

217/782-2113

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

PERMITTEE

Fleischmann's Vinegar
Attn: Butch Daugherty
4801 South Oakley Avenue
Chicago, Illinois 60609

<u>Application No.:</u> 96030002	<u>I.D. No.:</u> 031600AHP
<u>Applicant's Designation:</u>	<u>Date Received:</u> March 1, 1996
<u>Operation of:</u> Vinegar Manufacturing	
<u>Date Issued:</u> February 23, 2000	<u>Expiration Date</u> ² : February 23, 2005
<u>Source Location:</u> 4801 South Oakley Avenue, Chicago, Cook County	
<u>Responsible Official:</u> Butch Daugherty	

This permit is hereby granted to the above-designated Permittee to OPERATE a vinegar manufacturing plant, 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 Mangu Patel at 217/782-2113.

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

DES:MJP:jar

cc: Illinois EPA, FOS, Region 1
USEPA

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

Fleischmann's Vinegar
4801 South Oakley Avenue
Chicago, Illinois 60609
773/523-2817 Ext. 13

I.D. No.: 031600AHP
Standard Industrial Classification: 2099, Foods and Kindred
Products

1.2 Owner/Parent Company

Burns Philp Food Inc.
Vinegar Division
P.O. Box 808
La Mirada, California 90637-0808
562/404-4564

1.3 Operator

Fleischmann's Vinegar
4801 South Oakley Avenue
Chicago, Illinois 60609

Butch Daugherty
773/523-2817 Ext. 13

1.4 General Source Description

Fleischmann's Vinegar is located at 4801 S. Oakley Avenue in Chicago. The source manufactures vinegar. Vinegar is made by the acetous fermentation of ethyl alcohol to acetic acid (vinegar) by the microorganism called Acetobacter. This fermentation method is called an acetator process.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

Act	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
ACMA	Alternative Compliance Market Account
ATUs	Allotment Trading Units
BAT	Best Available Technology
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CFR	Code of Federal Regulations
CO	Carbon Monoxide
ERMS	Emission Reduction Market System
°F	degrees Fahrenheit
gm	Gram
HAP	Hazardous Air Pollutant
HP	horse power
hr	Hour
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
Illinois EPA	Illinois Environmental Protection Agency
°K	degrees Kelvin
kg	kilo gram
kW	Kilowatts
lb	Pound
m	Meter
MACT	Maximum Available Control Technology
mmBtu	Million British thermal units
mmcf	Million cubic foot
mo	month
MW	Megawatt
NESHAP	National Emission Standard for Hazardous Air Pollutant
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM ₁₀	Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by applicable test or monitoring methods
ppm	parts per million
PSD	Prevention of Significant Deterioration
psia	pounds per square inch absolute
scf	standard cubic foot
SO ₂	Sulfur Dioxide
T1	Title I - identifies Title I conditions that have been carried over from an existing construction 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 construction permit and subsequently revised in this permit
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material
VOL	Volatile Organic Liquid
yr	Year

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:

- 1 - Acetator Foam Tank, 8,000 Gallons
- 3 - Vinegar Drain Tanks, 7,000 Gallons
- 1 - Emergency Standby Generator 175KW
- 1 - Emergency Standby Generator 115KW
- 2 - Emergency Standby Generators 350KW
- 1 - #2 Fuel Oil Tank, 1,000 Gallons

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:

Emission Unit Plant Designation	Storage Tanks		
	No.	Gallons	Content
01 to 17	17	57,000 to 245,000	Vinegar
DT1 to DT4	4	28,000	Vinegar
P1 and P2	2	6,000	Vinegar
VFA and VFB	2	6,000	Vinegar
R/O1 and R/O2	2	16,000	Vinegar
R/O3 and R/O4	2	16,000	Vinegar
T2	1	25,000	Vinegar
T6 and T7	2	14,500	Vinegar
Tank T31	1	30,000	Vinegar
SCRUB 1 and 2	2	25,000	Vinegar
RT1 and RT2	2	12,000	Acid, Alcohol & Water
RT3, RT4 and RT5	3	19,200	Acid, Alcohol & Water
RT6	1	19,200	Acid, Alcohol & Water
MT1, MT2 and MT3	3	28,000	Acid, Alcohol & Water
MT4	1	21,000	Acid, Alcohol & Water
F1, F2 and F3	3	12,000	Vinegar
F4	1	15,000	Vinegar
F5 to F8	4	18,000	Vinegar
407 to 414	8	14,000	Vinegar
C1-ACC to C3-ACC	3	30,000	Vinegar

Emission Unit	Storage Tanks		
	Plant Designation	No.	Gallons
C4A-ACC & C4B-ACC	2	30,000	Vinegar
DRUM1 to DRUM5	2	12,000	Vinegar
DRUM6 and DRUM7	2	10,000	Vinegar
DRUM8 to DRUM10	3	10,000	Vinegar
78 to 80	3	31,000	Vinegar
PC1	1	20,000	Vinegar
Ice Tank	1	14,000	Vinegar

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)].

Ethyl alcohol storage tanks of organic liquids with a capacity of less than 10,000 gallons and an annual throughput of less than 100,000 gallons per year, provided the storage tank is not used for the storage of gasoline or any material listed as a HAP pursuant to Section 112(b) of the CAA [35 IAC 201.210(a)(10)].

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	1 Acetator A1	1976	Scrubber
	3 Acetators A2,A3 & A9	1986	3 Scrubbers
	5 Acetators A4 thru A8	1992	5 Scrubbers
	3 Acetators X1 thru X3	1992	3 Scrubbers
02	Gas Fired Boiler	1981	-----
03	Ethyl Alcohol Storage Tanks 101,102 and 103	1988	Submerged Loading
	Ethyl Alcohol Storage Tanks 104 and 105	1992	Submerged Loading
	Ethyl Alcohol Storage Tanks 201 and 202	1975	Submerged Loading

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.

5.2 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 any 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.
- b. The emission of smoke or other particulate matter from any emission unit shall not exceed an opacity of greater than 30 percent, except that opacity of greater than 30 percent but less than 60 percent shall be allowed for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 305 meter (1000 feet) radius from the center point of any other such emission unit owned or operated by the Permittee, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period, pursuant to 35 IAC 212.123 and 212.124.

5.2.3 Operating Program for Fugitive Particulate Matter

- a. 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)].
- b. The operating program shall be amended from time to time by the owner or operator so that the operating

program is current. Such amendments shall be submitted to the Illinois EPA pursuant to 35 IAC 212.312.

- c. 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].

5.2.4 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

None

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
Nitrogen Oxides (NO _x)	3.70
Particulate Matter (PM)	-
Sulfur Dioxide (SO ₂)	0.02
Volatile Organic Material (VOM)	43.10
HAP, not included in VOM or PM	-
TOTAL	46.82

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 noncompliance 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.

5.7.2 Annual Emissions Report

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

5.8 General Operational Flexibility/Anticipated Operating Scenarios

N/A

5.9 General Compliance Procedures

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 EMISSION 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 further reasonable progress toward attainment, as required by Section 182(c) of the Clean Air Act.

The ERMS addresses VOM emissions during a seasonal allotment period from May 1 through September 30. Once the ERMS begins, 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 during initial issuance of the sources' CAAPP permits. These allotments are established from historical VOM emissions or "baseline emissions" lowered to provide the emission reduction from stationary sources required for further progress.

By December 31 of each year, the end of the reconciliation period following the seasonal allotment period, each source shall have sufficient ATUs in its account to cover its actual VOM emissions during the preceding season. An 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 account database. The Illinois EPA will then retire ATUs in sources' accounts in amounts equivalent to their seasonal emissions. When a source does not appear to have sufficient ATUs in its 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 emission reductions from an Emission Reduction Generator or an Intersector Transaction (35 IAC 205.500 and 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 (35 IAC 205.710). Sources may also transfer or sell the ATUs that they holds to other sources or participants (35 IAC 205.630).

6.2 Applicability

This source is considered a "participating source" for purposes of the ERMS, 35 IAC Part 205.

6.3 Obligation to Hold Allotment Trading Units (ATUs)

- a. Pursuant to 35 IAC 205.150(c)(1) and 205.720, and as further addressed by Condition 6.8, as of December 31 of each year, this source shall hold ATUs in its account in an amount not less than its VOM emissions during the preceding seasonal allotment period (May 1 - September 30) not including VOM emissions from the following, or the source shall be subject to "emissions excursion compensation," as described in Condition 6.4.
 - i. VOM emissions from insignificant units and activities as identified in Section 3 of this permit, in accordance with 35 IAC 205.220;
 - ii. Excess VOM emissions associated with startup, malfunction or breakdown of an emission unit as authorized elsewhere in this permit, in accordance with 35 IAC 205.225;
 - iii. Excess VOM emissions to the extent allowed by a Variance, Consent Order, or Compliance Schedule, in accordance with 35 IAC 205.320(e)(3);
 - iv. Excess VOM emissions that are a consequence of an emergency as approved by the Illinois EPA, pursuant to 35 IAC 205.750; and
 - v. VOM emissions from certain new and modified emission units as addressed by Section 6.7(b), if applicable, in accordance with 35 IAC 205.320(f).
- b. Notwithstanding the above condition, in accordance with 35 IAC 205.150(c)(2), if a source commences operation of a major modification, pursuant to 35 IAC Part 203, the source shall hold ATUs in an amount not less than 1.3 times its VOM emissions attributable to such major modification during the seasonal allotment period, determined in accordance with the construction permit for such major modification or applicable provisions in Section 7.0 of this permit.

6.4 Market Transaction

- a. The source shall apply to the Illinois EPA for and obtain authorization for a Transaction Account prior to conducting any market transactions, as specified at 35 IAC 205.610(a).

- b. The Permittee shall promptly submit to the Illinois EPA any revisions to the information submitted for its Transaction Account, pursuant to 35 IAC 205.610(b).
- c. The source shall have at least one account officer designated for its Transaction Account, pursuant to 35 IAC 205.620(a).
- d. Any transfer of ATUs to or from the source from another source or general participant must be authorized by a qualified Account Officer designated by the source and approved by the Illinois EPA in accordance with 35 IAC 205.620 and the transfer must be submitted to the Illinois EPA for entry into the Transaction Account database.

6.5 Emission Excursion Compensation

Pursuant to 35 IAC 205.720, if the source fails to hold ATUs in accordance with Condition 6.3, it shall provide emissions excursion compensation in accordance with the following:

- a. Upon receipt of an Excursion Compensation Notice issued by the Illinois EPA, the source shall purchase ATUs from the ACMA in the amount specified by notice, as follows:
 - i. The purchase of ATUs shall be in an amount equivalent to 1.2 times the emissions excursion; or
 - ii. If the source had an emissions excursion for the seasonal allotment period immediately before the period for the present emission excursion, the source shall purchase ATUs in an amount equivalent to 1.5 times the emissions excursion.
- b. If requested in accordance with paragraph (c) below or in the event that the ACMA balance is not adequate to cover the total emissions excursion amount, the Illinois EPA will deduct ATUs equivalent to the specified amount or any remaining portion thereof from the ATUs to be issued to the source for the next seasonal allotment period.
- c. Pursuant to 35 IAC 205.720(c), within 15 days of receipt of an Excursion Compensation Notice, the owner or operator may request that ATUs equivalent to the amount specified be deducted from the source's next seasonal allotment by the Illinois EPA, rather than purchased from the ACMA.

6.6 Quantification of Seasonal VOM Emissions

- a. The methods and procedures specified in Section 5 and 7 of this permit for determining VOM emissions and compliance

with VOM emission limitations shall be used for determining seasonal VOM emissions for purposes of the ERMS, with the following exceptions [35 IAC 205.315(b)]:

None

- b. The Permittee shall report emergency conditions at the source to the Illinois EPA in accordance with 35 IAC 205.750, if the Permittee intends to deduct VOM emissions in excess of the technology-based emission rates normally achieved that are attributable to the emergency from the source's seasonal VOM emissions for purposes of the ERMS. These reports shall include the information specified by 35 IAC 205.650(a), and shall be submitted in accordance with the following:
 - i. An initial emergency condition report within two days of the time when such excess emissions occurred due to the emergency; and
 - ii. A final emergency condition report, if needed to supplement the initial report, within 10 days after the conclusion of the emergency.

6.7 Annual Account Reporting

- a. For each year in which the source is operational, the Permittee shall submit, as a component of its Annual Emission Report, seasonal VOM emission information to the Illinois EPA for the seasonal allotment period. This report shall include the following information [35 IAC 205.300]:
 - i. Actual seasonal emissions of VOM from the source;
 - ii. A description of the methods and practices used to determine VOM emissions, as required by this permit, including any supporting documentation and calculations;
 - iii. A detailed description of any monitoring methods that differ from the methods specified in this permit, as provided in Section 205.337 of this Subpart;
 - iv. If a source has experienced an emergency, as provided in 35 IAC 205.750, the report shall reference the associated emergency conditions report that has been approved by the Illinois EPA;
 - v. If a source's baseline emissions have been adjusted due to a variance, consent order or CAAPP permit

compliance schedule, as provided for in 35 IAC 205.320(e)(3), the report shall provide documentation quantifying the excess VOM emissions during the season that were allowed by the Variance, Consent Order, or Compliance Schedule, in accordance with 35 IAC 205.320(e)(3); and

vi. If a source is operating a new or modified emission unit for which three years of operational data are not yet available, as specified in 35 IAC 205.320(f), the report shall specify seasonal VOM emissions attributable to the new emission unit or the modification of the emission unit.

b. This report shall be submitted by October 31 of each year, for the preceding seasonal allotment period.

6.8 Allotment of ATUs to the Source

a. i. The allotment of ATUs to this source is 317 ATUs per seasonal allotment period.

ii. This allotment of ATUs reflects the Illinois EPA's determination that the source's baseline emissions were 35.96 tons.

This determination includes the use of 1995 and 1996 as baseline seasons.

iii. The source's allotment reflects 88% of the baseline emissions (12% reduction) except for the VOM emissions from specific emission unit excluded from such reduction, pursuant to 35 IAC 205.405 including units complying with MACT or using BAT, as identified in condition 6 of this permit.

iv. ATUs will be issued to the source's Transaction Account by the Illinois EPA annually. These ATUs will be valid for the seasonal allotment period following issuance and, if not retired in this season, the next seasonal allotment period.

v. Condition 6.3(a) becomes effective beginning in the seasonal allotment period following the initial issuance of ATUs by the Illinois EPA into the Transaction Account for the source.

b. Contingent Allotments for New or Modified Emission Units

Not applicable

- c. Notwithstanding the above, part or all of the above ATUs will not be issued to the source in circumstances as set forth in 35 IAC Part 205, including:
 - i. Transfer of ATUs by the source to another participant or the ACMA, in accordance with 35 IAC 205.630;
 - ii. Deduction of ATUs as a consequence of emission excursion compensation, in accordance with 35 IAC 205.720; and
 - iii. Transfer of ATUs to the ACMA, as a consequence of shutdown of the source, in accordance with 35 IAC 205.410.

6.9 Recordkeeping for ERMS

The Permittee shall maintain copies of the following documents as its Compliance Master File for purposes of ERMS [35 IAC 205.700(a)]:

- a. Seasonal component of the Annual Emission Report;
- b. Information on actual VOM emissions, as specified in detail in Sections 5 and 7 of this permit and Condition 6.6(a); and
- c. Any transfer agreements for the purchase or sale of ATUs and other documentation associated with the transfer of ATUs.

6.10 Federal Enforceability

Section 6 becomes federally enforceable upon approval of the ERMS by USEPA as part of Illinois' State Implementation Plan.

6.11 Exclusions from Further Reductions

- a. VOM emissions from the following emission units, if satisfying subsection (a)(1), (a)(2), or (a)(3) prior to May 1, 1999, shall be excluded from the VOM emissions reductions requirements specified in IAC 205.400(c) and (e) as long as such emission units continue to satisfy subsection (a)(1), (a)(2), or (a)(3) [35 IAC 205.405(a)]:
 - i. Emission units that comply with any NESHAP or MACT standard promulgated pursuant to the CAA;
 - ii. Direct combustion emission units designed and used for comfort heating purposes, fuel combustion emission units and internal combustion engines; and

- iii. An emission unit for which a LAER demonstration has been approved by the Illinois EPA on or after November 15, 1990.

The source has demonstrated in their ERMS application and the Illinois EPA has determined that the following emission units qualifies for exclusion from further reductions because they meet the criteria as indicated above [35 IAC 205.400(a) and (c)]:

None

- b. VOM emissions from the emission units using BAT for controlling VOM emissions, prior to May 1, 1999, shall not be subject to the VOM emissions reductions requirements specified in IAC 205.400(c) or (e) as long as such emission unit continues to use such BAT [35 IAC 205.405(b)].

The source has demonstrated in their ERMS application and the Illinois EPA has determined that the following emission units qualifies from further reductions because these emission units use BAT for controlling VOM emissions as indicated above [35 IAC 205.400(b) and (c)]:

None

7.0 UNIT SPECIFIC CONDITIONS

7.1 Unit 01: Acetators
Control: Scrubbers

7.1.1 Description

Vinegar is made by the acetous fermentation of ethyl alcohol to acetic acid (vinegar) by the microorganism called Acetobacter

Acetator process uses a tank with an aerator and internal cooling coils or external heat exchanger for controlling the temperature. The alcohol/nutrient/vinegar mixture is continuously mixed and aerated inside this tank by the aerator. The acetobacter thrives in the liquid mixture. When the alcohol is completely fermented into vinegar, one third of the liquid volume is pumped out. The same volume of fresh mash of alcohol/nutrient/vinegar mixture is then charged into tank to start another cycle of fermentation.

Vinegar is concentrated from 12% to 20%-30% acetic acid in a concentrator, a tank with internal cooling coils. Water in the vinegar is turned to ice and the remaining liquid, which is concentrated vinegar, is pumped out.

The source operates 12 acetators. Emissions from the acetators are controlled by packed bed scrubbers. Each acetator is equipped with a scrubber.

7.1.2 List of Emission Units and Pollution Control Equipment

Description	Date Constructed	Emission Control Equipment
1 Acetator A1	1976	1 Scrubber
3 Acetators A2,A3 & A9	1986	3 Scrubbers
5 Acetators A4 thru A8	1992	5 Scrubbers
3 Acetators X1 thru X3	1992	3 Scrubbers

7.1.3 Applicability Provisions and Applicable Regulations

- a. An "affected acetator" for purposes of these unit specific conditions is each piece of equipment listed in condition 7.1.2.
- b. The affected acetator is subject to 35 IAC 218 Subpart G, Use of Organic Material, which provides that:
 - i. No person shall cause or allow the discharge of more than 3.6 kg/hr (8 lb/hr) of organic material into the atmosphere from any emission

unit, except as provided in Condition 7.1.3(b)(ii) (see also 35 IAC 218.302) and the following exception: If no odor nuisance exists the limitation of 35 IAC 218 Subpart G shall apply only to photochemically reactive material [35 IAC 218.301].

- ii. Emissions of organic material in excess of those permitted by Condition 7.1.3(b)(i) (see also 35 IAC 218.301) are allowable if such emissions are controlled by a vapor recovery system which adsorbs and/or condenses at least 85 percent of the total uncontrolled organic material that would otherwise be emitted to the atmosphere [35 IAC 218.302(b)].
- c. The affected acetator is subject to 35 IAC 218 Subpart RR, Miscellaneous Organic Chemical Manufacturing Processes. Pursuant to 35 IAC 218.966(a), every owner or operator of a miscellaneous organic chemical manufacturing process emission unit subject to 35 IAC 218 Subpart RR shall employ emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit.

7.1.4 Non-Applicability of Regulations of Concern

- a. The affected acetator is not subject to the NESHAP for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry, 40 CFR 63, Subpart F, because the source does not manufacture as a primary product one or more of the chemicals listed in table 1 of 40 CFR 63 Subpart F.
- b. The affected acetator is not subject to the requirements of 35 IAC 218 Subpart Q, Leaks from Synthetic Organic Chemical and Polymer Manufacturing Plants, pursuant to 35 IAC 218.421 because these components are not used to manufacture the synthetic organic chemicals or polymers listed in Appendix A of 35 IAC Part 218.

7.1.5 Operational and Production Limits and Work Practices

- a. For any leaks from components subject to the control requirements of 35 IAC 218 Subpart RR, the owner or operator shall repair any component from which a leak of VOL can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found, unless the leaking component cannot

be repaired until the process unit is shut down, in which case the leaking component must be repaired before the unit is restarted [35 IAC 218.966(c)(1)].

- b. The Permittee shall follow good operating practices for the scrubbers, including periodic inspection, routine maintenance and prompt repair of defects.

7.1.6 Emission Limitations

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

- a. Emissions and operation of equipment shall not exceed the following limits:

Emission Unit	Description	Allowable VOM Emissions	
		lb/hr (Each)	Ton/yr (Each)
A1	1 Acetator	0.71	3.1
X1 thru X3	3 Acetators	0.56	2.4

Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total) [T1].

The above limitations were established in an operating permit 73032296 from a Construction Permit 92100085, pursuant to 35 IAC Part 203. The limits initially based on engineering estimate in the construction permit were revised from a stack test in the operating permit. These limits ensure that the construction and/or modification addressed in the aforementioned Construction Permit does not constitute a new major source or major modification pursuant to Title I of the CAA, specifically 35 IAC Part 203 [T1].

- b. Emissions and operation of equipment shall not exceed the following limits:

Emission Unit	Uncontrolled VOM Emissions (lb/hr) (Each)	Allowable VOM Emissions	
		(lb/hr) (Each)	(ton/yr) (Each)
3 Acetators A2, A3 and A9	4.98	0.97	4.2
5 Acetators A4 thru A8	4.41	0.84	3.7

These limits are based on the allowable emissions per 35 IAC 218.966(a) at the maximum uncontrolled VOM emission rate from each equipment and maximum 8760 hours of operation indicated in the permit application.

Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total) [T1N].

The above limitations are being established in this permit pursuant to Title I of the CAA, specifically 35 IAC Part 203, Major Stationary Sources Construction and Modification and/or 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The source has requested that the Illinois EPA establish emission limitations and other appropriate terms and conditions in this permit that limit the VOM emissions from the affected emission units below the levels that would trigger the applicability of these rules, consistent with the information provided in the CAAPP application [T1N].

7.1.7 Testing Requirements

Pursuant to 35 IAC 218.968(a), when in the opinion of the Illinois EPA it is necessary to conduct testing to demonstrate compliance with Condition 7.1.3(c) (see also 35 IAC 218.966), the owner or operator of a VOM emission unit subject to the requirements of 35 IAC 218 Subpart RR shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in 35 IAC 218.105, as follows:

- a. For control device efficiency testing and monitoring, the control device efficiency shall be determined by simultaneously measuring the inlet and outlet gas phase VOM concentrations and gas volumetric flow rates in accordance with the gas phase test methods specified in Condition 7.1.7(c) (see also 35 IAC 218.105(f)) [35 IAC 218.105(d)(1)].
- b. The overall efficiency of the emission control system shall be determined as specified in 35 IAC 218.105(c).
- c. Volatile Organic Material Gas Phase Source Test Methods: The methods in 40 CFR Part 60, Appendix A, delineated below shall be used to determine control device efficiencies:

- i. 40 CFR Part 60, Appendix A, Method 18, 25 or 25A, as appropriate to the conditions at the site, shall be used to determine VOM concentration. Method selection shall be based on consideration of the diversity of organic species present and their total concentration and on consideration of the potential presence of interfering gases. The test shall consist of three separate runs, each lasting a minimum of 60 minutes, unless the Illinois EPA and the USEPA determine that process variables dictate shorter sampling times [35 IAC 218.105(e)(1)];
- ii. 40 CFR Part 60, Appendix A, Method 1 or 1A, shall be used for sample and velocity traverses [35 IAC 218.105(e)(2)];
- iii. 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D, shall be used for velocity and volumetric flow rates [35 IAC 218.105(e)(3)];
- iv. 40 CFR Part 60, Appendix A, Method 3, shall be used for gas analysis [35 IAC 218.105(e)(4)];
- v. 40 CFR Part 60, Appendix A, Method 4, shall be used for stack gas moisture [35 IAC 218.105(e)(5)];
- vi. 40 CFR Part 60, Appendix A, Methods 2, 2A, 2C, 2D, 3 and 4, shall be performed, as applicable, at least twice during each test run [35 IAC 218.105(e)(6)]; and
- vii. Use of an adaptation to any of the test methods specified in Conditions 7.1.7(c)(i), (ii) (iii), (iv), (v), and (vi) (see also 35 IAC 218.105(f)(1), (2), (3), (4), (5) and (6)) may not be used unless approved by the Illinois EPA and the USEPA on a case by case basis. An owner or operator must submit sufficient documentation for the Illinois EPA and the USEPA to find that the test methods specified in Conditions 7.1.7(c)(i), (ii) (iii), (iv), (v), and (vi) (see also 35 IAC 218.105(f)(1), (2), (3), (4), (5) and (6)) will yield inaccurate results and that the proposed adaptation is appropriate [35 IAC 218.105(e)(7)].

7.1.8 Inspection 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 each affected acetator to demonstrate compliance with Conditions 5.5.1, 7.1.3, 7.1.5, and 7.1.6, pursuant to Section 39.5(7)(b) of the Act:

- a. Records of the testing of the efficiency of each capture system and control device pursuant to Condition 7.1.7, which include the following [Section 39.5(7)(e) of the Act]:
 - i. The date, places and time of sampling or measurements;
 - ii. The date(s) analyses were performed;
 - iii. The company or entity that performed the analyses;
 - iv. The analytical techniques or methods used;
 - v. The results of such analyses; and
 - vi. The operating conditions as existing at the time of sampling or measurement.
- b. Pursuant to 35 IAC 218.991(a)(2), any owner or operator of a VOM emission unit which is subject to the requirements of 35 IAC 218 Subpart RR and complying by the use of emission capture and control equipment shall collect and record all of the following information each day and maintain the information at the source for a period of three years:
 - i. Control device monitoring data [35 IAC 218.991(a)(2)(A)];
 - ii. A log of operating time for the capture system, control device, monitoring equipment and the associated emission unit [35 IAC 218.991(a)(2)(B)]; and
 - iii. A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine

maintenance performed including dates and duration of any outages [35 IAC 218.991(a)(2)(C)].

- c. Airflow from the affected acetator cfm.
- d. VOM emissions (tons/mo; tons/yr) from the affected acetator as calculated by condition 7.1.12.

7.1.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance of an affected reactor train 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:

- a. Emissions of VOM in excess of the limits in Conditions 7.1.3(b) and/or 7.1.6 based on the current month's records plus the preceding 11 months within 30 days of such an occurrence.

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 Conditions 7.1.3(b) and (c) is assumed by proper operation of the scrubber, as addressed by Condition 7.1.5(b).
- b. To determine compliance with Conditions 5.5.1 and 7.1.6, VOM emissions from the affected acetator shall be calculated based on the following:

Volatile Organic Material emission rates:

Description	Uncontrolled VOM (lbs/hr*) (Each)
1 Acetator A1	3.74
3 Acetators A2,A3 and A9	4.98
5 Acetators A4 thru A8	4.41
3 Acetators X1 thru X3	2.94

* Except the acetators A1, X1, X2 and X3, where emissions are limited by the condition 7.1.6(a), uncontrolled VOM emissions are from the permit application based on 3.5 lbs/hr @ 100 cfm air flow.

VOM (tons) = Uncontrolled emission rate (lbs/hr) x [1 - (% Scrubber efficiency/100)] X Hours of operation x 1/2000

7.2 Unit 02: Gas Fired Boiler

7.2.1 Description

The boiler fired with natural gas is used for producing process steam.

7.2.2 List of emission equipment and pollution control equipment

<u>Plant Emission Unit</u>	<u>Boiler Identification</u>	<u>Date Constructed</u>	<u>Maximum Heat Input (mmBtu/hr)</u>
Unit I	Cleaver Brooks Boiler	1981	8.4

7.2.3 Applicable Regulations

- a. The "affected boiler" for the purpose of these unit-specific conditions, is equipment listed in condition 7.2.2.
- b. The emission of carbon monoxide (CO) into the atmosphere from any fuel combustion emission unit with actual heat input greater than 2.9 MW (10 mmBtu/hr) shall not exceed 200 ppm, corrected to 50 percent excess air [35 IAC 216.121].

7.2.4 Non-Applicability of Regulations of Concern

- a. The New Source Performance Standard for Small - Industrial - Commercial - Institutional Steam Generating Units, 40 CFR 60, Subpart Dc, applies to units with design heat input capacity of 10 to 100 mmBtu/hr. The boiler is <10 mmBtu/hr, therefore, these rules do not apply.
- b. Pursuant to 35 IAC 218.303, fuel combustion emission units are not subject to 35 IAC 218.301, "Use of Organic Material".

7.2.5 Operational and Production Limits and Work Practices

None

7.2.6 Emission Limitations

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

None

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 which allow to demonstrate compliance with Condition 5.5.1 and 7.2.5 pursuant to Section 39.5 (7) (b) of the Act:

- a. Total natural gas usage for the boiler (mmcf/yr)
- b. Annual aggregate NO_x, PM, SO₂, and VOM emissions from the boiler, based on fuel consumption and the applicable emission factors, with supporting calculations.

7.2.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance of the affected boiler 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:

- a. Emissions of CO from the affected boiler in excess of the limits specified in Condition 7.2.3(b), within 30 days of such an occurrence

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

N/A

7.2.12 Compliance Procedures

- a. Compliance with Condition 7.2.3 (b) is assumed to be achieved by work-practices inherent in operation of natural gas-fired boilers, so that no compliance procedures are set in this permit addressing this regulation.
- b. Compliance with the emission limits in condition 5.5 shall be based on the recordkeeping requirements in

Condition 7.2.9 and the emission factors and formulas listed below:

<u>Pollutant</u>	<u>Emission Factor</u> <u>(lb/mmcf)</u>
NO _x	100.0
PM	7.6
SO ₂	0.6
VOM	5.5

These are the emission factors for uncontrolled natural gas combustion in boilers (<100 mmBtu/hr), Tables 1.4.1 and 1.4.2, AP-42, Volume I, Supplement D, March, 1998.

Boiler Emissions (lb) = Natural Gas Consumed
Multiplied by the Appropriate Emission Factor.

7.3 Unit 03: Ethyl Alcohol Storage Tanks

7.3.1 Description

The source operates several storage tanks for storing Ethyl alcohol.

7.3.2 List of Emission Equipment and Pollution Control Equipment

Ethyl alcohol storage tanks with submerged loading pipe

<u>Plant Designation</u>	<u>Date Constructed</u>	<u>Storage Tank No.</u>	<u>Tank Gallons</u>
Tanks 101, 102 & 103	1988	3	15,000
Tanks 104 and 105	1992	2	15,000
Tanks 201 and 202	1975	2	33,500

7.3.3 Applicability Provisions

- a. The "affected Ethyl alcohol storage tank", for the purpose of these unit-specific conditions, is each piece of equipment as listed in condition 7.3.2.
- b. No person shall cause or allow the loading of any organic material in any stationary tank having a storage capacity of greater than 946 liter (250 gallon), unless such tank is equipped with a permanent submerged loading pipe [35 IAC 218.122(b)]. Except as provided in the following exemptions: If the tank is a pressure tank then the limitations of 35 IAC 218.122(b) shall not apply [35 IAC 218.122(c)] or if no odor nuisance exists then the limitation of 35 IAC 218.122(b) shall only apply when the tank is used to store a volatile organic liquid with a vapor pressure of 2.5 psia or greater at 70⁰ F [35 IAC 218.122(d)].

7.3.4 Non-Applicability of Regulations of Concern

- a. The affected Ethyl alcohol storage tank is not subject to the requirements of 35 IAC 218.121, because the tank is less than 40,000 gallon.
- b. The affected Ethyl alcohol storage tank is not subject to the requirements of 35 IAC 218.122(a), because the tank is less than 40,000 gal.

7.3.5 Operational and Production Limits and Work Practices

Each affected Ethyl alcohol storage tank is subject to the applicable provisions of Condition 7.3.3. The affected

storage tank shall be equipped and operated with a submerged loading pipe, submerged fill, or an equivalent device approved by the Illinois EPA, pursuant to 35 IAC 218.122(b) and/or 218.583(a). (The Illinois EPA has not approved use of other equivalent equipment in lieu of a submerged loading pipe or submerged loading fill.)

7.3.6 Emission Limitations

In addition to Condition 5.2.2 and the source wide emission limits in Condition 5.5, the affected Ethyl alcohol storage tank is subject to the following:

Emissions of VOM from all the affected Ethyl alcohol storage tanks shall not exceed 0.8 tons/month and 1.1 tons/year.

Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total).

The above limits ensure that the affected Ethyl alcohol storage tank do not constitute a new major source or major modification pursuant to 35 IAC Part 203, as limits were previously not established in a federally enforceable permit.

7.3.7 Testing Requirements

None

7.3.8 Inspection and 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 tank to demonstrate compliance with Condition 7.3.5 pursuant to Section 39.5(7) of the Act:

- a. Design information for the tanks showing the presence of a submerged loading pipe or submerged fill;
- b. Maintenance and repair records for the tank, as related to the repair or replacement of the loading pipe;

- c. The throughput of the affected Ethyl alcohol storage tank (gal/mo; gal/yr); and
- d. VOM emissions (tons/mo; tons/yr) as calculated by condition 7.3.12.

7.3.10 Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance of the affected storage tank 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:

- a. Any loading of gasoline or other VOL into an affected tanks that was not in compliance with Condition 7.3.5, e.g., no "submerged loading pipe or submerged fill" within five days of becoming aware of the noncompliance status. This notification shall include a description of the event, the cause for the noncompliance, actions taken to correct the noncompliance and the steps taken to avoid future noncompliance.
- b. Any storage of gasoline or other VOL in an affected tank that is out of compliance with the control requirements (Condition 7.3.5) due to damage, deterioration, or other condition of the loading pipe, within 30 days of becoming aware of the noncompliance status. This notification shall include a description of the event, the cause for the noncompliance, actions taken to correct the noncompliance, and the steps to be taken to avoid future noncompliance.

7.3.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to an affected tanks without prior notification to the Illinois EPA or revision of this permit. This condition does not affect the Permittee's obligation to properly obtain a construction permit in a timely manner for any activity constituting construction or modification of the source, as defined in 35 IAC 201.102:

- a. Changes to components related to either the "submerged loading pipe or submerged fill", including addition of new components and repair and replacement of components; and

- b. Changes in the material stored in a tank provided the tank continues to comply with the Conditions of Section 7.3.5 of this permit.

7.3.12 Compliance Procedures

Compliance with the emission limits in condition 5.5 and 7.3.6 shall be based on the recordkeeping requirements in Condition 7.3.9 and the emission factors and formulas listed below:

For the purpose of estimating VOM emissions from each affected storage tank, the current version of the TANKS program is acceptable.

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 August 3, 1999, 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 without applying for or obtaining an amendment to this permit, provided that the changes do not constitute a modification under Title I of the CAA, emissions will not exceed the emissions allowed under this

permit following implementation of the physical or operational change, and 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 [Section 39.5(12)(a) of the Act]. This notice shall:

- a. Describe the physical or operational change;
- b. Identify the schedule for implementing the physical or operational change;
- c. 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;
- d. Provide emission calculations which demonstrate that the physical or operational change will not result in a modification; and
- e. 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

A report summarizing required monitoring 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 (MC 40)
Bureau of Air
Compliance Section
P.O. Box 19276
Springfield, Illinois 62794-9276

- ii. Illinois EPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
Eisenhower Tower
1701 South First Avenue
Maywood, Illinois 60153

iii. Illinois EPA - Air Permit Section (MC 11)

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section
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)(p)(ii) of the Act]:

- 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; 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.

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: _____

MJP:jar