



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

NOV 15 2010

Larry Mitchell
OLAM
705 E. Whitmore Avenue
Modesto, CA 95358-9408

**Re: Notice of Minor Title V Permit Modification
District Facility # N-1787
Project # N-1101558**

Dear Mr. Mitchell:

Enclosed is the District's analysis of your application for minor Title V permit modification for the facility identified above. You proposed a Title V minor permit modification to incorporate recently issued N-1787-9-4 into the Title V operating permit. Modification of the 22.0 MMBtu/hr Proctor and Schwartz vegetable dehydrator to include recordkeeping and maintenance conditions for District Rule 4309 (Dryers, Dehydrators, and Ovens) compliance and to correct the equipment description on their current permit to clearly indicate the type and size of burners utilized in the vegetable dehydrator

Enclosed is the engineering evaluation with the following attachments: proposed modified Title V permit, recently issued N-1787-9-4, emission increases, application, and previous Title V permit. This project will be subject to a 45-day EPA commenting period prior to the District taking final action.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Rupi Gill at (209) 557-6400.

Sincerely,

David Warner
Director of Permit Services

DW:KC/dg

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

NOV 15 2010

Gerardo C. Rios, Chief
Permits Office
Air Division
U.S. EPA - Region IX
75 Hawthorne St
San Francisco, CA 94105

Re: **Notice of Minor Title V Permit Modification**
District Facility # N-1787
Project # N-1101558

Dear Mr. Rios:

Enclosed for you to review is an application for minor Title V permit modification for the facility identified above. OLAM is proposing a Title V minor permit modification to incorporate the recently issued N-1787-9-4 into the Title V operating permit. Modification of the 22.0 MMBtu/hr Proctor and Schwartz vegetable dehydrator to include recordkeeping and maintenance conditions for District Rule 4309 (Dryers, Dehydrators, and Ovens) compliance and to correct the equipment description on their current permit to clearly indicate the type and size of burners utilized in the vegetable dehydrator

Enclosed is the engineering evaluation with the following attachments: proposed modified Title V permit, recently issued N-1787-9-4, emission increases, application, and previous Title V permit. Please submit your written comments on this project within the 45-day comment period that begins on the date you receive this letter.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Rupi Gill at (209) 557-6400.

Sincerely,

David Warner
Director of Permit Services

DW:KC/dg

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Tel: (661) 392-5500 FAX: (661) 392-5585

TITLE V APPLICATION REVIEW

Minor Modification
Project #: N-1101558

Engineer: Kai Chan
Date: November 4, 2010

Facility Number: N-1787
Facility Name: OLAM
Mailing Address: 705 E. Whitmore Avenue
Modesto, CA 95358-9408

Contact Name: Phil Feebeck
Phone: (209) 538-5554

Responsible Official: Larry Mitchell
Title: Plant Manager

I. PROPOSAL

OLAM (formerly Gilroy Foods) is proposing a Title V minor permit modification to incorporate the recently issued Authority to Construct (ATC) permit N-1787-9-4 into their Title V operating permit. The facility is modifying their Proctor and Schwartz vegetable dehydrator to include recordkeeping and maintenance conditions for District Rule 4309 compliance and to administratively correct the equipment description on their current permit to clearly indicate the type and size of burners utilized in the vegetable dehydrator. This will also correct the inadvertent implementation of ATC permit N-1787-9-2, which should have been cancelled when ATC permit N-1787-9-4 was implemented.

The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with the applicable requirements and to provide the legal and factual basis for the proposed revisions.

II. FACILITY LOCATION

705 E. Whitmore Avenue
Modesto, CA

III. EQUIPMENT DESCRIPTION

N-1787-9-6: 22.0 MMBTU/HR NATURAL GAS-FIRED PROCTOR AND SCHWARTZ DEHYDRATOR (P&S 2) CONSISTING OF ONE 5.0 MMBTU/HR ECLIPSE RM500 BURNER, FOUR 2.0 MMBTU/HR ECLIPSE RM200 BURNERS, TWO 2.0 MMBTU/HR ECLIPSE MARK IV 200 BURNERS, FOUR 1.0 MMBTU/HR ECLIPSE RM100 BURNERS, AND ONE 1.0 MMBTU/HR ECLIPSE MARK IV 100 BURNER.

IV. SCOPE OF EPA AND PUBLIC REVIEW

This change to a Title V permit is considered to be a minor modification and, as such, requires no public review.

V. APPLICABLE REQUIREMENTS

District Rule 2520, Federally Mandated Operating Permits (Adopted June 21, 2001)

VI. DESCRIPTION OF PROPOSED MODIFICATIONS

OLAM (formerly Gilroy Foods) is proposing to incorporate Authority to Construct (ATC) permit N-1787-9-4 into the Title V Permit to Operate (PTO) as N-1787-9-6. This permit is to modify their Proctor and Schwartz vegetable dehydrator to include recordkeeping and maintenance conditions for District Rule 4309 compliance and to administratively correct the equipment description on their current permit to clearly indicate the type and size of burners utilized in the vegetable dehydrator. A copy of the ATC permit N-1787-9-4 is included in Appendix B. The existing PTO is N-1787-9-5 and a copy is included in Appendix E.

Changes to Current Permit to Operate N-1787-9-5:

1. Permit condition 6. from the ATC permit appears as condition 4. on the proposed PTO. This condition was added for compliance with District Rule 4202 (Particulate Matter Emission Rate).
2. Permit conditions 4. through 11. on the current PTO and permit conditions 5., 8., 9., 10., 11., 12., 14., and 15. on the ATC permit appears as conditions 5. through 12. on the proposed PTO.

3. Permit condition 13. from the ATC permit appears as condition 13. on the proposed PTO. This condition was added to comply with the requirements of District Rule 4309 (Dryers, Dehydrators, and Ovens - 12/15/05 version), per Section 6.1.3.
4. Permit conditions 1. and 2. on the ATC permit were deleted since they already appear on the facility-wide permit N-1787-0-2.
5. Permit condition 4. from the ATC permit appears as condition 2. on the current and proposed PTO.
6. Permit condition 17. on the ATC permit was deleted since this condition was satisfied by the applicant's submittal of the application for this Title V permitting action.
7. Permit condition 18. on the ATC permit was deleted since this condition was satisfied when ATC permit N-1787-9-2 was superseded due to this Title V permitting action.

VII. COMPLIANCE

In accordance with Rule 2520, 3.20, these modifications:

1. Do not violate requirements of any applicable federally enforceable local or federal requirement;
2. Do not relax monitoring, reporting, or recordkeeping requirements in the permit and are not significant changes in existing monitoring permit terms or conditions;
3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include;
 - a. A federally enforceable emission cap assumed to avoid classification as a modification under any provisions of Title I of the Federal Clean Air Act; and

- b. An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Federal Clean Air Act; and
- 5. Are not Title I modifications as defined in District Rule 2520 or modifications as defined in section 111 or 112 of the Federal Clean Air Act; and
- 6. Do not seek to consolidate overlapping applicable requirements.

In accordance with Rule 2520, the application meets the procedural requirements of section 11.4 by including;

- 1. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
- 2. The source's suggested draft permit; and
- 3. Certification by a responsible official that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used.

Compliance is expected with this rule.

VIII. APPENDICES

- Appendix A:** Proposed Draft Title V Operating Permit N-1787-9-6
- Appendix B:** Authority to Construct Permit N-1787-9-4
- Appendix C:** Emissions Increases
- Appendix D:** Permit Application
- Appendix E:** Previous Title V Operating Permit N-1787-9-5 and Facility-Wide Title V Operating Permit N-1787-0-2

APPENDIX A

**Proposed Modified Title V Operating Permit No.
N-1787-9-6**

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-1787-9-6

EXPIRATION DATE: 07/31/2014

EQUIPMENT DESCRIPTION:

22.0 MMBTU/HR NATURAL GAS-FIRED PROCTOR AND SCHWARTZ DEHYDRATION DRYER (P&S 2) CONSISTING OF ONE 5.0 MMBTU/HR ECLIPSE RM500 BURNER, FOUR 2.0 MMBTU/HR ECLIPSE RM200 BURNERS, TWO 2.0 MMBTU/HR ECLIPSE MARK IV 200 BURNERS, FOUR 1.0 MMBTU/HR ECLIPSE RM100 BURNERS, AND ONE 1.0 MMBTU/HR ECLIPSE MARK IV 100 BURNER.

PERMIT UNIT REQUIREMENTS

1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
2. The unit shall only be fired on PUC regulated natural gas. [District Rules 2201 and 2520, 9.1] Federally Enforceable Through Title V Permit
3. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [District Rule 4801 and Stanislaus County Rule 407] Federally Enforceable Through Title V Permit
4. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation $E=3.59 \times P^{0.62}$ if P is less than or equal to 30 tons per hour, or $E=17.31 \times P^{0.16}$ if P is greater than 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit
5. Visible emissions shall be observed once per calendar quarter during operation. Any indication of potential visible emissions in excess of the limits of Rule 4101 shall be corrected within 24 hours. If visible emissions cannot be corrected within 24 hours, a visible emissions test using EPA Method 9 shall be conducted. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
6. The dehydrator shall be operated and maintained in proper operating condition as recommended by the dehydrator's manufacturer or APCO-approved alternative procedures. [District Rule 4309] Federally Enforceable Through Title V Permit
7. A copy of the manufacturer's operation specifications and maintenance instruction manual or APCO-approved alternative procedures shall be maintained on-site during normal business hours. [District Rule 4309] Federally Enforceable Through Title V Permit
8. Permittee shall maintain records which demonstrate the dehydrator is fired exclusively on PUC regulated natural gas. [District Rule 4309] Federally Enforceable Through Title V Permit
9. Permittee shall maintain daily operation and maintenance records that demonstrate the dehydrator is operated within the limits of the manufacturer's specification, and maintenance is performed according to the manufacturer's recommendation or APCO-approved alternative procedures. [District Rule 4309] Federally Enforceable Through Title V Permit
10. Daily throughput records shall be maintained. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
11. Operator shall maintain copies of all gas fuel invoices. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

12. Records of inspections and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
13. The permittee shall maintain operational records indicating each day the dehydrator is operated. [District Rule 4309] Federally Enforceable Through Title V Permit
14. All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rules 1070 and 4309] Federally Enforceable Through Title V Permit

DRAFT

These terms and conditions are part of the Facility-wide Permit to Operate.

APPENDIX B

Authority to Construct Permit No.
N-1787-9-4



COPY

AUTHORITY TO CONSTRUCT

PERMIT NO: N-1787-9-4

ISSUANCE DATE: 01/09/2009

LEGAL OWNER OR OPERATOR: GILROY FOODS
MAILING ADDRESS: 705 E WHITMORE AVE
MODESTO, CA 95358-9408

LOCATION: 705 E. WHITMORE AVE
MODESTO, CA 95358-9408

EQUIPMENT DESCRIPTION:

MODIFICATION OF THE 22.0 MMBTU/HR NATURAL GAS-FIRED PROCTOR AND SCHWARTZ (P&S 2) DEHYDRATOR TO CORRECTLY INDICATE THAT THE DEHYDRATOR CONSISTS OF ONE 5.0 MMBTU/HR ECLIPSE RM500 BURNER, FOUR 2.0 MMBTU/HR ECLIPSE RM200 BURNERS, TWO 2.0 MMBTU/HR ECLIPSE MARK IV 200 BURNERS, FOUR 1.0 MMBTU/HR ECLIPSE RM100 BURNERS, AND ONE 1.0 MMBTU/HR ECLIPSE MARK IV 100 BURNER; AND TO ADD RECORDKEEPING AND MAINTENANCE CONDITIONS FOR DISTRICT RULE 4309 COMPLIANCE.

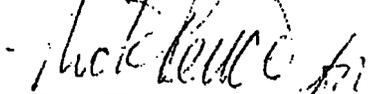
CONDITIONS

1. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
2. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (11/15/01). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and Stanislaus County Rule 401] Federally Enforceable Through Title V Permit
3. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201, 3.1] Federally Enforceable Through Title V Permit
4. The unit shall be fired solely on PUC regulated natural gas. [District Rules 2520, 9.1 and 4309]
5. Operator shall maintain copies of all gas fuel invoices. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
6. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation $E=3.59xP^{0.62}$ if P is less than or equal to 30 tons per hour, or $E=17.31xP^{0.16}$ if P is greater than 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO


DAVID WARNER, Director of Permit Services

11-1787-9-4 Jan 9 2009 8:25AM - CHANK

7. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [District Rule 4801 and Stanislaus County Rule 407] Federally Enforceable Through Title V Permit
8. Visible emissions shall be observed once per calendar quarter during operation. Any indication of potential visible emissions in excess of the limits of Rule 4101 shall be corrected within 24 hours. If visible emissions cannot be corrected within 24 hours, a visible emissions test using EPA Method 9 shall be conducted. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
9. The dehydrator shall be operated and maintained in proper operating condition as recommended by the dehydrator's manufacturer or APCO-approved alternative procedures. [District Rule 4309]
10. A copy of the manufacturer's operation specifications and maintenance instruction manual or APCO-approved alternative procedures shall be maintained on-site during normal business hours. [District Rule 4309]
11. The permittee shall maintain records which demonstrate the dehydrator is fired exclusively on PUC regulated natural gas. [District Rule 4309]
12. The permittee shall maintain operation and maintenance records that demonstrate the dehydrator is operated within the limits of the manufacturer's specification, and maintenance is performed according to the manufacturer's recommendation or APCO-approved alternative procedures. [District Rule 4309]
13. The permittee shall maintain operational records indicating each day the dehydrator is operated. [District Rule 4309]
14. Daily throughput records shall be maintained. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
15. Records of inspections and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
16. All Records shall be retained on-site for a minimum of five years and made available for District inspection upon request. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
17. The facility shall submit an application to modify the Title V permit in accordance with the timeframes and procedures of District Rule 2520. [District Rule 2520] Federally Enforceable Through Title V Permit
18. Prior to or concurrently with the conversion of this Authority to Construct permit into a Permit to Operate, Authority to Construct permit N-1787-9-2 shall be cancelled. [District Rule 2080]

APPENDIX C

Emissions Increases

Permit Number	SSIPE (lb/yr)				
	NOx	VOC	CO	SOx	PM10
N-1787-9-6	0	0	0	0	0
TOTAL	0	0	0	0	0

APPENDIX D

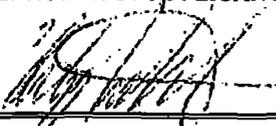
Application

San Joaquin Valley Air Pollution Control District

www.valleyair.org

Permit Application For:

ADMINISTRATIVE AMENDMENT MINOR MODIFICATION SIGNIFICANT MODIFICATION

1. PERMIT TO BE ISSUED TO: <u>GILROY FOODS dba CON AGRA FOODS, INC</u>	
2. MAILING ADDRESS: STREET/P.O. BOX: <u>705 EAST WHITMORE AVENUE</u> CITY: <u>MODESTO</u> STATE: <u>CA</u> 9-DIGIT ZIP CODE: <u>95358-9408</u>	
3. LOCATION WHERE THE EQUIPMENT WILL BE OPERATED: STREET: <u>SAME AS ABOVE.</u> CITY: _____ _____% SECTION _____ TOWNSHIP _____ RANGE _____	INSTALLATION DATE: <u>JANUARY 9, 2009</u>
4. GENERAL NATURE OF BUSINESS: <u>VEGETABLE PROCESSING</u>	
5. DESCRIPTION OF EQUIPMENT OR MODIFICATION FOR WHICH APPLICATION IS MADE (include Permit #'s if known, and use additional sheets if necessary) <u>MODIFICATION OF THE 22.0 MMBTU / HR NATURAL GAS-FIRED PROCTOR AND SCWARTZ (P & S 2) DEHYDRATOR TO CORRECTLY INDICATE THAT THE DEHYDRATOR CONSISTS OF ONE 5.0 MMBTU / HR ECLIPSE RM 500 BURNER, FOUR 2.0 MMBTU / HR ECLIPSE RM 200 BURNERS, TWO 2.0 MMBTU / HR ECLIPSE MARK IV 200 BURNERS, FOUR 1.0 MMBTU / HR ECLIPSE RM 100 BURNERS, AND ONE 1.0 MMBTU / HR ECLIPSE MARK IV 100 BURNER; AND TO ADD RECORD KEEPING AND MAINTENACNE CONDITIONS FOR DISTRICT RULE 4309 COMPLIANCE.</u>	
6. TYPE OR PRINT NAME OF APPLICANT: <u>PHIL FEEBECK</u>	TITLE OF APPLICANT: <u>MAINTENANCE MANAGER</u>
7. SIGNATURE OF APPLICANT: 	DATE: <u>1/6/10</u> PHONE: (209) 538-5554 FAX: (209) 538-5549 EMAIL: <u>PHIL.FEEBECK@CONAG RAFOODS.COM</u>

For APCD Use Only:

DATE STAMP: <u>JAN 11 2010</u> SJVAPCD NORTHERN DISTRICT	FILING FEE RECEIVED: \$ <u>0</u> CHECK#: <u>N/A</u> DATE PAID: <u>N/A</u> PROJECT NO: <u>N1101558</u> FACILITY ID: <u>N-1787</u>
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APPENDIX E

Previous Title V Operating Permit No.
N-1787-9-5 and
Facility-Wide Title V Operating Permit No.
N-1787-0-2

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-1787-9-5

EXPIRATION DATE: 07/31/2014

EQUIPMENT DESCRIPTION:

ONE (1) 22 MMBTU/HR PROCTOR AND SCHWARTZ DEHYDRATION DRYER (P & S 2) SERVED BY NATURAL GAS FIRED ECLIPSE MARK 4 BURNERS

PERMIT UNIT REQUIREMENTS

1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
2. The unit shall only be fired on PUC regulated natural gas. [District Rules 2201 and 2520, 9.1] Federally Enforceable Through Title V Permit
3. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [District Rule 4801 and Stanislaus County Rule 407] Federally Enforceable Through Title V Permit
4. Visible emissions shall be observed once per calendar quarter during operation. Any indication of potential visible emissions in excess of the limits of Rule 4101 shall be corrected within 24 hours. If visible emissions cannot be corrected within 24 hours, a visible emissions test using EPA Method 9 shall be conducted. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
5. The dehydrator shall be operated and maintained in proper operating condition as recommended by the dehydrator's manufacturer or APCO-approved alternative procedures. [District Rule 4309] Federally Enforceable Through Title V Permit
6. A copy of the manufacturer's operation specifications and maintenance instruction manual or APCO-approved alternative procedures shall be maintained on-site during normal business hours. [District Rule 4309] Federally Enforceable Through Title V Permit
7. Permittee shall maintain records which demonstrate the dehydrator is fired exclusively on PUC regulated natural gas. [District Rule 4309] Federally Enforceable Through Title V Permit
8. Permittee shall maintain daily operation and maintenance records that demonstrate the dehydrator is operated within the limits of the manufacturer's specification, and maintenance is performed according to the manufacturer's recommendation or APCO-approved alternative procedures. [District Rule 4309] Federally Enforceable Through Title V Permit
9. Daily throughput records shall be maintained. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
10. Operator shall maintain copies of all gas fuel invoices. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
11. Records of inspections and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
12. All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rules 1070 and 4309] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

San Joaquin Valley Air Pollution Control District

FACILITY: N-1787-0-2

EXPIRATION DATE: 07/31/2014

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (3/21/02). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: GILROY FOODS
Location: 705 E. WHITMORE AVE, MODESTO, CA 95358-9408
N-1787-0-2; Aug 10 2010 11:57AM - GONZALEZ

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (12/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and County Rules 401 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials for architectural coatings subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR 82, Subpart B. [40 CFR 82, Subpart B] Federally Enforceable Through Title V Permit
29. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8021 and 8011] Federally Enforceable Through Title V Permit
30. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8031 and 8011] Federally Enforceable Through Title V Permit
31. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8041 and 8011] Federally Enforceable Through Title V Permit
32. Whenever open areas are disturbed or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8051 and 8011] Federally Enforceable Through Title V Permit
33. Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8061 and Rule 8011] Federally Enforceable Through Title V Permit
34. Any unpaved vehicle/equipment area that anticipates more than 75 vehicle trips per day shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 100 vehicle trips per day shall comply with the requirements of Section 5.1.2 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/04) or Rule 8011 (8/19/04). [District Rule 8071 and Rule 8011] Federally Enforceable Through Title V Permit
35. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
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36. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), and Rule 111 (Kern, Tulare, Kings). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601, sections 5.1, 5.2, and 5.3; (12/17/09); 8021 (8/19/04); 8031 (8/19/04); 8041 (8/19/04); 8051 (8/19/04); 8061 (8/19/04); and 8071 (9/16/04). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
41. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin September 1 of every year, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit
42. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]

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