

217/782-2113

TITLE V - CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT
and
TITLE I PERMIT¹

PERMITTEE

Newly Weds Foods, Inc.
Attn: John J. Seely, Vice President & General Counsel
4140 West Fullerton Avenue
Chicago, Illinois 60639

<u>Application No.:</u> 00050031	<u>I.D. No.:</u> 031600DPD
<u>Applicant's Designation:</u>	<u>Date Received:</u> May 10, 2000
<u>Operation of:</u> Bakery	
<u>Date Issued:</u> November 27, 2000	<u>Expiration Date</u> ² : November 27, 2005
<u>Source Location:</u> 4140 West Fullerton Avenue, Chicago, Cook County	
<u>Responsible Official:</u> John J. Seely, Vice President & General Counsel	

This permit is hereby granted to the above-designated Permittee to OPERATE a bakery, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

If you have any questions concerning this permit, please contact Bill Marr at 217/782-2113.

Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control

DES:WDM:psj

cc: Illinois EPA, FOS, Region 1

¹ This permit may contain terms and conditions which address the applicability, and compliance if determined applicable, of Title I of the CAA and regulations promulgated thereunder, including 40 CFR 52.21 - federal PSD and 35 IAC Part 203 - Major Stationary Sources Construction and Modification. Any such terms and conditions are identified within this permit.

² Except as provided in Condition 8.7 of this permit.

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1.0 SOURCE IDENTIFICATION

1.1 Source

Newly Weds Foods, Inc.
4140 West Fullerton Avenue
Chicago, Illinois 60639
773/489-7000

I.D. No.: 031600DPD
Standard Industrial Classification: 2051, Bakery

1.2 Owner/Parent Company

Newly Weds Foods, Inc.
4140 West Fullerton Avenue
Chicago, Illinois 60639

1.3 Operator

Newly Weds Foods, Inc.
4140 West Fullerton Avenue
Chicago, Illinois 60639

Kent Kruse, Project Engineer
773/489-7000

1.4 General Source Description

The Newly Weds Foods, Inc. is located at 4140 West Fullerton Avenue in Chicago. The source is a bakery that produces bread crumbs and muffins.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

ACMA	Alternative Compliance Market Account
Act	Illinois Environmental Protection Act [415 ILCS 5/1 et seq.]
AP-42	Compilation of Air Pollutant Emission Factors, Volume 1, Stationary Point and Other Sources (and Supplements A through F), USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711
ATU	Allotment Trading Unit
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
ERMS	Emissions Reduction Market System
ft ³	cubic foot
HAP	Hazardous Air Pollutant
hr	hour
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
ILCS	Illinois Compiled Statutes
Illinois EPA	Illinois Environmental Protection Agency
kg	kilogram
lb	pound
Mg	Megagram
mmBtu	Million British thermal units
mmft ³	Million cubic foot
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
ppm	parts per million
PSD	Prevention of Significant Deterioration
RMP	Risk Management Plan
SO ₂	Sulfur Dioxide
T1	Title I - identifies Title I conditions that have been carried over from an existing permit
T1N	Title I New - identifies Title I conditions that are being established in this permit
T1R	Title I Revised - identifies Title I conditions that have been carried over from an existing permit and subsequently revised in this permit
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material

3.0 INSIGNIFICANT ACTIVITIES

3.1 Identification of Insignificant Activities

The following activities at the source constitute insignificant activities as specified in 35 IAC 201.210:

3.1.1 Activities determined by the Illinois EPA to be insignificant activities, pursuant to 35 IAC 201.210(a)(1) and 201.211, as follows:

4.5 mmBtu/hr natural gas fired cracker meal tunnel ovens.

7.5 mmBtu/hr natural gas fired fluid bed dryers with cyclones. The cyclones used on the 7.5 mmBtu/hr natural gas fired fluid bed dryers are considered to be inherent control of the process equipment.

3.313 mmBtu/hr natural gas fired boiler.

2.511 mmBtu/hr natural gas fired boilers.

5.5 mmBtu/hr natural gas fired fluid bed dryer with cyclones. The cyclones used on the 5.5 mmBtu/hr natural gas fired fluid bed dryer are considered to be inherent control of the process equipment.

6.0 mmBtu/hr natural gas fired fluid bed dryer with cyclones. The cyclones used on the 6.0 mmBtu/hr natural gas fired fluid bed dryer are considered to be inherent control of the process equipment.

6.4 mmBtu/hr natural gas fired product dryer with cyclones. The cyclones used on the 6.4 mmBtu/hr natural gas fired product dryer are considered to be inherent control of the process equipment.

5.63 mmBtu/hr natural gas fired air makeup unit.

Product blender mixing.

Product central sifting with cyclones. The cyclones used on the product central sifting are considered to be inherent control of the process equipment.

Product rotary sifting with cyclones. The cyclones used on the product rotary sifting are considered to be inherent control of the process equipment.

Product grinding stations.

Product milling with cyclones. The cyclones used on the product milling are considered to be inherent control of the process equipment.

3.1.2 Activities that are insignificant activities based upon maximum emissions, pursuant to 35 IAC 201.210(a)(2) or (a)(3), as follows:

Product chopping with cyclones. The cyclones used on the product chopping are considered to be inherent control of the process equipment.

Product screen sifting with cyclones. The cyclones used on the product screen sifting are considered to be inherent control of the process equipment.

Product bagging packaging with cyclones. The cyclones used on the product bagging packaging are considered to be inherent control of the process equipment.

Sack dump mixer loading with cyclone. The cyclone used on the sack dump mixer loading is considered to be inherent control of the process equipment.

Product blender mixing with cyclones. The cyclones used on the product blender mixing are considered to be inherent control of the process equipment.

Bag dump stations mixer loading with cyclones. The cyclones used on the bag dump stations mixer loading are considered to be inherent control of the process equipment.

Raw material storage silos with baghouses. The baghouses used on the raw material storage silos are considered to be inherent control of the process equipment.

3.1.3 Activities that are insignificant activities based upon their type or character, pursuant to 35 IAC 201.210(a)(4) through (18), as follows:

Direct combustion units designed and used for comfort heating purposes and fuel combustion emission units as follows: (A) Units with a rated heat input capacity of less than 2.5 mmBtu/hr that fire only natural gas, propane, or liquefied petroleum gas; (B) Units with a rated heat input capacity of less than 1.0 mmBtu/hr that fire only oil or oil in combination

with only natural gas, propane, or liquefied petroleum gas; and (C) Units with a rated heat input capacity of less than 200,000 Btu/hr which never burn refuse, or treated or chemically contaminated wood [35 IAC 201.210(a)(4)].

Storage tanks of any size containing exclusively soaps, detergents, surfactants, glycerin, waxes, vegetable oils, greases, animal fats, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials [35 IAC 201.210(a)(17)].

3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.210(b).

3.2 Compliance with Applicable Requirements

Insignificant activities are subject to applicable requirements notwithstanding status as insignificant activities. In particular, in addition to regulations of general applicability, such as 35 IAC 212.301 and 212.123 (Condition 5.2.2), the Permittee shall comply with the following requirements, as applicable:

3.2.1 For each cold cleaning degreaser, the Permittee shall comply with the applicable equipment and operating requirements of 35 IAC 215.182, 218.182, or 219.182.

3.2.2 For each particulate matter process emission unit, the Permittee shall comply with the applicable particulate matter emission limit of 35 IAC 212.321 or 212.322. For example, the particulate matter emissions from a process emission unit shall not exceed 0.55 pounds per hour if the emission unit's process weight rate is 100 pounds per hour or less, pursuant to 35 IAC 266.110.

3.2.3 For each organic material emission unit that uses organic material, e.g., a mixer or printing line, the Permittee shall comply with the applicable VOM emission limit of 35 IAC 215.301, 218.301, or 219.301, which requires that organic material emissions not exceed 8.0 pounds per hour or do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

3.3 Addition of Insignificant Activities

3.3.1 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type that is identified in Condition 3.1,

until the renewal application for this permit is submitted, pursuant to 35 IAC 201.212(a).

- 3.3.2 The Permittee must notify the Illinois EPA of any proposed addition of a new insignificant activity of a type addressed by 35 IAC 201.210(a) and 201.211 other than those identified in Condition 3.1, pursuant to Section 39.5(12)(b) of the Act.
- 3.3.3 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type identified in 35 IAC 201.210(b).

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit	Description	Date Constructed	Emission Control Equipment
01	West English Muffin Line Natural Gas Fired Griddle Baking Oven	1958	None
02	East English Muffin Line Natural Gas Fired Griddle Baking Oven	1977	None
	ABC Line Natural Gas Fired Bread Baking Oven	1991	None
03	JBC Line 1 Electric Bread Baking Oven	1987	None
	JBC Line 2 Electric Bread Baking Oven	1990	None

5.0 OVERALL SOURCE CONDITIONS

5.1 Source Description

5.1.1 This permit is issued based on the source requiring a CAAPP permit as a major source of VOM emissions.

5.1.2 This permit is issued based on the source not being a major source of HAPs.

5.2 Applicable Regulations

5.2.1 Specific emission units at this source are subject to particular regulations as set forth in Section 7 (Unit-Specific Conditions) of this permit.

5.2.2 In addition, emission units at this source are subject to the following regulations of general applicability:

- a. No person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally overhead at a point beyond the property line of the source unless the wind speed is greater than 40.2 kilometers per hour (25 miles per hour), pursuant to 35 IAC 212.301 and 212.314.

Compliance with this requirement is considered to be assured by the inherent nature of operations at this source, as demonstrated by historical operation.

- b.
 - i. This source shall be operated under the provisions of an operating program prepared by the Permittee and submitted to the Illinois EPA for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions [35 IAC 212.309(a)].
 - ii. The operating program shall be amended from time to time by the Permittee so that the operating program is current. Such amendments shall be consistent with the requirements set forth by this Condition and shall be submitted to the Illinois EPA [35 IAC 212.312].
 - iii. All normal traffic pattern roads and parking facilities located at this source shall be paved or treated with water, oils, or chemical dust suppressants. All paved areas shall be

cleaned on a regular basis. All areas treated with water, oils, or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program [35 IAC 212.306].

- c. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to the requirements of 35 IAC 212.122, pursuant to 35 IAC 212.123(a), except as allowed by 35 IAC 212.123(b) and 212.124.

5.2.3 The Permittee shall comply with the standards for recycling and emissions reduction of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

5.2.4 Risk Management Plan

Should this stationary source, as defined in 40 CFR Section 68.3, become subject to the Accidental Release Prevention regulations in 40 CFR Part 68, then the owner or operator shall submit [40 CFR 68.215(a)(2)(i) and (ii)]:

- a. A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR 68.10(a); or
- b. A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan (RMP), as part of the annual

compliance certification required by 40 CFR Part 70 or 71.

- 5.2.5 a. Should this stationary source become subject to a regulation under 40 CFR Parts 60, 61, or 63, or 35 IAC after the date issued of this permit, then the owner or operator shall, in accordance with the applicable regulation(s), comply with the applicable requirements by the date(s) specified and shall certify compliance with the applicable requirements of such regulation(s) as part of the annual compliance certification, as required by 40 CFR Part 70 or 71.
- b. No later than upon the submittal for renewal of this permit, the owner or operator shall submit, as part of an application, the necessary information to address either the non-applicability of, or demonstrate compliance with all applicable requirements of any potentially applicable regulation which was promulgated after the date issued of this permit.

5.2.6 Episode Action Plan

- a. If the source is required to have an episode action plan pursuant to 35 IAC 244.142, the Permittee shall maintain at the source and have on file with the Illinois EPA a written episode action plan (plan) for reducing the levels of emissions during yellow alerts, red alerts, and emergencies, consistent with safe operating procedures. The plan shall contain the information specified in 35 IAC 244.144.
- b. The Permittee shall immediately implement the appropriate steps described in this plan should an air pollution alert or emergency be declared.
- c. If a change occurs at the source which requires a revision of the plan (e.g., operational change, change in the source contact person), a copy of the revised plan shall be submitted to the Illinois EPA for review within 30 days of the change. Such plans shall be further revised if disapproved by the Illinois EPA.
- d. For sources required to have a plan pursuant to 35 IAC 244.142, a copy of the original plan and any subsequent revisions shall be sent to:
- i. Illinois EPA, Compliance Section; and

- ii. For sources located in Cook County and outside of the city of Chicago: Cook County Department of Environmental Control; or
- iii. For sources located within the city of Chicago: Chicago Department of Environmental Control.

5.3 Non-Applicability of Regulations of Concern

5.3.1 This permit is issued based on the source not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the source does not have a pollutant-specific emissions unit that uses an add-on control device to achieve compliance with an emission limitation or standard.

5.4 Source-Wide Operational and Production Limits and Work Practices

In addition to the source-wide requirements in the Standard Permit Conditions in Section 9, the Permittee shall fulfill the following source-wide operational and production limitations and/or work practice requirements:

None

5.5 Source-Wide Emission Limitations

5.5.1 Permitted Emissions for Fees

The annual emissions from the source, not considering insignificant activities as addressed by Section 3.0 of this permit, shall not exceed the following limitations. The overall source emissions shall be determined by adding emissions from all emission units. Compliance with these limits shall be determined on a calendar year basis. These limitations (Condition 5.5.1) are set for the purpose of establishing fees and are not federally enforceable.

Permitted Emissions of Regulated Pollutants

Pollutant	Tons/Year
Volatile Organic Material (VOM)	62.20
Sulfur Dioxide (SO ₂)	-
Particulate Matter (PM)	-
Nitrogen Oxides (NO _x)	3.12
HAP, not included in VOM or PM	-
TOTAL	65.32

5.5.2 Emissions of Hazardous Air Pollutants

This permit is issued based on the emissions of HAPs as listed in Section 112(b) of the CAA not being equal to or exceeding 10 tons per year of a single HAP or 25 tons per year of any combination of such HAPs, so that this source is considered a minor source for HAPs.

5.5.3 Other Source-Wide Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to either the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21, Illinois EPA rules for Major Stationary Sources Construction and Modification, 35 IAC Part 203, or Section 502(b)(10) of the CAA. However, there may be unit specific emission limitations set forth in Section 7 of this permit pursuant to these rules.

5.6 General Recordkeeping Requirements

5.6.1 Emission Records

The Permittee shall maintain records of the following items for the source to demonstrate compliance with Condition 5.5.1, pursuant to Section 39.5(7)(b) of the Act:

Total annual emissions on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions) of this permit.

5.6.2 Retention and Availability of Records

- a. All records and logs required by this permit shall be retained for at least five years from the date of entry (unless a longer retention period is specified by the particular recordkeeping provision herein), shall be kept at a location at the source that is readily accessible to the Illinois EPA or USEPA, and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request.
- b. The Permittee shall retrieve and print, on paper during normal source office hours, any records retained in an electronic format (e.g., computer) in response to an Illinois EPA or USEPA request for records during the course of a source inspection.

5.7 General Reporting Requirements

5.7.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section, of deviations of the source with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

Annual emissions from the source in excess of the emission limits specified in Condition 5.5.1, within 30 days of such an occurrence.

5.7.2 Annual Emissions Report

The annual emissions report required pursuant to Condition 9.7 shall contain emissions information for the previous calendar year.

5.8 General Operational Flexibility/Anticipated Operating Scenarios

N/A

5.9 General Compliance Procedures

5.9.1 General Procedures for Calculating Permitted Emissions

Compliance with the source-wide emission limits specified in Condition 5.5 shall be based on the recordkeeping and reporting requirements of Conditions 5.6 and 5.7, and compliance procedures in Section 7 (Unit Specific Conditions) of this permit.

6.0 EMISSIONS REDUCTION MARKET SYSTEM (ERMS)

6.1 Description of ERMS

The ERMS is a "cap and trade" market system for major stationary sources located in the Chicago ozone nonattainment area. It is designed to reduce VOM emissions from stationary sources to contribute to reasonable further progress toward attainment, as required by Section 182(c) of the CAA.

The ERMS addresses VOM emissions during a seasonal allotment period from May 1 through September 30. Participating sources must hold "allotment trading units" (ATUs) for their actual seasonal VOM emissions. Each year participating sources are issued ATUs based on allotments set in the sources' CAAPP permits. These allotments are established from historical VOM emissions or "baseline emissions" lowered to provide the emissions reductions from stationary sources required for reasonable further progress.

By December 31 of each year, the end of the reconciliation period following the seasonal allotment period, each source should have sufficient ATUs in its transaction account to cover its actual VOM emissions during the preceding season. A transaction account's balance as of December 31 will include any valid ATU transfer agreements entered into as of December 31 of the given year, provided such agreements are promptly submitted to the Illinois EPA for entry into the transaction account database. The Illinois EPA will then retire ATUs in sources' transaction accounts in amounts equivalent to their seasonal emissions. When a source does not appear to have sufficient ATUs in its transaction account, the Illinois EPA will issue a notice to the source to begin the process for Emissions Excursion Compensation.

In addition to receiving ATUs pursuant to their allotments, participating sources may also obtain ATUs from the market, including ATUs bought from other participating sources and general participants in the ERMS that hold ATUs (35 IAC 205.630) and ATUs issued by the Illinois EPA as a consequence of VOM emissions reductions from an Emissions Reduction Generator or an Intersector Transaction (35 IAC 205.500 and 35 IAC 205.510). During the reconciliation period, sources may also buy ATUs from a secondary reserve of ATUs managed by the Illinois EPA, the "Alternative Compliance Market Account" (ACMA) (35 IAC 205.710). Sources may also transfer or sell the ATUs that they hold to other sources or participants (35 IAC 205.630).

6.2 Applicability

Emissions of VOM from the source during the seasonal allotment period from May 1 through September 30 of each year shall not exceed 15 tons, not including VOM emissions from insignificant

emission units and activities as identified in Section 3 of this permit. This limitation is established at the request of the source to exempt it from the requirements of 35 IAC Part 205, Emissions Reduction Market System (ERMS), pursuant to 35 IAC 205.205.

6.3 Recordkeeping and Reporting

- a. The Permittee shall maintain the following records to determine compliance with the above limitation:
 - i. Records of operating data and other information for each individual emission unit or group of related emission units at the source, as specified in Sections 5 and 7 of this permit, as appropriate, to determine actual VOM emissions during the seasonal allotment period;
 - ii. Records of the VOM emissions, in tons, during the seasonal allotment period, with supporting calculations, for each individual emission unit or group of related emission units at the source, determined in accordance with the procedures specified in Sections 5 and 7 of this permit; and
 - iii. Total VOM emissions from the source, in tons, during each seasonal allotment period.
- b. The Permittee shall submit the seasonal emissions component of the Annual Emissions Report by October 31 of each year, reporting actual emissions of VOM during the seasonal allotment period, in accordance with 35 IAC 205.205(b) and 35 IAC 205.300.
- c. In the event that the source's VOM emissions during the seasonal allotment period exceed 15 tons, the source shall no longer be exempt from the ERMS and beginning with the following seasonal allotment period, shall comply with 35 IAC Part 205, by holding allotment trading units (ATUs) for its VOM emissions during each seasonal allotment period.

6.4 Federal Enforceability

Section 6.0 becomes federally enforceable upon approval of the ERMS by USEPA as part of Illinois' State Implementation Plan.

7.0 UNIT SPECIFIC CONDITIONS

7.1 Unit 01 Existing Natural Gas Fired Baking Oven

7.1.1 Description

This baking oven is used to produce muffins. Bakery products that contain yeast as an ingredient generate ethanol, a VOM, which is released during the baking process. The baking oven does not utilize any emission control equipment. The baking oven burns natural gas as the fuel.

7.1.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Rated Heat Input Capacity (mmBtu/hr)	Emission Control Equipment
01	West English Muffin Line Natural Gas Fired Griddle Baking Oven	1.2	None

7.1.3 Applicability Provisions and Applicable Regulations

- a. The "affected oven" for the purpose of these unit-specific conditions, is an Existing Natural Gas Fired Baking Oven, for which construction or modification commenced prior to April 14, 1972, with less than 100 mmBtu/hr of heat input, and burns natural gas exclusively.
- b. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any process emission unit for which construction or modification commenced prior to April 14, 1972, which, either alone or in combination with the emission of particulate matter from all other similar process emission units at a source or premises, exceeds the allowable emission rates determined by using the equation [35 IAC 212.322]:

$$E = A(P)^B$$

Where:

P = Process weight rate; and

E = Allowable emission rate; and,

For process weight rates up to 27.2 Mg/hr (30 ton/hr):

	<u>Metric</u>	<u>English</u>
P	Mg/hr	ton/hr
E	kg/hr	lbs/hr
A	1.985	4.10
B	0.67	0.67

- c. No person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission unit to exceed 2,000 ppm [35 IAC 214.301].
- d. The affected oven is subject to the emission limits identified in Condition 5.2.2(c).

7.1.4 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected oven not being subject to 35 IAC 218.301, Use of Organic Material, because ethanol does not create any odor nuisance and ethanol is not considered as a photochemically reactive material.
- b. This permit is issued based on the affected oven not being subject to 35 IAC Part 218, Subpart TT, Other Emission Units, because bakeries are exempted from the control requirements in Subpart TT, pursuant to 35 IAC 218.980(f).
- c. This permit is issued based on the affected oven not being subject to 35 IAC Part 218, Subpart FF, Bakery Ovens, because the regulation has been repealed by operation of law and is rendered null and void and of no force and effect.

7.1.5 Operational and Production Limits and Work Practices

Natural gas shall be the only fuel fired in the affected oven.

7.1.6 Emission Limitations

In addition to Condition 5.2.2 and the source wide emission limitations in Condition 5.5, the affected oven is subject to the following:

N/A

7.1.7 Testing Requirements

None

7.1.8 Monitoring Requirements

None

7.1.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for the affected oven to demonstrate compliance with Condition 5.5.1, pursuant to Section 39.5(7)(b) of the Act:

- a. Muffin production (ton/month and ton/year);
- b. Monthly and annual aggregate VOM emissions, based on muffin production and the applicable emission factor from Condition 7.1.12(b), with supporting calculations (ton/month and ton/year);
- c. Natural gas consumption (mmft³/month and mmft³/year); and
- d. Monthly and annual aggregate NO_x and CO emissions from the combustion of natural gas in the affected oven, based on natural gas consumption and the applicable emission factors from Condition 7.1.12(c), with supporting calculations (ton/month and ton/year).

7.1.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section, of deviations of the affected oven with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

The Permittee shall notify the Illinois EPA within 30 days of a change in fuel combusted in the affected oven.

7.1.11 Operational Flexibility/Anticipated Operating Scenarios

N/A

7.1.12 Compliance Procedures

Compliance with the emission limits shall be based on the recordkeeping requirements in Condition 7.1.9 and the emission factors and formulas listed below:

- a. Compliance with the emission limits in Conditions 7.1.3(b), (c), and (d) is assumed to be achieved under inherent operating conditions of an affected oven, so that no compliance procedures are set in this permit addressing these requirements.
- b. Compliance with the VOM emission limits in Condition 5.5.1 from the affected oven shall be based on the recordkeeping requirements in Condition 7.1.9 and the emission factor and formula listed below:

<u>Product</u>	<u>Emission Factor</u> <u>(lb VOM/ton product)</u>
Muffin	1.1

This is the emission factor for baking that was determined from stack tests.

$$\text{Oven Emissions (ton)} = (\text{Muffin production, ton}) \times (\text{the applicable emission factor, lb/ton}) \times (\text{ton}/2000 \text{ lb})$$

- c. Compliance with the NO_x emission limits in Condition 5.5.1 from the combustion of natural gas in the affected oven shall be based on the recordkeeping requirements in Condition 7.1.9 and the emission factors and formula listed below:

<u>Pollutant</u>	<u>Emission Factor</u> <u>(lb/mmft³)</u>
NO _x	100
CO	84

These are the emission factors for uncontrolled natural gas combustion in small boilers with less than 100 mmBtu/hr of heat input, Table 1.4-1, AP-42, Volume I, Supplement D, March, 1998.

$$\text{Combustion Emissions (ton)} = (\text{Natural gas consumption, mmft}^3) \times (\text{the applicable emission factor, lb/mmft}^3) \times (\text{ton}/2000 \text{ lb})$$

7.2 Unit 02 New Natural Gas Fired Baking Ovens

7.2.1 Description

These baking ovens are used to produce muffins and bread. Bakery products that contain yeast as an ingredient generate ethanol, a VOM, which is released during the baking process. The baking ovens do not utilize any emission control equipment. Each baking oven burns natural gas as the fuel.

7.2.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Rated Heat Input Capacity (mmBtu/hr)	Emission Control Equipment
02	East English Muffin Line Natural Gas Fired Griddle Baking Oven	1.2	None
	ABC Line Natural Gas Fired Bread Baking Oven	4.7	None

7.2.3 Applicability Provisions and Applicable Regulations

- a. The "affected ovens" for the purpose of these unit-specific conditions, are New Natural Gas Fired Baking Ovens, for which construction or modification commenced on or after April 14, 1972, with less than 100 mmBtu/hr of heat input, and burn natural gas exclusively.
- b. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units, for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates determined by using the equation [35 IAC 212.321]:

$$E = A(P)^B$$

Where:

P = Process weight rate; and

E = Allowable emission rate; and,

For process weight rates up to 408 Mg/hr (450 ton/hr):

	<u>Metric</u>	<u>English</u>
P	Mg/hr	ton/hr
E	kg/hr	lbs/hr
A	1.214	2.54
B	0.534	0.534

- c. No person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission unit to exceed 2,000 ppm [35 IAC 214.301].
- d. Each affected oven is subject to the emission limits identified in Condition 5.2.2(c).

7.2.4 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected ovens not being subject to 35 IAC 218.301, Use of Organic Material, because ethanol does not create any odor nuisance and ethanol is not considered as a photochemically reactive material.
- b. This permit is issued based on the affected ovens not being subject to 35 IAC Part 218, Subpart TT, Other Emission Units, because bakeries are exempted from the control requirements in Subpart TT, pursuant to 35 IAC 218.980(f).
- c. This permit is issued based on the affected ovens not being subject to 35 IAC Part 218, Subpart FF, Bakery Ovens, because the regulation has been repealed by operation of law and is rendered null and void and of no force and effect.

7.2.5 Operational and Production Limits and Work Practices

Natural gas shall be the only fuel fired in the affected ovens.

7.2.6 Emission Limitations

In addition to Condition 5.2.2 and the source wide emission limitations in Condition 5.5, the affected ovens are subject to the following:

N/A

7.2.7 Testing Requirements

None

7.2.8 Monitoring Requirements

None

7.2.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for each affected oven to demonstrate compliance with Condition 5.5.1, pursuant to Section 39.5(7)(b) of the Act:

- a. Muffin production (ton/month and ton/year);
- b. Bread production (ton/month and ton/year);
- c. Monthly and annual aggregate VOM emissions, based on muffin production, bread production, and the applicable emission factors from Condition 7.2.12(b), with supporting calculations (ton/month and ton/year);
- d. Natural gas consumption (mmft³/month and mmft³/year); and
- e. Monthly and annual aggregate NO_x and CO emissions from the combustion of natural gas in the affected ovens, based on natural gas consumption and the applicable emission factors from Condition 7.2.12(c), with supporting calculations (ton/month and ton/year).

7.2.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section, of deviations of an affected oven with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

The Permittee shall notify the Illinois EPA within 30 days of a change in fuel combusted in the affected ovens.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

N/A

7.2.12 Compliance Procedures

Compliance with the emission limits shall be based on the recordkeeping requirements in Condition 7.2.9 and the emission factors and formulas listed below:

- a. Compliance with the emission limits in Conditions 7.2.3(b), (c), and (d) is assumed to be achieved under inherent operating conditions of an affected oven, so that no compliance procedures are set in this permit addressing these requirements.
- b. Compliance with the VOM emission limits in Condition 5.5.1 from the affected ovens shall be based on the recordkeeping requirements in Condition 7.2.9 and the emission factors and formula listed below:

<u>Product</u>	<u>Emission Factor (lb VOM/ton product)</u>
Muffin	1.1
Bread	0.2

These are the emission factors for baking that were determined from stack tests.

$$\text{Oven Emissions (ton)} = (\text{Muffin and bread production, ton}) \times (\text{the applicable emission factor, lb/ton}) \times (\text{ton}/2000 \text{ lb})$$

- c. Compliance with the NO_x emission limits in Condition 5.5.1 from the combustion of natural gas in the affected ovens shall be based on the recordkeeping requirements in Condition 7.2.9 and the emission factors and formula listed below:

<u>Pollutant</u>	<u>Emission Factor (lb/mmft³)</u>
NO _x	100
CO	84

These are the emission factors for uncontrolled natural gas combustion in small boilers with less than 100 mmBtu/hr of heat input, Table 1.4-1, AP-42, Volume I, Supplement D, March, 1998.

Combustion Emissions (ton) = (Natural gas
consumption, mmft³) x (the applicable emission
factor, lb/mmft³) x (ton/2000 lb)

7.3 Unit 03 Electric Baking Ovens

7.3.1 Description

These baking ovens are used to produce bread. Bakery products that contain yeast as an ingredient generate ethanol, a VOM, which is released during the baking process. The baking ovens do not utilize any emission control equipment. Each baking oven uses electricity.

7.3.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
03	JBC Line 1 Electric Bread Baking Oven	None
	JBC Line 2 Electric Bread Baking Oven	None

7.3.3 Applicability Provisions and Applicable Regulations

- a. The "affected ovens" for the purpose of these unit-specific conditions, are Electric Baking Ovens, for which construction or modification commenced on or after April 14, 1972, and use electricity exclusively.
- b. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units, for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates determined by using the equation [35 IAC 212.321]:

$$E = A(P)^B$$

Where:

P = Process weight rate; and

E = Allowable emission rate; and,

For process weight rates up to 408 Mg/hr (450 ton/hr):

Metric English

P	Mg/hr	ton/hr
E	kg/hr	lbs/hr
A	1.214	2.54
B	0.534	0.534

- c. No person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission unit to exceed 2,000 ppm [35 IAC 214.301].
- d. Each affected oven is subject to the emission limits identified in Condition 5.2.2(c).

7.3.4 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected ovens not being subject to 35 IAC 218.301, Use of Organic Material, because ethanol does not create any odor nuisance and ethanol is not considered as a photochemically reactive material.
- b. This permit is issued based on the affected ovens not being subject to 35 IAC Part 218, Subpart TT, Other Emission Units, because bakeries are exempted from the control requirements in Subpart TT, pursuant to 35 IAC 218.980(f).
- c. This permit is issued based on the affected ovens not being subject to 35 IAC Part 218, Subpart FF, Bakery Ovens, because the regulation has been repealed by operation of law and is rendered null and void and of no force and effect.

7.3.5 Operational and Production Limits and Work Practices

None

7.3.6 Emission Limitations

In addition to Condition 5.2.2 and the source wide emission limitations in Condition 5.5, the affected ovens are subject to the following:

N/A

7.3.7 Testing Requirements

None

7.3.8 Monitoring Requirements

None

7.3.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for each affected oven to demonstrate compliance with Condition 5.5.1, pursuant to Section 39.5(7)(b) of the Act:

- a. Bread production (ton/month and ton/year); and
- b. Monthly and annual aggregate VOM emissions, based on bread production and the applicable emission factor from Condition 7.3.12(b), with supporting calculations (ton/month and ton/year).

7.3.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section, of deviations of an affected oven with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

N/A

7.3.11 Operational Flexibility/Anticipated Operating Scenarios

N/A

7.3.12 Compliance Procedures

Compliance with the emission limits shall be based on the recordkeeping requirements in Condition 7.3.9 and the emission factor and formula listed below:

- a. Compliance with the emission limits in Conditions 7.3.3(b), (c), and (d) is assumed to be achieved under inherent operating conditions of an affected oven, so that no compliance procedures are set in this permit addressing these requirements.
- b. Compliance with the VOM emission limits in Condition 5.5.1 from the affected ovens shall be based on the recordkeeping requirements in Condition 7.3.9 and the emission factor and formula listed below:

<u>Product</u>	<u>Emission Factor</u> <u>(lb VOM/ton product)</u>
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Bread

2.0

This is the emission factor for baking that was determined from stack tests.

Oven Emissions (ton) = (Bread production, ton) x (the applicable emission factor, lb/ton) x (ton/2000 lb)

8.0 GENERAL PERMIT CONDITIONS

8.1 Permit Shield

Pursuant to Section 39.5(7)(j) of the Act, the Permittee has requested and has been granted a permit shield. This permit shield provides that compliance with the conditions of this permit shall be deemed compliance with applicable requirements which were applicable as of the date the proposed permit for this source was issued, provided that either the applicable requirements are specifically identified within this permit, or the Illinois EPA, in acting on this permit application, has determined that other requirements specifically identified are not applicable to this source and this determination (or a concise summary thereof) is included in this permit.

This permit shield does not extend to applicable requirements which are promulgated after September 6, 2000 (the date of issuance of the draft permit) unless this permit has been modified to reflect such new requirements.

8.2 Applicability of Title IV Requirements (Acid Deposition Control)

This source is not an affected source under Title IV of the CAA and is not subject to requirements pursuant to Title IV of the CAA.

8.3 Emissions Trading Programs

No permit revision shall be required for increases in emissions allowed under any USEPA approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for elsewhere in this permit and that are authorized by the applicable requirement [Section 39.5(7)(o)(vii) of the Act].

8.4 Operational Flexibility/Anticipated Operating Scenarios

8.4.1 Changes Specifically Addressed by Permit

Physical or operational changes specifically addressed by the Conditions of this permit that have been identified as not requiring Illinois EPA notification may be implemented without prior notice to the Illinois EPA.

8.4.2 Changes Requiring Prior Notification

The Permittee is authorized to make physical or operational changes that contravene express permit terms without applying for or obtaining an amendment to this

permit, provided that [Section 39.5(12)(a)(i) of the Act]:

- a. The changes do not violate applicable requirements;
- b. The changes do not contravene federally enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements;
- c. The changes do not constitute a modification under Title I of the CAA;
- d. Emissions will not exceed the emissions allowed under this permit following implementation of the physical or operational change; and
- e. The Permittee provides written notice to the Illinois EPA, Division of Air Pollution Control, Permit Section, at least 7 days before commencement of the change. This notice shall:
 - i. Describe the physical or operational change;
 - ii. Identify the schedule for implementing the physical or operational change;
 - iii. Provide a statement of whether or not any New Source Performance Standard (NSPS) is applicable to the physical or operational change and the reason why the NSPS does or does not apply;
 - iv. Provide emission calculations which demonstrate that the physical or operational change will not result in a modification; and
 - v. Provide a certification that the physical or operational change will not result in emissions greater than authorized under the Conditions of this permit.

8.5 Testing Procedures

Tests conducted to measure composition of materials, efficiency of pollution control devices, emissions from process or control equipment, or other parameters shall be conducted using standard test methods. Documentation of the test date, conditions, methodologies, calculations, and test results shall be retained pursuant to the recordkeeping procedures of this permit. Reports of any tests conducted as required by this permit or as the result

of a request by the Illinois EPA shall be submitted as specified in Condition 8.6.

8.6 Reporting Requirements

8.6.1 Monitoring Reports

If monitoring is required by any applicable requirements or conditions of this permit, a report summarizing the required monitoring results, as specified in the conditions of this permit, shall be submitted to the Air Compliance Section of the Illinois EPA every six months as follows [Section 39.5(7)(f) of the Act]:

<u>Monitoring Period</u>	<u>Report Due Date</u>
January - June	September 1
July - December	March 1

All instances of deviations from permit requirements must be clearly identified in such reports. All such reports shall be certified in accordance with Condition 9.9.

8.6.2 Test Notifications

Unless otherwise specified elsewhere in this permit, a written test plan for any test required by this permit shall be submitted to the Illinois EPA for review at least 60 days prior to the testing pursuant to Section 39.5(7)(a) of the Act. The notification shall include at a minimum:

- a. The name and identification of the affected unit(s);
- b. The person(s) who will be performing sampling and analysis and their experience with similar tests;
- c. The specific conditions under which testing will be performed, including a discussion of why these conditions will be representative of maximum emissions and the means by which the operating parameters for the source and any control equipment will be determined;
- d. The specific determination of emissions and operation which are intended to be made, including sampling and monitoring locations;

- e. The test method(s) which will be used, with the specific analysis method, if the method can be used with different analysis methods;
- f. Any minor changes in standard methodology proposed to accommodate the specific circumstances of testing, with justification; and
- g. Any proposed use of an alternative test method, with detailed justification.

8.6.3 Test Reports

Unless otherwise specified elsewhere in this permit, the results of any test required by this permit shall be submitted to the Illinois EPA within 60 days of completion of the testing. The test report shall include at a minimum [Section 39.5(7)(e)(i) of the Act]:

- a. The name and identification of the affected unit(s);
- b. The date and time of the sampling or measurements;
- c. The date any analyses were performed;
- d. The name of the company that performed the tests and/or analyses;
- e. The test and analytical methodologies used;
- f. The results of the tests including raw data, and/or analyses including sample calculations;
- g. The operating conditions at the time of the sampling or measurements; and
- h. The name of any relevant observers present including the testing company's representatives, any Illinois EPA or USEPA representatives, and the representatives of the source.

8.6.4 Reporting Addresses

- a. The following addresses should be utilized for the submittal of reports, notifications, and renewals:
 - i. Illinois EPA - Air Compliance Section

Illinois Environmental Protection Agency
Bureau of Air
Compliance Section (MC 40)

P.O. Box 19276
Springfield, Illinois 62794-9276

ii. Illinois EPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
9511 West Harrison
Des Plaines, Illinois 60016

iii. Illinois EPA - Air Permit Section

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
P.O. Box 19506
Springfield, Illinois 62794-9506

iv. USEPA Region 5 - Air Branch

USEPA (AR - 17J)
Air & Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604

- b. Unless otherwise specified in the particular provision of this permit, reports shall be sent to the Illinois EPA - Air Compliance Section with a copy sent to the Illinois EPA - Air Regional Field Office.

8.7 Obligation to Comply with Title I Requirements

Any term, condition, or requirement identified in this permit by T1, T1R, or T1N is established or revised pursuant to 35 IAC Part 203 or 40 CFR 52.21 ("Title I provisions") and incorporated into this permit pursuant to both Section 39.5 and Title I provisions. Notwithstanding the expiration date on the first page of this permit, the Title I conditions remain in effect pursuant to Title I provisions until the Illinois EPA deletes or revises them in accordance with Title I procedures.

9.0 STANDARD PERMIT CONDITIONS

9.1 Effect of Permit

9.1.1 The issuance of this permit does not release the Permittee from compliance with State and Federal regulations which are part of the Illinois State Implementation Plan, as well as with other applicable statutes and regulations of the United States or the State of Illinois or applicable ordinances, except as specifically stated in this permit and as allowed by law and rule [Section 39.5(7)(j)(iv) of the Act].

9.1.2 In particular, this permit does not alter or affect the following:

- a. The provisions of Section 303 (emergency powers) of the CAA, including USEPA's authority under that Section;
- b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- c. The applicable requirements of the acid rain program consistent with Section 408(a) of the CAA; and
- d. The ability of USEPA to obtain information from a source pursuant to Section 114 (inspections, monitoring, and entry) of the CAA.

9.1.3 Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, any person (including the Permittee) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.

9.2 General Obligations of Permittee

9.2.1 Duty to Comply

The Permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the CAA and the Act, and is grounds for any or all of the following: enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application [Section 39.5(7)(o)(i) of the Act].

The Permittee shall meet applicable requirements that become effective during the permit term in a timely manner

unless an alternate schedule for compliance with the applicable requirement is established.

9.2.2 Duty to Maintain Equipment

The Permittee shall maintain all equipment covered under this permit in such a manner that the performance or operation of such equipment shall not cause a violation of applicable requirements.

9.2.3 Duty to Cease Operation

No person shall cause, threaten or allow the continued operation of any emission unit during malfunction or breakdown of the emission unit or related air pollution control equipment if such operation would cause a violation of an applicable emission standard, regulatory requirement, ambient air quality standard or permit limitation unless such malfunction or breakdown is allowed by a permit condition [Section 39.5(6)(c) of the Act].

9.2.4 Disposal Operations

The source shall be operated in such a manner that the disposal of air contaminants collected by the equipment operations, or activities shall not cause a violation of the Act or regulations promulgated thereunder.

9.2.5 Duty to Pay Fees

The Permittee must pay fees to the Illinois EPA consistent with the fee schedule approved pursuant to Section 39.5(18) of the Act, and submit any information relevant thereto [Section 39.5(7)(o)(vi) of the Act]. The check should be payable to "Treasurer, State of Illinois" and sent to: Fiscal Services Section, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, Illinois 62794-9276.

9.3 Obligation to Allow Illinois EPA Surveillance

Upon presentation of proper credentials and other documents, the Permittee shall allow the Illinois EPA, or an authorized representative to perform the following [Section 39.5(7)(a) and (p)(ii) of the Act and 415 ILCS 5/4]:

- a. Enter upon the Permittee's premises where an actual or potential emission unit is located; where any regulated equipment, operation, or activity is located 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 during hours of operation any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor any substances or parameters at any location:
 - i. At reasonable times, for the purposes of assuring permit compliance; or
 - ii. As otherwise authorized by the CAA, or the Act.
- e. Obtain and remove samples of any discharge or emission of pollutants authorized by this permit; and
- f. Enter and utilize any photographic, recording, testing, monitoring, or other equipment for the purposes of preserving, testing, monitoring, or recording any activity, discharge or emission at the source authorized by this permit.

9.4 Obligation to Comply with Other Requirements

The issuance of this permit does not release the Permittee from applicable State and Federal laws and regulations, and applicable local ordinances addressing subjects other than air pollution control.

9.5 Liability

9.5.1 Title

This permit shall not be considered as in any manner affecting the title of the premises upon which the permitted source is located.

9.5.2 Liability of Permittee

This permit does not release the Permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the sources.

9.5.3 Structural Stability

This permit does not take into consideration or attest to the structural stability of any unit or part of the source.

9.5.4 Illinois EPA Liability

This permit in no manner implies or suggests that the Illinois EPA (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the source.

9.5.5 Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege [Section 39.5(7)(o)(iv) of the Act].

9.6 Recordkeeping

9.6.1 Control Equipment Maintenance Records

A maintenance record shall be kept on the premises for each item of air pollution control equipment. As a minimum, this record shall show the dates of performance and nature of preventative maintenance activities.

9.6.2 Records of Changes in Operation

A record shall be kept describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes [Section 39.5(12)(b)(iv) of the Act].

9.6.3 Retention of Records

- a. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit [Section 39.5(7)(e)(ii) of the Act].
- b. Other records required by this permit shall be retained for a period of at least 5 years from the

date of entry unless a longer period is specified by a particular permit provision.

9.7 Annual Emissions Report

The Permittee shall submit an annual emissions report to the Illinois EPA, Compliance Section no later than May 1 of the following year, as required by 35 IAC Part 254.

9.8 Requirements for Compliance Certification

Pursuant to Section 39.5(7)(p)(v) of the Act, the Permittee shall submit annual compliance certifications. The compliance certifications shall be submitted no later than May 1 or more frequently as specified in the applicable requirements or by permit condition. The compliance certifications shall be submitted to the Air Compliance Section, Air Regional Field Office, and USEPA Region 5 - Air Branch. The addresses for the submittal of the compliance certifications are provided in Condition 8.6.4 of this permit.

- a. The certification shall include the identification of each term or condition of this permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, both currently and over the reporting period consistent with the conditions of this permit.
- b. All compliance certifications shall be submitted to USEPA Region 5 in Chicago as well as to the Illinois EPA.
- c. All compliance reports required to be submitted shall include a certification in accordance with Condition 9.9.

9.9 Certification

Any document (including reports) required to be submitted by this permit shall contain a certification by a responsible official of the Permittee that meets the requirements of Section 39.5(5) of the Act [Section 39.5(7)(p)(i) of the Act]. An example Certification by a Responsible Official is included as an attachment to this permit.

9.10 Defense to Enforcement Actions

9.10.1 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain

compliance with the conditions of this permit [Section 39.5(7)(o)(ii) of the Act].

9.10.2 Emergency Provision

- a. An emergency shall be an affirmative defense to an action brought for noncompliance with the technology-based emission limitations under this permit if the following conditions are met through properly signed, contemporaneous operating logs, or other relevant evidence:
 - i. An emergency occurred as provided in Section 39.5(7)(k) of the Act and the Permittee can identify the cause(s) of the emergency. Normally, an act of God such as lightning or flood is considered an emergency;
 - ii. The permitted source was at the time being properly operated;
 - iii. The Permittee submitted notice of the emergency to the Illinois EPA within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and
 - iv. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations, standards, or regulations in this permit.
- b. This provision is in addition to any emergency or upset provision contained in any applicable requirement. This provision does not relieve a Permittee of any reporting obligations under existing federal or state laws or regulations.

9.11 Permanent Shutdown

This permit only covers emission units and control equipment while physically present at the indicated source location(s). Unless this permit specifically provides for equipment relocation, this permit is void for the operation or activity of any item of equipment on the date it is removed from the permitted location(s) or permanently shut down. This permit expires if all equipment is

removed from the permitted location(s), notwithstanding the expiration date specified on this permit.

9.12 Reopening and Reissuing Permit for Cause

9.12.1 Permit Actions

This permit may be modified, reopened, and reissued, for cause pursuant to Section 39.5(15) of the Act. The filing of a request by the Permittee for a permit modification, revocation, and reissuance, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition [Section 39.5(7)(o)(iii) of the Act].

9.12.2 Reopening and Revision

This permit must be reopened and revised if any of the following occur [Section 39.5(15)(a) of the Act]:

- a. Additional requirements become applicable to the equipment covered by this permit and three or more years remain before expiration of this permit;
- b. Additional requirements become applicable to an affected source for acid deposition under the acid rain program;
- c. The Illinois EPA or USEPA determines that this permit contains a material mistake or inaccurate statement when establishing the emission standards or limitations, or other terms or conditions of this permit; and
- d. The Illinois EPA or USEPA determines that this permit must be revised to ensure compliance with the applicable requirements of the Act.

9.12.3 Inaccurate Application

The Illinois EPA has issued this permit based upon the information submitted by the Permittee in the permit application. Any misinformation, false statement or misrepresentation in the application shall be grounds for revocation under Section 39.5(15)(b) of the Act.

9.12.4 Duty to Provide Information

The Permittee shall furnish to the Illinois EPA, within a reasonable time specified by the Illinois EPA any information that the Illinois EPA may request in writing

to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Illinois EPA copies of records required to be kept by this permit, or for information claimed to be confidential, the Permittee may furnish such records directly to USEPA along with a claim of confidentiality [Section 39.5(7)(o)(v) of the Act].

9.13 Severability Clause

The provisions of this permit are severable, and should any one or more be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected. The rights and obligations of the Permittee shall be construed and enforced as if this permit did not contain the particular provisions held to be invalid and the applicable requirements underlying these provisions shall remain in force [Section 39.5(7)(i) of the Act].

9.14 Permit Expiration and Renewal

The right to operate terminates on the expiration date unless the Permittee has submitted a timely and complete renewal application. For a renewal to be timely it must be submitted no later than 9 and no sooner than 12 months prior to expiration. The equipment may continue to operate during the renewal period until final action is taken by the Illinois EPA, in accordance with the original permit conditions [Section 39.5(5)(l), (n), and (o) of the Act].

10.0 ATTACHMENTS

10.1 Attachment 1 Example Certification by a Responsible Official

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: _____

Name: _____

Official Title: _____

Telephone No.: _____

Date Signed: _____

WDM:psj