State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL MODIFICATION **CERTIFIED MAIL**
LUCAS COUNTY

Street Address: 50 West Town Street, Suite 700
Lazarus Gov. Center **TELE:** (614) 644-3020 **FAX:** (614) 644-2329
Mailing Address: Lazarus Gov. Center P.O. Box 1049

Application No: 04-01489
Fac ID: 0448010023
DATE: 5/29/2008

Kraft Foods Global, Inc.
Todd Habets
2221 Front St.
Toledo, OH 43605

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 of the Director is final 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 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

Sincerely,

Michael W. Ahern

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

CC: **USEPA** **TDES**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install **Issue Date: 5/29/2008**
Terms and Conditions **Effective Date: 5/29/2008**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 04-01489

Application Number:	04-01489
Facility ID:	0448010023
Permit Fee:	**$625**
Name of Facility:	Kraft Foods Global, Inc.
Person to Contact:	Todd Habets
Address:	2221 Front St. Toledo, OH 43605

Location of proposed air contaminant source(s) [emissions unit(s)]:
2221 Front St.
Toledo, **Ohio**

Description of proposed emissions unit(s):
Barge and ship unloading.

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

Chris Korleski
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 (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.)

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

14. Construction Compliance Certification

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

15. Fees

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

B. Permit to Install Summary of Allowable Emissions

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

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

Pollutant	Tons Per Year
PE	***1.55***
PM10	***0.39***

Emissions Unit ID: **F013**

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.

Operations, Property, and/or Equipment -(F013) - barge and ship unloading

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)(b)	see Sections 2.a and 2.b
OAC rule 3745-31-05(C)	particulate emissions (PE) from all stacks serving this emissions unit shall not exceed 0.77 ton per rolling, 12-month period fugitive PE from this emissions unit shall not exceed 0.78 ton per rolling, 12-month period particulate matter of 10 microns or less in diameter (PM10) from all stacks serving this emissions unit shall not exceed 0.20 ton per rolling, 12-month period fugitive emissions of PM10 from this emissions unit shall not exceed 0.19 ton per rolling, 12-month period
OAC rule 3745-17-07(B)(1)	the emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3)(b)
OAC rule 3745-17-08(B)	reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust see Section 2.c
40 CFR 60.302(b) (NSPS subpart DD)	see Section 2.d
40 CFR 60.302(d)(3) (NSPS subpart DD)	particulate emissions from any stack serving this emissions unit shall not exceed 0.023 g/dscm (0.01 gr/dscf) and 0% opacity as a 6-minute average

2. Additional Terms and Conditions

2.a The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the PE and PM10 from this air contaminant source since the calculated annual emission rate for PE and PM10 is less than ten tons per year taking into account the federally enforceable rule equivalent control limitation of 40 CFR 60.302(d)(3) under NSPS DD and the federally enforceable throughput limitation of 1,046,000 tons of wheat received per year (the maximum combined capacity of the flour millls P013 and P014, and the "white wheat" process F011).

2.b Permit to Install 04-01489 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3):

i. adequate enclosure of the ship unloading process;
ii. operation of an integral dust control system with inherent capture efficiency of 98%;
iii. operation of an integral dust control system with minimum control efficiency of 99%; and
iv. visible fugitive particulate emissions from any egress serving this emissions unit shall not exceed 10% opacity as a 6-minute average.

2.c Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08.

2.d In accordance with 40 CFR 60.302(d)(3), the permittee shall use methods of emission control demonstrated to the Administrator's satisfaction to reduce emissions of particulate matter to the same level as, or less than, the requirements of 40 CFR 60.302(d)(1) and (d)(2). These equivalent methods have been determined to be the use of a self-unloading ship, discharging into a receiving hopper equipped with a dust collection system, utilizing a fabric filter and enclosed conveyors.

B. Operational Restrictions

1. The permittee shall operate the fabric filter whenever this emissions unit is in operation.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain daily records that document any time periods when the fabric filter was not in service when this process was in operation.

2. The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible particulate emissions from any stack serving this emissions unit and for any visible fugitive particulate emissions from the egress points (i.e., building windows, doors, roof monitors, etc.) serving this emissions unit. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:

   a. the location and color of the emissions;
   b. whether the emissions are representative of normal operations;
   c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
   d. the total duration of any visible emission incident; and
   e. any corrective actions taken to minimize or eliminate the visible emissions.

   If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit).

   With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

   Note: the observer performing the visible emissions observations is not required to be certified in 40 CFR Part 60, Appendix A test procedures.

3. For emission points for which the daily checks show emissions that are representative of normal operation for 30 consecutive operating days, the required frequency of visible emissions checks may be reduced to weekly (once per week, when the emissions unit is in operation). If a subsequent check of such emission point by the permittee or an Ohio EPA inspector indicates abnormal emissions, the frequency of emissions checks

shall revert to daily for that emission point until such time as there are 30 consecutive operating days of normal visible emissions.

D. Reporting Requirements

1. The permittee shall submit semiannual written reports that identify any daily record showing that the fabric filter was not in service when this process was in operation. The notification shall include a copy of such record and shall be sent to the Director (the Toledo Division of Environmental Services) by January 31 and July 31 of each year and shall cover the previous 6-month period.

2. The permittee shall submit semiannual written reports that (a) identify all days during which any visible particulate emissions were observed from any stack serving this emissions unit, (b) identify all days during which any visible fugitive particulate emissions were observed from the from the egress points (i.e., building windows, doors, roof monitors, etc.) serving this emissions unit, and (c) describe any corrective actions taken to minimize or eliminate the visible particulate and/or visible fugitive particulate emissions. These reports shall be submitted to the Director (the Toledo Division of Environmental Services) by January 31 and July 31 of each year and shall cover the previous 6-month period.

E. Testing Requirements

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

   a. Emission Limitation;

      PE from any stack serving this emission unit shall not exceed 0% opacity, as a six-minute average

      Applicable Compliance Method;

      Compliance shall be determined through visible emission observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A using the methods and procedures specified in 40 CFR 60.303.

   b. Emission Limitation;

      visible fugitive PE from any egress serving this emissions unit shall not exceed

10% opacity as a 6-minute average.

Applicable Compliance Method;

Compliance shall be determined through visible emission observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A using the methods and procedures specified in 40 CFR 60.303.

c. Emission Limitation:

PE from any stack serving this emissions unit shall not exceed 0.023 g/dscm (0.01 gr/dscf)

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emissions limitation through emission testing performed in accordance with Methods 1 thru 5 of 40 CFR Part 60 Appendix A using the methods and procedures specified in 40 CFR 60.303.

d. Emission Limitation:

PE from all stacks serving this emissions unit shall not exceed 0.77 ton per rolling, 12-month period

Applicable Compliance Method:

This limitation represents the full potential to emit for this emissions unit operating at the maximum annual throughput of 1,046,000 tpy as wheat with an inherent dust collection efficiency of 98% capture and 99% control, utilizing an emission factor specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Table 9.9.1-2 dated 3/03, of 0.15 pound of PE per ton of grain unloaded

If required, the permittee shall demonstrate compliance with the emissions factor through emission testing performed in accordance with Methods 1 thru 5 of 40 CFR Part 60 Appendix A and 204 of 40 CFR Part 51, Appendix M. Alternate, equivalent methods may be used upon approval by the Toledo Division of Environmental Services.

e. Emission Limitation:

fugitive PE from this emissions unit shall not exceed 0.78 ton per rolling, 12-month period

Applicable Compliance Method:

This limitation represents the full potential to emit for this emissions unit operating at the maximum annual throughput of 1,046,000 tpy as wheat with an inherent dust collection efficiency of 98% capture, utilizing an emission factor specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Table 9.9.1-2 dated 3/03, of 0.15 pound of PE per ton of grain unloaded

If required, the permittee shall demonstrate compliance with the emissions factor through emission testing performed in accordance with Methods 1 thru 5 of 40 CFR Part 60 Appendix A and 204 of 40 CFR Part 51, Appendix M. Alternate, equivalent methods may be used upon approval by the Toledo Division of Environmental Services.

f. Emission Limitation:

PM10 emissions from all stacks serving this emissions unit shall not exceed 0.20 ton per rolling, 12-month period

Applicable Compliance Method:

This limitation represents the full potential to emit for this emissions unit operating at the maximum annual throughput of 1,046,000 tpy as wheat with an inherent dust collection efficiency of 98% capture and 99% control, utilizing an emission factor specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Table 9.9.1-2 dated 3/03, of 0.038 pound of PM10 per ton of grain unloaded

If required, the permittee shall demonstrate compliance with the emissions factor through emission testing performed in accordance with Methods 201, 202 and 204 of 40 CFR Part 51, Appendix M. Alternate, equivalent methods may be used upon approval by the Toledo Division of Environmental Services.

g. Emission Limitation:

fugitive emissions of PM10 from this emissions unit shall not exceed 0.19 ton per rolling, 12-month period

Applicable Compliance Method:

This limitation represents the full potential to emit for this emissions unit operating at the maximum annual throughput of 1,046,000 tpy as wheat with an inherent dust collection efficiency of 98% capture, utilizing an emission factor specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Table 9.9.1-2 dated 3/03, of 0.038 pound of PM10 per ton of grain unloaded

If required, the permittee shall demonstrate compliance with the emissions factor through emission testing performed in accordance with Methods 201, 202 and 204 of 40 CFR Part 51, Appendix M. Alternate, equivalent methods may be used upon approval by the Toledo Division of Environmental Services.

2. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. The emission testing shall be conducted within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but not later than 180 days after initial startup of the emissions unit.

b. The emission testing shall be conducted to demonstrate compliance with the visible fugitive particulate emissions limitation from the stack (any egress serving this emissions unit) and the stack mass PE concentration limitation

c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s):

   Methods 1 thru 5 and 9 of 40 CFR Part 60 Appendix A using the methods and procedures of 40 CFR 60.303.

   Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Toledo Division of Environmental Services.

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

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

g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Toledo Division of Environmental Services within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the

written report, where warranted, with prior approval from the Toledo Division of Environmental Services.

Note: This emissions testing protocol is based on the assumption of 100% capture of all potential fugitive emissions and the return of the uncontrolled emissions to the capture enclosure. Based on the reported results of this test, additional stack testing may be required, including but not limited to Methods 1 thru 5 and 9 of 40 CFR Part 60 Appendix A and Methods 201, 202 and 204 of 40 CFR Part 51, Appendix M.

Also; due to the unpredictability of ship arrivals, witnessed testing may occur with less than 30 day advanced scheduling, however without previous written approval, witnessed testing must occur during the regularly scheduled office hours of the City of Toledo, Division of Environmental Services.

F. Miscellaneous Requirements

1. All of the terms and conditions of this permit are also Federally enforceable terms and conditions.