

FILE INDEX

Applicant : Pilgrim's Pride Corporation **Plant ID No.:** 031-00005 **Region:** 9
Facility : Moorefield Feed Mill **County:** Hardy **Permit No.:** R13-1506C

Chronological Order - Add Index Pages As Necessary

Date	To	From	Subject
11/16/15	EPA	Sandra Adkins	Email – Newspaper Ad to run 11/18/15; evaluation, draft permit, and legal ad attached
11/16/15	Sandra Adkins	Kathy Bobo	Email – Newspaper Ad received; will run 11/18/15.
11/16/15	news@moorefieldexaminer.com	Sandra Adkins	Email directing newspaper to publish DAQ's legal ad in the 11/16/15 issue of <i>The Moorefield Examiner</i> .
11/16/15	Sandra Adkins	John Legg	Email – Go to DAQ notice. Attached Evaluation, Draft Permit, and Legal Ad.
11/16/15	John Legg	Beverly McKeone	Go to Notice.
11/16/15	File	John Legg	Airtrak – Permit/Application Information Sheet; and Days Open Report
11/16/15	File	John Legg	Engineering Evaluation
11/16/15	File	John Legg	Legal Advertisement Newspaper Table
11/16/15	File	John Legg	Legal Advertisement
11/13/15	Matthew Herman	John Legg	Email – Application Complete
11/13/15	John Legg	Patrick E. Ward	Cover Transmittal Memo.
11/13/15	John Legg	Patrick E. Ward	Newspaper Affidavit of Publication
11/13/15	John Legg	Patrick E. Ward	Company's Newspaper Advertisement.
11/13/15	File	John Legg	Front cover of envelope containing affidavit of publication. It arrived at the DEP on 11/10/15. Did not make its way to DAQ until 11/13/15.
11/12/15	William F. Durham	John Legg	Email – Info: Pilgrim's had no comments of DAQ Draft Permit.
11/12/15	PE Ward	John Legg	Email – Info send electronically to Air Director Durham also to be sent a hardcopy.
11/12/15	John Legg	Patrick Ward	Email – No comment about Draft Permit from Pilgrim.
11/10/15	Patrick Ward	John Legg	Email – Will Pilgrim's be commenting on draft permit? Thank you for answering my questions about PTE.
11/10/15	William F. Durham	John Legg	Email – Attached engineering evaluation, draft permit, and compare file.
11/10/15	John Legg	Patrick E. Ward	Email – Affidavit to be dropped off this morning. Question answered about PTE.
11/09/15	Beverly D. McKeone	John Legg	Email – Same email sent to PE Ward also sent to Bev.
11/09/15	Patrick E. Ward	John Legg	Email – Evaluation finished; the writer (J. Legg) will deem application complete when affidavit received at DAQ; question about PTE emissions.
11/09/15	File	John Legg	Draft Permit
10/28/15	John Legg	Robert Keatley	Email – Robert forward email send to him by Patrick E. Ward with an October 23, 2015 date. Because of winter coming on, Pilgrim's wants to build silo before permit is issued.
10/28/15	Matthew Herman	John Legg	Email – Had to re-send incomplete email because of misspelling Mr. Herman's first name wrong.
10/28/15	Ray Powell	John Legg	Email – Application under review by DAQ. Complete letter to be sent when affidavit received at DAQ.
10/28/15	John Legg	Ray Powell	Email – ad to run next week.

Date	To	From	Subject
10/28/15	Mathew Herman (name misspelled in Email)	John Legg	Email – Incomplete letter.
10/27/15	Joseph A. Kreger	John Legg	Email – Any concerns about Pilgrim's?
10/27/15	John Legg	Patrick E. Ward	Email – Checking on it.
10/26/15	Patrick E. Ward	John Legg	Email – No legal affidavit of publication.
9/30/15	Mr. Herman	Sandra Adkins	Email – Application Status Letter
9/30/15	File	Sandra Adkins	Airtrak Permit/Application Information Sheet;
9/25/15	Director	Patrick E. Ward	Cover Transmittal Memo and Permit Application.
10/25/05	File	John Legg	Old Permit R13-1506B.

John Legg
11/16/15

11/16/15

Legg, John C

From: Adkins, Sandra K
Sent: Monday, November 16, 2015 3:33 PM
To: wentworth.paul@epa.gov; bradley.megan@epa.gov; ray.powell@pilgrims.com; matthew.herman@pilgrims.com; peward@potesta.com
Cc: Durham, William F; McKeone, Beverly D; McCumbers, Carrie; Hammonds, Stephanie E; Rice, Jennifer L; Legg, John C; Taylor, Danielle R; Kreger, Joseph A
Subject: WV Draft Permit R13-1506C for Pilgrim's Pride Corp; Moorefield Feed Mill
Attachments: 1506C.pdf; Eval1506C.pdf; Notice.pdf

Please find attached the Draft Permit R13-1506C, Engineering Evaluation, and Public Notice for Pilgrim's Pride Corporation's Moorefield Feed Mill located in Hardy County.

The notice will be published in *The Moorefield Examiner* on Wednesday, November 18, 2015, and the thirty day public comment period will end on Friday, December 18, 2015.

Should you have any questions or comments, please contact the permit writer, John Legg, at 304 926-0499 x1257.

11/16/15

From: Adkins, Sandra K
Sent: Monday, November 16, 2015 3:31 PM
To: accounting@moorefieldexaminer.com
Cc: Legg, John C
Subject: FW: Publication of Class I Legal Ad for the WV Division of Air Quality

Thank you very much! We appreciate it!

From: Kathy Bobo - Accounting [<mailto:accounting@moorefieldexaminer.com>]
Sent: Monday, November 16, 2015 2:28 PM
To: Adkins, Sandra K <Sandra.K.Adkins@wv.gov>
Subject: FW: Publication of Class I Legal Ad for the WV Division of Air Quality

On Nov 16, 2015, at 12:50 PM, Kathy Bobo - Accounting wrote:

Your legal was received and will run on November 18.

From: News - Moorefield Examiner [<mailto:news@moorefieldexaminer.com>]
Sent: Monday, November 16, 2015 11:30 AM
To: Legals - Moorefield Examiner; accounting@moorefieldexaminer.com
Subject: Fwd: Publication of Class I Legal Ad for the WV Division of Air Quality

11/16/15

Begin forwarded message:

From: "Adkins, Sandra K" <Sandra.K.Adkins@wv.gov>
Date: November 16, 2015 11:20:01 AM EST
To: "news@moorefieldexaminer.com"
<news@moorefieldexaminer.com>
Cc: "Legg, John C" <John.C.Legg@wv.gov>
Subject: **Publication of Class I Legal Ad for the WV Division of Air Quality**

Please publish the information below as a Class I legal advertisement (one time only) in the Wednesday, November 18, 2015, issue of *The Moorefield Examiner*. I appreciate your assistance in publishing the ad this week. Please let me know that this has been received and will be published as requested. Thank you.

Send the invoice for payment and affidavit of publication to:

Sandra Adkins

**WV Department of Environmental Protection
DIVISION OF AIR QUALITY**

601- 57th Street

From: Adkins, Sandra K
Sent: Monday, November 16, 2015 11:20 AM
To: news@moorefieldexaminer.com
Cc: Legg, John C
Subject: Publication of Class I Legal Ad for the WV Division of Air Quality

11/16/15

Please publish the information below as a Class I legal advertisement (one time only) in the Wednesday, November 18, 2015, issue of *The Moorefield Examiner*. I appreciate your assistance in publishing the ad this week. Please let me know that this has been received and will be published as requested. Thank you.

Send the invoice for payment and affidavit of publication to:

Sandra Adkins

**WV Department of Environmental Protection
DIVISION OF AIR QUALITY**

601- 57th Street

Charleston, WV 25304

AIR QUALITY PERMIT NOTICE

Notice of Intent to Approve

On September 25, 2015, Pilgrim's Pride Corporation (Pilgram's) applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a modification to their existing permit R13-1506B for a grain handling and storage expansion. The plant is located at Rt. 220 South, Industrial Park Road, Moorefield, Hardy County, WV at latitude 39.0444 N and longitude 78.986 W. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-1506C.

The following potential emission increases will be authorized by this permit action: Particulate Matter (PM), 26 tons per year (TPY); PM10, 7 TPY; and PM2.5, 1 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Friday, December 18, 2015. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed modification will meet all State and Federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

John Legg
WV Department of Environmental Protection
Division of Air Quality

601 57th Street, SE
Charleston, WV 25304
Telephone: 304/926-0499, ext. 1257
FAX: 304/926-0478

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

Legg, John C

From: Legg, John C
Sent: Monday, November 16, 2015 10:19 AM
To: Adkins, Sandra K
Cc: McKeone, Beverly D; Durham, William F
Subject: Please Publish DAQ Ad for R13-1506C Pilgrim's Pride Corporation (031-00005), Moorefield Feed Mill
Attachments: 031-00005_EVAL_13-1506C.wpd; 031-00005_PERM_13-1506C.wpd; DAQ Legal Ad.wpd; Permit Info Table.wpd

11/16/15

Sandy,

Please go to DAQ notice for application R13-1506C, Pilgrim's Pride Corporation (031-00005), Moorefield Feed Mill.

Attached are all the files for the above permittee.

If I am missing any of the information you need, please let me know.

Thanks,

John

11/16/15
11/12/15

INTERNAL PERMITTING DOCUMENT TRACKING MANIFEST

Company Name Pilgrim's Pride Corporation (Company ID:031-00005) Region: 9
Permitting Action Number R13-1506C Total Days _____ DAQ Days _____

Permitting Action:

- Permit Determination
- General Permit (Class I)
- Administrative Update
- Temporary
- Relocation
- Construction
- Modification
- PSD (Rule 14)
- NNSR (Rule 19)

Documents Attached:

- Engineering Evaluation/Memo
- Draft Permit
- Notice
- Denial
- Final Permit/General Permit Registration
- Completed Database Sheet
- Withdrawal
- Letter
- Other (specify) _____

Date	From	To	Action Requested
11/12/15	John Legg	Bev McKeone/ Fred Durham	Okay to go to DAQ Legal Notice!
11/16	Bev	John	Costo Notice

NOTE: Retain a copy of this manifest for your records when transmitting your document(s).

11/16/15



Permit / Application Information Sheet
Division of Environmental Protection
West Virginia Office of Air Quality

Company:	Pilgrim's Pride Corporation		Facility:	Moorefield/Feed Mill	
Region:	9	Plant ID:	031-00005	Application #:	13-1506C
Engineer:	Legg, John		Category:	Food	
Physical Address:	Route 220 South, Industrial Pa Moorefield WV 26836		SIC: [2048] FOOD AND KINDRED PRODUCTS - PREPARED FEEDS NEC NAICS: [0] Enter a NAIC SIC: [751] AGRICULTURAL SERVICES - LIVESTOCK SERV EXC SPECIALTIES NAICS: [311611] Animal (except Poultry) Slaughtering		
County:	Hardy		SIC: [2016] FOOD AND KINDRED PRODUCTS - POULTRY DRESSING PLANTS NAICS: [0] Enter a NAIC		
Other Parties:	ENGINEER - Powell, Ray 540-901-6065 VICE PRES - Herman, Matthew 256-281-4471				

Information Needed for Database and AIRS	Regulated Pollutants	
No required information is missing.	PT Total Particulate Matter	25.870 TPY

Summary from this Permit 13-1506C			Notes from Database Permit Note: Modification to double the facility's grain unloading rate (from train) to 1,120 ton/hr by replacing handling equipment (conveyors, elevator, and turn heads to existing silos) and building a silo. Increase truck activity for soybean mill, corn, and additives delivery, and truck product shipments.
Air Programs	Applicable Regulations		
NSPS TITLE V	02 04 07 10 13		
Fee Program	Fee	Application Type	
9M	\$1,000.00	MODIFICATION	
Activity Dates			
APPLICATION RECEIVED	09/25/2015		
APPLICATION FEE PAID	09/30/2015		
ASSIGNED DATE	09/30/2015		
APPLICANT PUBLISHED LEGAL AD	11/04/2015		
APPLICATION DEEMED COMPLETE	11/13/2015		

NON-CONFIDENTIAL

Please note, this information sheet is not a substitute for file research and is limited to data entered into the AIRTRAX database.

Company ID: 031-00005
 Company: Pilgrim's Pride Corporation
 Printed: 11/16/2015
 Engineer: Legg, John

Action	Date	Days	Open	OAQ Status
APPLICATION RECIEVED	09/25/2015	0	0	0 Open on Co Time
APPLICATION FEE PAID	09/30/2015	---	---	--- Entry ignored
ASSIGNED DATE	09/30/2015	---	---	--- Entry ignored
APPLICANT PUBLISHED LEGAL AD	11/04/2015	---	---	--- Entry ignored
APPLICATION DEEMED COMPLETE	11/13/2015	49	49	0 Open on OAQ time
Corrected to :	11/16/2015	0	52	3 Open on OAQ time
Final Values	11/16/2015	0	52	3 Open on OAQ time

Permit Writer	John Legg
Email Address	john.c.legg@wv.gov
Company Name	Pilgrim's Pride Corporation
Company ID	031-00005
Facility Name	Moorefield Feed Mill
Permit Number	R13-1506C
County	Hardy
Newspaper	Moorefield Examiner (Hardy County Newspaper) (304) 530-6397 legals@moorefieldexaminer.com
Company Contact & Email	Ray Powell ray.powell@pilgrims.com Matthew Herman matthew.herman@prigrims.com
Consultant Email Address	Patrick Ward PEWard@potesta.com
Regional Office (if applicable)	Joseph Kreger DAQ Eastern Panhandle Regional Office

11/16/15

AIR QUALITY PERMIT NOTICE

Notice of Intent to Approve

On September 25, 2015, Pilgrim's Pride Corporation (Pilgram's) applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a modification to their existing permit R13-1506B for a grain handling and storage expansion. The plant is located at Rt. 220 South, Industrial Park Road, Moorefield, Hardy County, WV at latitude 39.0444 N and longitude 78.986 W. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-1506C.

The following potential emission increases will be authorized by this permit action: Particulate Matter (PM), 26 tons per year (TPY); PM10, 7 TPY; and PM2.5, 1 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on MM/DD/YYYY. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed modification will meet all State and Federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

John Legg
WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
Telephone: 304/926-0499, ext. 1257
FAX: 304/926-0478

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

11/13/15

From: Legg, John C
Sent: Friday, November 13, 2015 12:02 PM
To: 'matthew.herman@pilgrims.com'; ray.powell@pilgrims.com
Cc: McKeone, Beverly D; Patrick E. Ward (PEWard@POTESTA.com); Durham, William F
Subject: WV DAQ NSR Permit Application Complete for Company Name and Location

RE: Application Status: Complete
Pilgrim's Pride Corporation, Moorefield Feed Mill
Permit Application: R13-1506C
Plant ID No.: 031-00005

Dear Mr. Herman:

Your application for a modification permit for a railroad grain receiving, handling, and storage expansion project at your Moorefield Feed Mill was received by this Division on 9/25/15 and assigned to the writer for review (on 9/30/15, the date the permit fee was paid). Upon review of said application, it has been determined that the application is complete and, therefore, the statutory review period commenced on 11/13/15, the date the newspaper affidavit of publication was received at the DAQ.

For a modification permit application, the agency believes it will take approximately 90 days to make a final permit determination. The draft permit has already been written and approved by Pilgrim's Pride. Once the DAQ's legal advertisement has run and a 30-day public comment period has ended, the draft permit can be signed by the Air Director.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact John Legg at (304) 926-0499 ext. 1257 or reply to this email.

Delivered 11/13/15

Stamped 11/12/15



TRANSMITTAL MEMO

7012 MacCorkle Avenue, SE, Charleston, WV 25304 • Phone: (304) 342-1400 • Fax: (304) 343-9031

To: Mr. John Legg
WV Department of Environmental Protection
601 57th Street
Charleston, West Virginia 25304

Date: November 10, 2015
Project No.: 0101-15-0121-001



Sent Via: Mail Federal Express United Parcel Service
 Hand Carried Other: _____

Quantity	Description
1	Affidavit of Publication – Air Quality Permit Notice for Regulation 13 Modification Application for the Moorefield Feed Mill – Pilgrim’s
Remarks:	

By: Patrick E. Ward/rlh
c: Ray Powell, Pilgrim’s

Delivered 11/13/15 Stamped 11/12/15

AFFIDAVIT OF PUBLICATON

Cost of Publication \$31.74

I, Phoebe Fisher Heishman, being first sworn upon my oath, do depose and say that I am President of the R. E. Fisher Company, a corporation, and publisher of the newspaper entitled THE MOOREFIELD EXAMINER, a Democratic newspaper; that I have been duly authorized by the Board of Directors of such corporation to execute all affidavits of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published twice weekly on Wednesdays and Saturdays, for at least fifty weeks during a calendar year, in the municipality of Moorefield, Hardy County, West Virginia; that such newspaper is a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended within the publication area or areas of aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial, and social nature, and for current happenings, announcements, miscellaneous reading matters, that the annexed

Notice of Air Quality Permit--Pilgrim's Pride

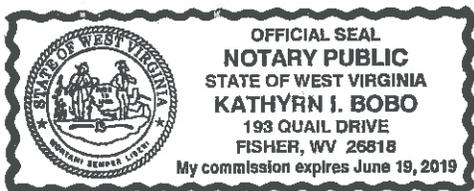
was duly published in said newspaper once a week for 1 successive weeks, commencing with the issue of 4th day of November, 2015, and ending with the issue of the 4th day of November, 2015, and was posted at the N/A on the _____ day of _____, 20_____.

/s/ Phoebe Fisher Heishman
Phoebe Fisher Heishman, Publisher
The Moorefield Examiner

Taken, subscribed and sworn to before me in my said county this 4th day of November, 2015.

My commission expires June 19, 2019.

/s/ Kathryn J. Bobo
Notary Public of Hardy County, WV



11/13/15

LEGAL ADVERTISEMENT

**AIR QUALITY PERMIT NOTICE
Notice of Application**

Notice is given that Pilgrim's has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a permit for the modification of the Moorefield Feed Mill by installing new conveyances and a silo and update the facility throughput located on Industrial Park Road in Moorefield, Hardy County, West Virginia. The latitude and longitude coordinates are: 39.044367 and -78.986096.

The applicant estimates the increased potential to discharge the following Regulated Air Pollutants will be: PM of 24.91 tons per year (tpy); PM10 of 6.81 tpy; PM2.5 of 0.72 tpy.

The facility anticipates beginning operations of the modified facility in January 2016. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0499, Extension 1250, during normal business hours.

Dated this the 4th day of November, 2015.

By: Pilgrim's
Matthew Herman
Senior Vice President, Operations
PO Box 539
Moorefield, West Virginia 26836

11/4 1c

RCVD BY WVDEP

03 : 10 10

10/10/15

10/10/15

10/10/15

POTESTA POTESTA & ASSOCIATES, INC.
Engineers and Environmental Consultants

TO: MR JOHN LEGG
WVDEP
601 57TH ST
CHARLESTON WV 25304

7012 MacCorkle Avenue, SE, Charleston, West Virginia 25304

WVDEP Arrives → 11/10/15
→ At my desk
@ DAP → 11/13/15

Legg, John C

From: Legg, John C
Sent: Thursday, November 12, 2015 11:13 AM
To: Durham, William F
Subject: FW: Question About Pilgram's Pride (R13-1506C)

11/12/15

Info: No comments on draft permit sent to Pilgrim's Pride/Potesta.

From: Patrick E. Ward [mailto:PEWard@potesta.com]
Sent: Thursday, November 12, 2015 8:58 AM
To: Legg, John C
Cc: Townsend, Dave; Powell, Ray
Subject: RE: Question About Pilgram's Pride (R13-1506C)

We have no comments on the draft permit.

Regards,
Patrick Ward
Potesta & Associates, Inc.
7012 MacCorkle Avenue, S.E.
Charleston, West Virginia 25304
Ph: (304) 342-1400
Direct: (304) 414-4751
Fax: (304) 343-9031

This electronic communication and its attachments contain confidential information. The recommendations and/or design data included herein are provided as a matter of convenience and should not be used for final design or ultimate decision making. Rely only on the final hardcopy materials bearing the consultant's original signature and seal. If you have received this information in error, please notify the sender immediately.

From: Legg, John C [mailto:John.C.Legg@wv.gov]
Sent: Tuesday, November 10, 2015 4:45 PM
To: Patrick E. Ward <PEWard@potesta.com>
Subject: RE: Question About Pilgram's Pride (R13-1506C)

Patrick,

The affidavit went from the front desk to the mailroom and probably will be delivered to me tomorrow, but tomorrow is a State Holiday: Veterans Day, so I should get it the day after tomorrow, which would be Thursday, 11/12/15.

Will Pilgrim's Pride be commenting?

If not, I will give the engineering evaluation and draft permit to Fred on Thursday, 11/12/15.

If yes, I will incorporate what comments I can into the draft--when I receive them from you--before giving the draft to Fred.

Thanks for the information you sent below.

I updated Tables 4 and 5 in my evaluation based on your input and have attached the updated evaluation to this email. Note: Small stuff, but I only allowed 1.73 tpy per each boiler instead of 2.20 tpy per boiler (based on each boiler operating 6,000 hr/yr on FO and 2,760 hr/yr on NG).

This causes the PM emissions that will appear in DAQ's legal advertisement to increase by approximately 1 ton of PM to a total PM value of 26 tpy.

Legg, John C

From: Legg, John C
Sent: Thursday, November 12, 2015 9:32 AM
To: 'Patrick E. Ward'
Subject: RE: Question About Pilgram's Pride (R13-1506C)

11/12/15

Patrick,

I sent the draft permit and evaluation electronically to Fred Durham on Tuesday (11/10/15) to review. I will officially send the same info in paper form to Fred today. So it should not be much longer before the DAQ runs its legal ad.

The company legal affidavit should arrive on my desk sometime today.

Will keep you posted.

John

From: Patrick E. Ward [mailto:PEWard@potesta.com]
Sent: Thursday, November 12, 2015 8:58 AM
To: Legg, John C
Cc: Townsend, Dave; Powell, Ray
Subject: RE: Question About Pilgram's Pride (R13-1506C)

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Direct: (304) 414-4751
Fax: (304) 343-9031

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From: Legg, John C [mailto:John.C.Legg@wv.gov]
Sent: Tuesday, November 10, 2015 4:45 PM
To: Patrick E. Ward <PEWard@potesta.com>
Subject: RE: Question About Pilgram's Pride (R13-1506C)

Patrick,

The affidavit went from the front desk to the mailroom and probably will be delivered to me tomorrow, but tomorrow is a State Holiday: Veterans Day, so I should get it the day after tomorrow, which would be Thursday, 11/12/15.

Will Pilgrim's Pride be commenting?

If not, I will give the engineering evaluation and draft permit to Fred on Thursday, 11/12/15.

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This causes the PM emissions that will appear in DAQ's legal advertisement to increase by approximately 1 ton of PM to a total PM value of 26 tpy.

If everything goes okay, DAQ's legal advertisement should appear sometime the week of 11/16 which means the permit can be signed approximately 12/16.

Sincerely,

John

Legg, John C

From: Legg, John C
Sent: Tuesday, November 10, 2015 5:00 PM
To: Durham, William F
Subject: R13-1506C - Pilgrim's Pride (031-00005)
Attachments: 031-00005_EVAL_13-1506C.wpd; 031-00005_PERM_13-1506C.wpd; compare file.wpd

11/10/15

Attached are engineering evaluation, draft permit, and compare file showing the difference between new and old permits.

From: Legg, John C
Sent: Monday, November 09, 2015 5:37 PM
To: McKeone, Beverly D
Subject: FW: Question About Pilgram's Pride (R13-1506C)
Attachments: 031-00005_EVAL_13-1506C.pdf; 031-00005_PERM_13-1506C.pdf

11/9/15

Information – see below.

From: Legg, John C
Sent: Monday, November 09, 2015 5:15 PM
To: Patrick E. Ward (PEWard@POTESTA.com)
Subject: Question About Pilgram's Pride (R13-1506C)

Patrick,

I have finished my evaluation and draft permit for permit application R13-1506C. As soon as the affidavit of publication becomes available, I will deem Pilgram's Pride application complete and ask Bev McKeone's/Fred Durham permission to go to DAQ legal notice.

I do have a question. Please review the two tables (labeled 4 and 5) and help me answer the question at the end of this email.

Table 4: Existing Facility Emissions as Permitted Under R13-1506B that Stay N, the Same/Do Not Increase Because of R13-1506C (see Attachment page N12 of Permit Application R13-1506C).

Source Description	Pollutant	Proposed Emission Increase			
		Uncontrolled		Controlled	
		lb/hr	ton/yr	lb/hr	ton/yr
4S - Pneumatic System	PM	38.60	169.07	0.03	0.13
	PM10	5.02	21.98	0.01	0.02
	PM2.5	5.02	21.98	0.01	0.02
5S - Corn Only	PM	463.00	2,027.94	0.51	2.23
	PM10	60.19	263.63	0.07	0.29
	PM2.5	60.19	263.63	0.07	0.29
6S - Corn Only	PM	463.00	2,027.94	0.51	2.23
	PM10	60.19	263.63	0.07	0.29
	PM2.5	60.19	263.63	0.07	0.29
7S - Pellet System	PM	385.0	1,686.30	3.96	17.34
	PM10	50.05	219.22	1.50	6.58
	PM2.5	50.05	219.22	1.50	6.58
9S - Pellet System	PM	385.0	1,686.30	3.96	17.34
	PM10	50.05	219.22	1.50	6.58

From: Patrick E. Ward [<mailto:PEWard@potesta.com>]
Sent: Tuesday, November 10, 2015 9:55 AM
To: Legg, John C
Subject: RE: Question About Pilgram's Pride (R13-1506C)

11/10/15

Legal Advertisement

The affidavit was dropped off this morning.

Emissions

The existing unchanged sources in Table 4 (4S, 5S, 6S, 7S, 9S and 10S) are not the total existing facility.

Other Existing Sources:

2AS = 0.56
2BS = 2.01
3S = 0.83
1S (NG) = 0.70
1S (FO) = 1.50
8S (NG) = 0.70
8S(FO) = 1.50
11S = 0.12
Total Other Existing = 7.92

The difference ($7.94 - 7.92 = 0.02$) is in rounding. We did not round off the unchanged sources (4S, 5S, 6S, 7S, 9S and 10S) in our calculations and that number would actually be 41.52 instead of 41.50.

Let me know if you have any questions on this email.

Regards,
Patrick Ward
Potesta & Associates, Inc.
7012 MacCorkle Avenue, S.E.
Charleston, West Virginia 25304
Ph: (304) 342-1400
Direct: (304) 414-4751
Fax: (304) 343-9031

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From: Legg, John C [<mailto:John.C.Legg@wv.gov>]
Sent: Monday, November 09, 2015 5:16 PM
To: Patrick E. Ward <PEWard@potesta.com>
Subject: Question About Pilgram's Pride (R13-1506C)

11/9/15

Patrick,

11/9/15

I have finished my evaluation and draft permit for permit application R13-1506C. As soon as the affidavit of publication becomes available, I will deem Pilgram's Pride application complete and ask Bev McKeone's/Fred Durham permission to go to DAQ legal notice.

I do have a question. Please review the two tables (labeled 4 and 5) and help me answer the question at the end of this email.

Table 4: Existing Facility Emissions as Permitted Under R13-1506B that Stay the Same/Do Not Increase Because of R13-1506C (see Attachment N, page N12 of Permit Application R13-1506C).

Source Description	Pollutant	Proposed Emission Increase			
		Uncontrolled		Controlled	
		lb/hr	ton/yr	lb/hr	ton/yr
4S - Pneumatic System	PM	38.60	169.07	0.03	0.13
	PM10	5.02	21.98	0.01	0.02
	PM2.5	5.02	21.98	0.01	0.02
5S - Corn Only	PM	463.00	2,027.94	0.51	2.23
	PM10	60.19	263.63	0.07	0.29
	PM2.5	60.19	263.63	0.07	0.29
6S - Corn Only	PM	463.00	2,027.94	0.51	2.23
	PM10	60.19	263.63	0.07	0.29
	PM2.5	60.19	263.63	0.07	0.29
7S - Pellet System	PM	385.0	1,686.30	3.96	17.34
	PM10	50.05	219.22	1.50	6.58
	PM2.5	50.05	219.22	1.50	6.58
9S - Pellet System	PM	385.0	1,686.30	3.96	17.34
	PM10	50.05	219.22	1.50	6.58
	PM2.5	5.05	219.22	1.50	6.58
10S - Corn Only	PM	463.00	2,027.94	0.51	2.23
	PM10	60.19	263.63	0.07	0.29
	PM2.5	60.19	263.63	0.07	0.29
Total	PM	2197.6	9625.49	9.48	41.50
	PM10	285.69	1251.31	3.22	14.05
	PM2.5	285.69	1251.31	3.22	14.05

Table 5: Total Facility Potential To Emit (PTE) After Permit Modification R13-1506C (From Application, Attachment N, page N2).

11/9/15

Pollutant	Total Facility PTE after R13-1506C				⁽¹⁾ Delta Increases (Attributed to Changes Made under R13-1506C, Specifically 2SA; 2SB; 3S; 11S and 12S)	
	Uncontrolled		Controlled		Controlled	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
PM	2,344.57	9,677.47	47.52	74.35	+38.04	+32.85
PM10	345.78	1,270.92	18.07	25.79	+14.85	+11.74
PM2.5	296.38	1,256.41	6.20	17.81	+2.98	+3.76
VOC	0.34	1.34	0.34	1.34	No Emission Increases Resulting from Modifications Made Under R13-1506C	
SO2	21.32	64.96	21.32	64.96		
NOx	10.20	36.66	10.20	36.66		
CO	5.02	20.02	5.02	20.02		
Total HAPs	0.0902	0.3766	0.0902	0.3766		
Lead	0.0004	0.0014	0.0004	0.0014		
(1) Total Facility Controlled PM; PM10 and PM2.5 hourly and annual emissions (Table 5) minus Total Controlled PM; PM10 and PM2.5 hourly and annual emissions from Table 4 (for emission sources 4S, 5S, 6S, 7S, 9S, 10S).						

Question: If I take the increase in PTE advertised in Pilgram's newspaper advertisement (PM=24.91tpy; PM10= 6.81 tpy and PM2.5 = 0.72) and subtract it from the annual Delta Increases tabulated in Table 5 above, how to I go about explaining the differences (for PM: $+32.85 - 24.91 = 7.94$ tpy; for PM10: $+11.74 - 6.81 = 4.93$ tpy; and for PM2.5: $+3.76 - 0.72 = 3.04$ tpy) such that Bev and Fred will understand?

Legg, John C

From: McKeone, Beverly D
Sent: Thursday, October 29, 2015 8:14 AM
To: Keatley, Robert L; Legg, John C
Subject: RE: Pilgrim's Moorefield Feed Mill Corn Bin

10/29/15

Rob FYI:

Pilgrim's Pride has not yet run their legal ad for the application. We have notified them of the issue and they claim the ad will run next week.

Bev

From: Keatley, Robert L
Sent: Wednesday, October 28, 2015 4:09 PM
To: Legg, John C; McKeone, Beverly D
Subject: FW: Pilgrim's Moorefield Feed Mill Corn Bin

FYI

From: Patrick E. Ward [<mailto:PEWard@potesta.com>]
Sent: Friday, October 23, 2015 3:59 PM
To: Keatley, Robert L
Cc: Townsend, Dave; Powell, Ray
Subject: Pilgrim's Moorefield Feed Mill Corn Bin

10/23/15

Robert, as we discussed the other day Pilgrim's wishes to install the silo structure at the Moorefield Feed Mill. The following is a description of the installation and the reason for the request.

The bin in Moorefield will be of galvanized steel corrugated construction with bolt together panels 44 inches tall x 12 feet long panels. The bin will be 23 panels tall and 66 feet diameter. Bin will set on a raised concrete pad with corn reclaim tunnel at grade. The corn reclaim tunnel will be open on both ends to allow easy access for maintenance and added safety. The construction requires the bin to be bolted together ring by ring on the concrete pad and raised one ring at a time. The roof is constructed initially and raised using hydraulic jacks. Each ring is then constructed and raised with the roof until the 23 rings tall are complete. The bin walls are then bolted to the concrete pad and epoxy or roof tar is applied between the bottom ring and the pad to prevent moisture from entering the bin interior as well as keeping the bin in place.

With winter approaching the wind velocity increases in Moorefield and will make the construction difficult. High winds during construction can lift the partially built bin off the pad and damage or destroy its integrity. We will need 5-6 days of calm weather to construct. We are concerned the bin will not be able to be constructed until spring if we do not construct in the next 3-4 weeks. We will not add any conveying equipment that allows operation of the bin until a permit is granted.

The attached brochure shows what style of bin is being installed.

If you have any questions on this please call.

Regards,
Patrick Ward
Potesta & Associates, Inc.
7012 MacCorkle Avenue, S.E.

Charleston, West Virginia 25304
Ph: (304) 342-1400
Direct: (304) 414-4751
Fax: (304) 343-9031

10/23/15

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Legg, John C

From: Powell, Ray <Ray.Powell@pilgrims.com>
Sent: Wednesday, October 28, 2015 4:07 PM
To: Herman, Matthew
Cc: McKeone, Beverly D; Legg, John C
Subject: RE: Application Status: Incomplete - Pilgrim's Pride Corporation (031-00005); Moorefield/Feed Mill

10/28/15

Matthew, the ad for the Moorefield Corn bin permit application will run next week. thanks

From: Legg, John C [<mailto:John.C.Legg@wv.gov>]
Sent: Wednesday, October 28, 2015 4:05 PM
To: Herman, Matthew; Powell, Ray
Cc: McKeone, Beverly D
Subject: RE: Application Status: Incomplete - Pilgrim's Pride Corporation (031-00005); Moorefield/Feed Mill

10/28/15

Sorry to send this out again: Matthew Herman's email was incorrect and the email had to be reposted!

RE: Application Status: Incomplete

Pilgrim's Pride Corporation

Permit Application No. (R13-1506C)

Plant ID No. 031-00005

Mr. Herman:

Your application for a modification permit to upgrade the railroad grain receiving, handling, and storage operation at the Moorefield Feed Mill was received by this Division on September 25, 2015. Your \$1,000.00 application fee was received on September 30, 2015, and the writer was assigned to conduct the review that same day. Upon initial review of said application, it has been determined that the application as submitted is incomplete based on the following items:

1. The newspaper legal advertisement used to start the public comment period has not run.

Please address the above deficiency in writing within fifteen (15) days of the receipt of this email. Application review will not commence until the application has been deemed to be technically complete. Failure to respond to this request in a timely manner may result in the denial of the application.

10/28/15

Should you have any questions, please contact John Legg at (304) 926-0499 ext.1257 or reply to this email.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

This email has been checked for viruses. However, JBS USA Holdings, Inc. and its constituent companies cannot accept responsibility for loss or damages arising from use of this email or attachments and we recommend that you subject these to your virus checking procedures prior to use.

Legg, John C

From: Legg, John C
Sent: Wednesday, October 28, 2015 4:02 PM
To: 'Powell, Ray'
Subject: RE: WV DAQ Permit Application Incomplete for Company Name and Location

10/28/15

Yes Sir. I have reviewed the application and am working on it now. When the affidavit of publication has been received I will send you a complete letter.

From: Powell, Ray [<mailto:Ray.Powell@pilgrims.com>]
Sent: Wednesday, October 28, 2015 3:58 PM
To: Legg, John C; mathew.herman@pilgrims.com
Cc: McKeone, Beverly D; Patrick E. Ward; Townsend, Dave
Subject: RE: WV DAQ Permit Application Incomplete for Company Name and Location

John, I understand from Patrick Ward at Potesta that the ad will run next week. Thanks



Ray Powell

Project Engineer
ray.powell@pilgrims.com

O: 540.901.6065
C: 540.578.4337
www.pilgrims.com
330 Coop Drive
Timberville, VA 22853

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From: Legg, John C [<mailto:John.C.Legg@wv.gov>]
Sent: Wednesday, October 28, 2015 3:56 PM
To: mathew.herman@pilgrims.com; Powell, Ray
Cc: McKeone, Beverly D
Subject: WV DAQ Permit Application Incomplete for Company Name and Location

10/28/15

RE: Application Status: Incomplete

Pilgrim's Pride Corporation

Permit Application No. (R13-1506C)

Plant ID No. 031-00005

Mr. Herman:

10/28/15

Your application for a modification permit to upgrade the railroad grain receiving, handling, and storage operation at the Moorefield Feed Mill was received by this Division on September 25, 2015. Your \$1,000.00 application fee was received on September 30, 2015, and the writer was assigned to conduct the review that same day. Upon initial review of said application, it has been determined that the application as submitted is incomplete based on the following items:

1. The newspaper legal advertisement used to start the public comment period has not run.

Please address the above deficiency in writing within fifteen (15) days of the receipt of this email. Application review will not commence until the application has been deemed to be technically complete. Failure to respond to this request in a timely manner may result in the denial of the application.

Should you have any questions, please contact John Legg at (304) 926-0499 ext.1257 or reply to this email.

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Legg, John C

From: Legg, John C
Sent: Tuesday, October 27, 2015 9:12 AM
To: Kreger, Joseph A
Cc: McKeone, Beverly D
Subject: R13-1506C - Pilgrim's Pride Corporation (031-00005)

10/27/15

Dear Joseph,

I have been assigned to modify R13-1506B/Pilgrim's Pride at Moorfield/Feed Mill.

Have you any concerns about this modification? Has anyone in the area complained?

Pilgrim's Pride will be doubling the amount of corn unloaded at the facility: from 560 ton/hr to 1,120 ton/hr.

They want to upgrade the railroad grain receiving, handling, and storage operation.

The plan is to replace the existing rail pit screws conveyors, the rail receiving conveyor, the railcar receiving grain elevators and the receiving elevator (which also receives grain from railcars, the turn heads (headhouse) at the top of the elevators, and the drag conveyor for the existing large silos. Additionally, a new silo (7,700 tons) is being constructed. Vehicle activity is being added as a source for delivery of soybean mill, corn, and additives in trucks.

PM emissions due to this expansion are to increase by 25 ton/yr.

Please write me back if you have any concerns about the expansion!

Sincerely,

John Legg
DAQ Permit Writer
Charleston Office
(304) 926-0499 ext. 1257
John.c.legg@wv.gov

Legg, John C

From: Patrick E. Ward <PEWard@potesta.com>
Sent: Tuesday, October 27, 2015 8:35 AM
To: Legg, John C
Subject: RE: Are you the Potesta Engineer Working on Pilgrim's Pride (031-00005); Moorefield/Feed Mill?

10/27/15

We are checking on it.

Regards,
Patrick Ward
Potesta & Associates, Inc.
7012 MacCorkle Avenue, S.E.
Charleston, West Virginia 25304
Ph: (304) 342-1400
Direct: (304) 414-4751
Fax: (304) 343-9031

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From: Legg, John C [<mailto:John.C.Legg@wv.gov>]
Sent: Monday, October 26, 2015 5:13 PM
To: Patrick E. Ward <PEWard@potesta.com>
Subject: Are you the Potesta Engineer Working on Pilgrim's Pride (031-00005); Moorefield/Feed Mill?

10/26/15

Patrick,

If you are not the engineer working on the above, can you forward this email on to the person in Potesta who is?

I have not received the legal affidavit of publication yet for the above application.

I checked the DAQ's mail log and it does not show up. Has this been sent in?

I was trying to deem the application complete or not.

Someone wants the permit to be issued soon, but can't do it if the affidavit is not sent in.

Thanks,

John

9/30/15

Legg, John C

From: Adkins, Sandra K
Sent: Wednesday, September 30, 2015 11:18 AM
To: matthew.herman@pilgrims.com; ray.powell@pilgrims.com
Cc: McKeone, Beverly D; Legg, John C
Subject: WV DAQ Permit Application Status for Pilgrim's Pride Corporation; Moorefield

**RE: Application Status
Pilgrim's Pride Corporation
Moorefield/Feed Mill
Plant ID No. 031-00005
Application No. R13-1506C**

Mr. Herman,

Your application for a modification permit for the Moorefield/Feed Mill location was received by this Division on September 25, 2015, and was assigned to John Legg. The following item was not included in the initial application submittal:

Original affidavit for Class I legal advertisement not submitted.

**Please note to use phone extension 1250 for future legal ads.*

This item is necessary for the assigned permit writer to continue the 30-day completeness review.

Within 30 days, you should receive a letter from John stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

For future reference, please submit two electronic applications. These must include signatures.

Should you have any questions, please contact the assigned engineer, John Legg, at 304-926-0499, extension 1257.

9/30/15



Permit / Application Information Sheet
Division of Environmental Protection
West Virginia Office of Air Quality

Company:	Pilgrim's Pride Corporation	Facility:	Moorefield/Feed Mill
Region:	9	Plant ID:	031-00005
Application #:	13-1506C		
Engineer:	Legg, John	Category:	Food
Physical Address:	Route 220 South, Industrial Pa Moorefield WV 26836	SIC: [2048] FOOD AND KINDRED PRODUCTS - PREPARED FEEDS NEC NAICS: [0] Enter a NAIC	
		SIC: [751] AGRICULTURAL SERVICES - LIVESTOCK SERV EXC SPECIALTIES NAICS: [311611] Animal (except Poultry) Slaughtering	
County:	Hardy	SIC: [2016] FOOD AND KINDRED PRODUCTS - POULTRY DRESSING PLANTS NAICS: [0] Enter a NAIC	
Other Parties:	ENGINEER - Powell, Ray 540-901-6065 VICE PRES - Herman, Matthew 256-281-4471		

Information Needed for Database and AIRS
 No required information is missing.

Regulated Pollutants

Summary from this Permit 13-1506C		
Air Programs	Applicable Regulations	
Fee Program	Fee	Application Type
	\$1,000.00	MODIFICATION

Notes from Database

Activity Dates	
APPLICATION RECEIVED	09/25/2015
APPLICATION FEE PAID	09/30/2015
ASSIGNED DATE	09/30/2015

NON-CONFIDENTIAL

Please note, this information sheet is not a substitute for file research and is limited to data entered into the AIRTRAX database.

Company ID: 031-00005
 Company: Pilgrim's Pride Corporation
 Printed: 09/30/2015
 Engineer: Legg, John

10/12/05

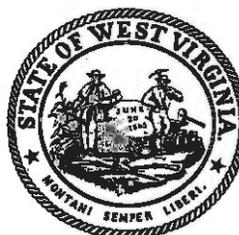
West Virginia Department of Environmental Protection

Joe Manchin, III
Governor

Division of Air Quality

Stephanie R. Timmermeyer
Cabinet Secretary

Class II Administrative Update



R13-1506B

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:
Pilgrim's Pride Corporation
Moorefield Feed Mill
031-00005

John A. Benedict
Director

Issued: October 12, 2005 • Effective: October 12, 2005

This permit will supercede and replace Permit R13-1506A.

Facility Location: Moorefield, Hardy County, West Virginia
Mailing Address: P.O. Box 539, Moorefield, WV 26836
Facility Description: Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats
SIC Codes: 2048
UTM Coordinates: 673.29 km Easting • 4,322.91 km Northing • Zone 17
Permit Type: Class II Administrative Update
Description of Change:

Addition of a dust collector to provide air assist to an existing hammermill (10S).

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

This permit does not affect 45CSR30 applicability, the source is a nonmajor source subject to 45CSR30.

Table of Contents

1.0. Emission Units 4

2.0. General Conditions 5

 2.1. Definitions 5

 2.2. Acronyms 5

 2.3. Authority 6

 2.4. Term and Renewal 6

 2.5. Duty to Comply 6

 2.6. Duty to Provide Information 6

 2.7. Duty to Supplement and Correct Information 7

 2.8. Administrative Permit Update 7

 2.9. Permit Modification 7

 2.10. Major Permit Modification 7

 2.11. Inspection and Entry 7

 2.12. Emergency 7

 2.13. Need to Halt or Reduce Activity Not a Defense 8

 2.14. Suspension of Activities 8

 2.15. Property Rights 8

 2.16. Severability 8

 2.17. Transferability 9

 2.18. Notification Requirements 9

 2.19. Credible Evidence 9

3.0. Facility-Wide Requirements 10

 3.1. Limitations and Standards 10

 3.2. Monitoring Requirements 10

 3.3. Testing Requirements 10

 3.4. Recordkeeping Requirements 11

 3.5. Reporting Requirements 11

4.0. Source-Specific Requirements 13

 4.1. Limitations and Standards 13

 4.2. Monitoring Requirements 15

 4.3. Testing Requirements 16

 4.4. Recordkeeping Requirements 16

 4.5. Reporting Requirements 17

APPENDIX A 18

CERTIFICATION OF DATA ACCURACY 19

1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Design Capacity	Control Device
1S	1E	Boiler	21.0 mmBtu/hr	None
2S	2E	Whole Corn Silo	169,000 ton/yr corn	None
3S	3E	Whole Corn Silo	169,000 ton/yr corn	None
4S	4E	Pneumatic System	33,000 lb/hr salt 15,300 lb/hr lysine	4C Baghouse
5S	5E	Crushers	230,000 ton/yr corn	5C Baghouse
6S	6E	Crushers	230,000 ton/yr corn	6C Baghouse
7S	7E	Pellet System	50 ton/hr pelleted chicken feed	7C Mechanical Collector
8S	8E	Boiler	21.0 mmBtu/hr	None
9S	9E	Pellet System	40 ton/hr pelleted chicken feed	9C Mechanical Collector
10S	10E	Hammermill	230,000 ton/yr corn	10C
4C	4E	Baghouse	N/A	None
5C	5E	Baghouse	N/A	None
6C	6E	Baghouse	N/A	None
7C	7E	Mechanical Collector	N/A	None
10C	10E	Pulse Jet Dust Collector	N/A	None

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NO_x	Nitrogen Oxides
CBI	Confidential Business Information	NSPS	New Source Performance Standards
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM_{2.5}	Particulate Matter less than 2.5µm in diameter
C.F.R. or CFR	Code of Federal Regulations	PM₁₀	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide	Ppb	Pounds per Batch
C.S.R. or CSR	Codes of State Rules	pph	Pounds per Hour
DAQ	Division of Air Quality	ppm	Parts per Million
DEP	Department of Environmental Protection	Ppmv or ppmv	Parts per million by volume
dscm	Dry Standard Cubic Meter	PSD	Prevention of Significant Deterioration
FOIA	Freedom of Information Act	psi	Pounds per Square Inch
HAP	Hazardous Air Pollutant	SIC	Standard Industrial Classification
HON	Hazardous Organic NESHAP	SIP	State Implementation Plan
HP	Horsepower	SO₂	Sulfur Dioxide
lbs/hr	Pounds per Hour	TAP	Toxic Air Pollutant
LDAR	Leak Detection and Repair	TPY	Tons per Year
M	Thousand	TRS	Total Reduced Sulfur
MACT	Maximum Achievable Control Technology	TSP	Total Suspended Particulate
MDHI	Maximum Design Heat Input	USEPA	United States Environmental Protection Agency
MM	Million	UTM	Universal Transverse Mercator
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	VEE	Visual Emissions Evaluation
MMCF/hr or mmcf/hr	Million Cubic Feet per Hour	VOC	Volatile Organic Compounds
NA	Not Applicable	VOL	Volatile Organic Liquids
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.4. Term and Renewal

- 2.4.1. This permit supercedes and replaces previously issued Permit R13-1506A. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-1506, R13-1506A, R13-1506B and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 13-10.3]
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification to this permit as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§14-7 or 45CSR§19-14]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission

limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are not met.
- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,
 - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1]

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit

and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15)]

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs,

or magnetic tape disks), on microfilm, or on microfiche.

- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§4. *State-Enforceable only.*]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

If to the USEPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Operating Fee.**

- 3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. The boilers (1e and 8e) shall fire only natural gas and No. 2 fuel oil and shall not be operated in a manner to exceed 16,595 lb/hr of steam or a maximum heat input of 21.0 MMBtu/hr per boiler.

4.1.2. Emissions from each of the boiler stacks (1S, 8S) shall not exceed the following amounts per stack.

Pollutant	No. 2 Fuel Oil		Natural Gas	
	lbm/hr	TPY	lbm/hr	TPY
CO	0.75	2.28	1.76	7.73
NO _x	3.00	9.13	2.10	9.20
PM ₁₀	0.15	0.46	0.16	0.70
TSP	0.30	0.91	0.16	0.70
SO ₂	10.65	32.42	0.01	0.06
VOCs	0.04	0.09	0.12	0.52

4.1.3. The maximum amount of fuel to be used for each of the boilers (1e, 8e) is as follows:

Boiler	Natural Gas		#2 Fuel Oil	
	(ft ³ /hr)	(ft ³ /yr)	(gal/hr)	(gal/yr)
1e	21,000	183,960,000	150	913,230
8e	21,000	183,960,000	150	913,230

4.1.4. Total Suspended Particulate (TSP) Emissions from the following source vents shall not exceed those values listed below:

Source	Emission Pt.	Stack ID	lbm/hr	tpy
Whole Corn Silo	2e	2S	1.34	5.87
Whole Corn Silo	3e	3S	1.34	5.87
Pneumatic system	4e	4S	0.03	0.13
Crushers	5e	5S	0.51	2.23

Crushers	6e	6S	0.51	2.23
Pellet System	7e	7S	3.96	17.3
Pellet System	9e	9S	3.96	17.3
Crusher	10e	10S	0.51	2.23

- 4.1.5. The maximum sulfur content of No. 2 fuel oil used to fire the permitted boilers shall not exceed 0.5%. Records of supplier certification for sulfur content shall be maintained on site for five years.
- 4.1.6. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. [45CSR2-3.1] (1E and 8E)
- 4.1.7. No person shall cause, suffer, allow or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measure in terms of pounds per hour in excess of the amount determined as follows:

For Type 'b' fuel burning units, the product of 0.09 and the total design heat inputs for such units in million B.T.U.'s per hour, provided however that no more than six hundred (600) pounds per hour of particulate matter shall be discharged into the open air from all such units;

[45CSR2-4.1 and 45CSR2-4.1.b.] (1E and 8E)

- 4.1.8. No person shall cause, suffer, allow, or permit emissions of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity. [45CSR7-3.1] (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E) *11E*
2AE, 2BE
- 4.1.9. No person shall cause, suffer, allow, or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7. [45CSR7-4.1.] (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E)
- 4.1.10. No person shall cause, suffer, allow, or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained, and operated to ensure the lowest fugitive particulate emissions reasonably achievable. [45CSR7-5.1.] (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E)
- 4.1.11. Maximum Allowable Emission Rates for Similar Units in All Priority III Regions Except Region IV. -- No Person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows:

For type 'b' and Type 'c' fuel burning units, the product of 3.2 and the total design heat inputs for such

units discharging through those stacks in million BTU's per hour. [45CSR10-3.3 and 45CSR10-3.3.f.] (1E and 8E)

- 4.1.12. No owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. [40 CFR 60.42c(d)] (1E and 8E)
- 4.1.13. The owner or operator of each affected facility subject to the fuel oil sulfur limits shall submit to the quarterly reports to the Administrator. [40 CFR 60.48(d)] (1E and 8E)
- 4.1.14. If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), or (3) of this section, as applicable. In addition to records of fuel supplier certifications, the quarterly report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplied certifications submitted represent all of the fuel combusted during the quarter. [40 CFR 60.48(e)(11)] (1E and 8E)
- 4.1.15. Fuel supplier certification shall include the following information:
- (1) For distillate oil:
 - (i) The name of the oil supplier; and
 - (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c.
- [40 CFR 60.48(f)] (1E and 8E)
- 4.1.16. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.] (4E, 5E, 6E, 7E, 9E, and 10E)

4.2. Monitoring Requirements

- 4.2.1. For the purpose of determining compliance with the opacity limits of 45CSR2-3.1. and 45CSR7-3.1. and condition 4.1.6. and 4.1.8. of this permit, the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit.

The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks

shall be performed during periods of normal facility operation and appropriate weather conditions. If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of 45CSR§7A (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E) or Method 9 (1E and 8E) as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A 45CSR§7A observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.

4.3. Testing Requirements

N/A

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.
(4E, 5E, 6E, 7E, 9E, and 10E)

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures. (4E, 5E, 6E, 7E, 9E, and 10E)

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

(4E, 5E, 6E, 7E, 9E, and 10E)

4.4.4. The permittee shall maintain records of all monitoring data required by Section 4.2.1 documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately

80°F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix A. Should a visible emission observation be required to be performed per the requirements specified in 45CSR§7A (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E) and Method 9 (1E and 8E), the data records of each observation shall be maintained per the requirements of 45CSR§7A (2E, 3E, 4E, 5E, 6E, 7E, and 10E) and Method 9 (1E and 8E). For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

- 4.4.5. For determining compliance with the hourly and annual limitations from the combustion of natural gas and #2 fuel oil established in conditions 4.1.2. and 4.1.3. of the permit, the permittee shall maintain accurate records of the amount of all natural gas and diesel fuel consumed and hours of operation for each fuel type. These records shall be certified by the responsible official and maintained on site for a period of no less than five (5) years, and made available to the Director of the Division of Air Quality or his/her duly authorized representative upon request. *(1E and 8E)*

4.5. Reporting Requirements

- 4.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 45CSR§7A (2E, 3E, 4E, 5E, 6E, 7E, 9E, and 10E) and Method 9 (1E and 8E) must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature¹

(please use blue ink)

Responsible Official or Authorized Representative _____

Date _____

Name and Title

(please print or type)

Name _____

Title _____

Telephone No. _____

Fax No. _____

This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
 - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.