, and/or changes in the location of the CEMS sample probe;
 - iv. the excess emissions report (EER)*, i.e., a summary of any exceedances during the calendar quarter, as specified above;
 - v. the total NO_x emissions for the calendar quarter (tons);
 - vi. the total operating time (hours) of the emissions unit;
 - vii. the total operating time of the continuous NO_x monitoring system while the emissions unit was in operation;
 - viii. results and dates of quarterly cylinder gas audits or linearity checks;

- ix. unless previously submitted, results and dates of the relative accuracy test audit(s), including results in units of the applicable standard(s), (during appropriate quarter(s));
- x. unless previously submitted, the results of any relative accuracy test audit showing the continuous NO_x monitor out-of-control and the compliant results following any corrective actions;
- xi. the date, time, and duration of any/each malfunction** of the continuous NO_x monitoring system and/or emissions unit;
- xii. the date, time, and duration of any downtime** of the continuous NO_x monitoring system while the emissions unit was in operation; and
- xiii. the reason (if known) and the corrective actions taken (if any) for each event in 2)(b)(xi) and 2)(xii).

Each report shall address the operations conducted and data obtained during the previous calendar quarter. Data substitution procedures from 40 CFR 75 are not to be used for showing compliance with the short term OAC 3745-31-05(A)(3) rule-based or NSPS-based limitation(s) in this permit.

* where no excess emissions have occurred or the continuous monitoring system(s) has/have not been inoperative, repaired, or adjusted during the calendar quarter, such information shall be documented in the EER quarterly report

** each downtime and malfunction event shall be reported regardless if there is an exceedance of any applicable limit

- (3) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas and/or No. 2 fuel oil was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

f) Testing Requirements

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitations:

SO₂ emissions shall not exceed 0.1 lb/mmBtu of actual heat input.

Applicable Compliance Method:

When firing natural gas, compliance with the emissions limitation may be determined by dividing the emission factor 0.6 lb SO₂/mmcf (AP-42, Table 1.4-2, 7/98) by 1,020 mmBtu/mmcf.

When firing No. 2 fuel oil, compliance may be determined by the monitoring and record keeping requirements specified in d)(4).

If required, the permittee shall demonstrate compliance in accordance with 40 CFR, Part 60, Appendix A, Method 6.

b. Emission Limitation:

VOC emissions shall not exceed 1.72 lbs/hr.

Applicable Compliance Method

When firing natural gas, compliance with the emissions limitation may be determined by multiplying the maximum hourly heat input of the emissions unit (318.5 mmBtu/hr) by the emission factor 5.5 lb VOC/mmcf (AP-42, Table 1.4-2, 7/98) and dividing by 1,020 mmBtu/mmcf.

When firing No. 2 fuel oil, compliance with the emissions limitation may be determined by multiplying the maximum hourly heat input of the emissions unit (318.5 mmBtu/hr) by the emission factor 0.2 lb VOC/1000 gal (AP-42, Table 1.3-3, 9/98) and dividing by 137 mmBtu/1000 gal.

If required, the permittee shall demonstrate compliance in accordance with 40 CFR, Part 60, Appendix A, Methods 18, 25 or 25A, as appropriate.

c. Emission Limitation:

VOC emissions shall not exceed 7.52 TPY as a rolling, 12-month summation.

Applicable Compliance Method:

Compliance with the emissions limitation shall be based upon record keeping specified in d)(1) and shall be determined by:

- i. multiplying the natural gas usage for the month by the emission factor 5.5 lb VOC/mmcf (AP-42, Table 1.4-2, 7/98) and dividing by 2000 lbs/ton.
- ii. multiplying the No. 2 fuel oil usage for the month by the emission factor 0.2 lb VOC/1000 gal (AP-42, Table 1.3-3, 5/10) and dividing by 2000 lbs/ton.
- iii. the rolling, 12-month VOC emission rate shall be the sum of f)(1)e.i and f)(1)e.ii above for the rolling, 12-month period.

d. Emission Limitation:

CO emissions shall not exceed 0.39 lb/mmBtu of actual heat input.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance in accordance with 40 CFR, Part 60, Appendix A, Method 10.

e. Emission Limitation:

SO₂ emissions shall not exceed 9.80 TPY as a rolling, 12-month summation.

Applicable Compliance Method:

Compliance with the emissions limitation shall be based upon record keeping specified in d)(1) and shall be determined by:

- i. multiplying the natural gas usage for the month by the emission factor 0.6 lb SO₂/mmcf (AP-42, Table 1.4-2, 7/98) and dividing by 2000 lbs/ton.
- ii. multiplying the No. 2 fuel oil usage for the month by the emission factor determined by the monitoring and record keeping requirements specified in d)(4) and dividing by 2000 lbs/ton.
- iii. the rolling, 12-month SO₂ emission rate shall be the sum of f)(1)g.i and f)(1)g.ii above for the rolling, 12-month period.

f. Emission Limitation:

PE shall not exceed 11.0 TPY as a rolling, 12-month summation.

Applicable Compliance Method:

Compliance with the emissions limitation shall be based upon record keeping specified in d)(1) and shall be determined by:

- i. multiplying the natural gas usage for the month by the emission factor 7.6 lb PE/mmcf (AP-42, Table 1.4-2, 7/98) and dividing by 2000 lbs/ton.
- ii. multiplying the No. 2 fuel oil usage for the month by the emission factor 2 lb PE/1000 gal (AP-42, Table 1.3-1, 9/98) and dividing by 2000 lbs/ton.
- iii. the rolling, 12-month PE emission rate shall be the sum of f)(1)h.i and f)(1)h.ii above for the rolling, 12-month period.

g. Emission Limitation:

PE shall not exceed 0.020 lb/mmBtu of actual heat input.

Applicable Compliance Method:

When firing natural gas, compliance with the emissions limitation may be determined by dividing the emission factor 7.6 lb PE/mmcf (AP-42, Table 1.4-2, 7/98) by 1,020 mmBtu/mmcf.

When firing No. 2 fuel oil, compliance with the emissions limitation may be determined by dividing the emission factor 2 lb PE/1000 gal (AP-42, Table 1.3-1, 9/98) by 137 mmBtu/1000 gal.

If required, the permittee shall demonstrate compliance in accordance with 40 CFR, Part 60, Appendix A, Method 5.

h. Emission Limitation:

Visible PE shall not exceed 20% opacity as a 6-minute average, except for one 6-minute period per hour of no more than 27% opacity.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed using the methods and procedures specified in USEPA Reference Method 9.

i. Emission Limitation:

NO_x emissions shall not exceed 0.06 lb/mmBtu of actual heat input, as a 30-day rolling average.

Applicable Compliance Method:

Compliance with the emissions limitation shall be based upon record keeping specified in d)(3).

If required, the permittee shall demonstrate compliance in accordance with 40 CFR, Part 60, Appendix A, Method 7.

j. Emission Limitation:

Combined NO_x emissions from emissions units B004 and B006 and VOC emissions from emissions units P032, P037, P040, P052, P057, P058, P067, P072, P088, P104, P105 and P582 shall not exceed 854 TPY as a rolling, 12-month summation.

Applicable Compliance Method:

Compliance shall be based upon the record keeping requirements in d)(1) for emissions unit B006 plus NO_x emissions from emissions unit B004 and VOC emissions from emissions units P032, P037, P040, P052, P057, P058, P067, P072, P088, P104, P105 and P582.

g) Miscellaneous Requirements

- (1) None.