



DEC 21 2009

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

**Re: Final - Authority to Construct / Certificate of Conformity (Minor Mod)
Project # N1093350**

Dear Mr. Rios:

The Air Pollution Control Officer has issued an Authority to Construct (N-1237-4-12) with a Certificate of Conformity to E & J Gallo Winery. E & J Gallo Winery has proposed to reduce the permitted NOx emissions for the boiler operating under permit unit N-1237-4 to 7 ppmvd @ 3% O2 for compliance with District Rule 4320.

Enclosed are copies of the Authority to Construct. The application and proposal were sent to US EPA Region IX on October 14, 2009. No comments were received following the District's preliminary decision on this project.

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

Sincerely,



David Warner
Director of Permit Services

DW: RD/cm

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

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



DEC 21 2009

Mr. Lupe Munoz
E & J Gallo Winery
18000 W River Rd
Livingston, CA 95334

**Re: Final - Authority to Construct / Certificate of Conformity (Minor Mod)
Project # N1093350**

Dear Mr. Munoz:

The Air Pollution Control Officer has issued an Authority to Construct (N-1237-4-12) with a Certificate of Conformity to E & J Gallo Winery. E & J Gallo Winery has proposed to reduce the permitted NOx emissions for the boiler operating under permit unit N-1237-4 to 7 ppmvd @ 3% O2 for compliance with District Rule 4320.

Enclosed is the Authority to Construct and invoice. The application and proposal were sent to US EPA Region IX on October 14, 2009. No comments were received following the District's preliminary decision on this project.

Prior to operating with modifications authorized by the Authority to Construct, you must submit an application to modify the Title V permit as an administrative amendment in accordance with District Rule 2520, Section 11.5.

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

Sincerely,



David Warner
Director of Permit Services

DW: RD/cm

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

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



AUTHORITY TO CONSTRUCT

PERMIT NO: N-1237-4-12

ISSUANCE DATE: 12/16/2009

LEGAL OWNER OR OPERATOR: E & J GALLO WINERY
MAILING ADDRESS: 18000 W RIVER RD
LIVINGSTON, CA 95334

LOCATION: 18000 W RIVER RD
LIVINGSTON, CA 95334

EQUIPMENT DESCRIPTION:

MODIFICATION OF THE 150 MMBTU/HR MURRAY MODEL MSF5-99 NATURAL GAS-FIRED BOILER WITH A TODD COMBUSTION MODEL SV750FGX LOW NOX BURNER, FLUE GAS RECIRCULATION AND A CRI COMPANY SELECTIVE CATALYTIC REDUCTION (SCR) SYSTEM TO REDUCE NOX EMISSION CONCENTRATIONS TO 7.0 PPMVD @ 3% O2 FOR RULE 4320 COMPLIANCE

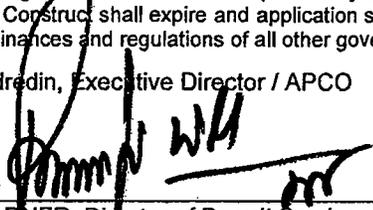
CONDITIONS

1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District NSR Rule] Federally Enforceable Through Title V Permit
2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
4. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
5. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
6. Particulate matter emissions shall not exceed 0.1 grain/dscf at operating conditions, nor 0.1 grain/dscf calculated to 12% CO2, nor 10 lb/hr. [District Rules 4201 and 4301, 5.1 and 5.2.3] Federally Enforceable Through Title V Permit
7. The emission control system shall be in operation and emissions shall be minimized insofar as technologically feasible during startup and shutdown. [District Rules 4305, 4306, and 4320]

CONDITIONS CONTINUE ON NEXT PAGE

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

Seyed Sadredin, Executive Director / APCO


DAVID WARNER, Director of Permit Services

N-1237-4-12: Dec 16 2009 2:38PM - DYERR : Joint Inspection NOT Required

8. The unit shall only be fired on PUC-regulated natural gas. [District Rule 2201] Federally Enforceable Through Title V Permit
9. On and after July 1, 2010, the permittee shall submit an analysis showing the fuel's sulfur content at least once every year. Valid purchase contracts, supplier certifications, tariff sheets, or transportation contracts may be used to satisfy this requirement, provided they establish the fuel parameters mentioned above. [District Rule 4320]
10. Operator shall provide that fuel hhv be certified by third party fuel supplier or determined annually by ASTM D 1826 or D 1945 in conjunction with ASTM D 3588 for gaseous fuels. [District Rules 2520, 9.3.2, 4305, 4306, and 4320, 6.2.1]
11. Operator shall maintain copies of fuel invoices and supplier certifications. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
12. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following subsumed requirements: Rule 407 (Merced). [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
13. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following subsumed requirements: SJVUAPCD Rule 1081, 4201, 4202, 4301 and 4305. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
14. The requirements of 40 CFR 60, subpart Db do not apply to this source. A permit shield is granted for this requirement. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
15. Except during start-up and shutdown, emissions from the exhaust of the SCR system serving this boiler shall not exceed any of the following limits: 7 ppmvd NO_x @ 3% O₂ or 0.008 lb-NO_x/MMBtu; 0.00285 lb-SO_x/MMBtu; 0.005 lb-PM₁₀/MMBtu; 200 ppmvd CO @ 3% O₂ or 0.148 lb-CO/MMBtu; or 0.0028 lb-VOC/MMBtu. [District NSR Rule and District Rules 4305, 4306, and 4320, 5.2.1]
16. During start-up and shutdown, emissions from the exhaust of the SCR system serving this boiler shall not exceed any of the following limits: 1.65 lb-NO_x/hr; 0.00285 lb-SO_x/MMBtu; 0.005 lb-PM₁₀/MMBtu; 22.2 lb-CO/hr; or 0.0028 lb-VOC/MMBtu. [District Rules 2201, 4305, 4306, and 4320]
17. The total duration of start-up time shall not exceed 9.0 hours per day. [District Rules 2201, 4305, 4306, and 4320, 5.6]
18. The duration of startup time shall not exceed 6.0 hours per occurrence. [District Rules 2201, 4305, 4306, and 4320, 5.6]
19. The total duration of shutdown time shall not exceed 6.0 hours per day. [District Rules 2201, 4305, 4306, and 4320, 5.6]
20. The duration of shutdown time shall not exceed 3.0 hours per occurrence. [District Rules 2201, 4305, 4306, and 4320, 5.6]
21. The ammonia (NH₃) emissions shall not exceed 10 ppmvd @ 3% O₂ over a 15 minute averaging period. [District Rule 4102]
22. Source testing to measure NO_x, CO, and NH₃ emissions from this unit shall be conducted at least once every 12 months. After demonstrating compliance on two consecutive annual source tests, the unit shall be tested not less than once every 36 months. If the result of the 36-month source test demonstrates that the unit does not meet the applicable emission limits, the source testing frequency shall revert to at least once every 12 months. [District Rules 2201, 4102, 4305, 4306, and 4320 6.3.1]
23. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified at least 30 days prior to any compliance source test, and a source test plan must be submitted for approval at least 15 days prior to testing. [District Rules 1081] Federally Enforceable Through Title V Permit
24. The source test plan shall identify which fuel the source test is going to be performed on and the basis (ppmv or lb/MMBtu) that will be used to demonstrate compliance. [District Rules 4305, 4306, and 4320]
25. All emissions measurements shall be made with the unit operating either at conditions representative of normal operations or conditions specified in the Permit to Operate. No determination of compliance shall be established within two hours after a continuous period in which fuel flow to the unit is shut off for 30 minutes or longer, or within 30 minutes after a re-ignition as defined in Section 3.0 of District Rule 4320. [District Rules 4305, 4306, and 4320]

CONDITIONS CONTINUE ON NEXT PAGE

26. For emissions source testing, the arithmetic average of three 30-consecutive-minute test runs shall apply. If two of three runs are above an applicable limit the test cannot be used to demonstrate compliance with an applicable limit. [District Rules 4305, 4306, and 4320, 5.8.5]
27. NO_x emissions for source test purposes shall be determined using EPA Method 7E or ARB Method 100 on a ppmv basis, or EPA Method 19 on a heat input basis. [District Rules 4305, 4306, and 4320, 6.2]
28. CO emissions for source test purposes shall be determined using EPA Method 10 or ARB Method 100. [District Rules 4305, 4306, and 4320, 6.2]
29. Stack gas oxygen (O₂) shall be determined using EPA Method 3 or 3A or ARB Method 100. [District Rules 4305, 4306, and 4320, 6.2]
30. Source testing for ammonia slip shall be conducted utilizing BAAQMD Method ST-1B. [District Rule 4102]
31. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081] Federally Enforceable Through Title V Permit
32. The permittee shall monitor and record the stack concentration of NO_x, CO, NH₃, and O₂ at least once during each month in which source testing is not performed. NO_x, CO, and O₂ monitoring shall be conducted utilizing a portable analyzer that meets District specifications or District-approved monitoring equipment. NH₃ monitoring shall be conducted utilizing Draeger tubes or a District approved equivalent method. Monitoring shall not be required if the unit is not in operation, i.e. the unit need not be started solely to perform monitoring. Monitoring shall be performed within 5 days of restarting the unit unless it has been performed within the last month. [District Rules 4102, 4305, 4306, and 4320]
33. If the NO_x, CO, or NH₃ concentrations, as measured by the portable analyzer or the District approved ammonia monitoring equipment, exceed the permitted levels the permittee shall return the emissions to compliant levels as soon as possible, but no longer than 1 hour of operation after detection. If the portable analyzer continues to show emission limit violations after 1 hour of operation following detection, the permittee shall notify the District within the following 1 hour and conduct a certified source test within 60 days of the first exceedence. In lieu of conducting a source test, the permittee may stipulate a violation that is subject to enforcement action has occurred. The permittee must then correct the violation, show compliance has been re-established, and resume monitoring procedures. If the deviations are the result of a qualifying breakdown condition pursuant to Rule 1100, the permittee may fully comply with Rule 1100 in lieu of the performing the notification and testing required by this condition. [District Rules 4102, 4305, 4306, and 4320]
34. All NO_x, CO, NH₃, and O₂ monitoring emissions readings shall be taken with the unit operating at conditions representative of normal operation or under the conditions specified in the Permit to Operate. The NO_x, CO and O₂ analyzer and NH₃ emissions monitoring equipment shall be calibrated, maintained, and operated in accordance with the manufacturer's specifications and recommendations or a protocol approved by the APCO. Analyzer readings taken shall be averaged over a 15 consecutive-minute period by either taking a cumulative 15 consecutive-minute sample reading or by taking at least five readings, evenly spaced out over the 15 consecutive-minute period. [District Rules 4102, 4305, 4306, and 4320]
35. Ammonia emission readings shall be conducted at the time the NO_x, CO and O₂ readings are taken. The readings shall be converted to ppmvd @ 3% O₂. [District Rule 4102]
36. The permittee shall maintain records of: (1) the date and time of NO_x, CO, NH₃, and O₂ measurements, (2) the O₂ concentration in percent by volume and the measured NO_x, CO, and NH₃ concentrations corrected to 3% O₂, (3) make and model of the portable analyzer(s), (4) portable analyzer calibration records, (5) the method of determining the NH₃ emission concentration, and (6) a description of any corrective action taken to maintain the emissions at or below the acceptable levels. [District Rules 4102, 4305, 4306, and 4320]
37. The permittee shall maintain daily records of start-up and shutdown durations and number of occurrences of each start-up and shutdown. [District Rules 2201 1070, 2201, 4305, 4306, and 4320]
38. All records shall be maintained and retained on-site for a minimum of 5 years, and shall be made available for District inspection upon request. [District Rules 1070, 4305, 4306, and 4320, 6.1]



San Joaquin Valley
Unified Air Pollution
Control District

Due Date
2/16/2010

Amount Due
\$ 1,744.00

Amount Enclosed

ATCFEE N1093350
1237 N77166 12/16/2009

RETURN THIS TOP PORTION ONLY, WITH REMITTANCE TO:

E & J GALLO WINERY
18000 W RIVER RD
LIVINGSTON, CA 95334

SJVAPCD
4800 Enterprise Way
Modesto, CA 95356-8718

Thank You!



San Joaquin Valley
Unified Air Pollution
Control District

SJVAPCD Tax ID: 77-0262563

E & J GALLO WINERY
18000 W RIVER RD
LIVINGSTON, CA 95334

Facility ID
N1237

Invoice Date
12/16/2009

Invoice Number
N77166

Invoice Type
Project: N1093350

PROJECT NUMBER: 1093350

APPLICATION FILING FEES	\$ 65.00
ENGINEERING TIME FEES	\$ 1,744.00
TOTAL FEES	\$ 1,809.00
LESS PREVIOUSLY PAID PROJECT FEES APPLIED TO THIS INVOICE	(\$ 65.00)
PROJECT FEES DUE (Enclosed is a detailed statement outlining the fees for each item.)	\$ 1,744.00

Late Payment (see Rule 3010, Section 11.0 Late Fees)	
Postmarked	Total Due
After 2/16/2010 through 2/26/2010	\$ 1,918.40
After 2/26/2010	\$ 2,616.00
After 3/18/2010	Permits To Operate MAY BE SUSPENDED

San Joaquin Valley Air Pollution Control District
4800 Enterprise Way, Modesto, CA 95356-8718, (209) 557-6400, Fax (209) 557-6475

Invoice Detail

Facility ID: N1237

E & J GALLO WINERY
 18000 W RIVER RD
 LIVINGSTON, CA 95334

Invoice Nbr: N77166
 Invoice Date: 12/16/2009
 Page: 1

Application Filing Fees

Project Nbr	Permit Number	Description	Application Fee
N1093350	N-1237-4-12	MODIFICATION OF THE 150 MMBTU/HR MURRAY MODEL MSF5-99 NATURAL GAS-FIRED BOILER WITH A TODD COMBUSTION MODEL SV750FGX LOW NOX BURNER, FLUE GAS RECIRCULATION AND A CRI COMPANY SELECTIVE CATALYTIC REDUCTION (SCR) SYSTEM TO REDUCE NOX EMISSION CONCENTRATIONS TO 7.0 PPMVD @ 3% O2 FOR RULE 4320 COMPLIANCE	\$ 65.00
Total Application Filing Fees:			\$ 65.00

Engineering Time Fees

Project Nbr	Quantity	Rate	Description	Fee
N1093350	20.1 hours	\$ 90.00 /h	Standard Engineering Time	\$ 1,809.00
			Less Credit For Application Filing Fees	(\$ 65.00)
			Standard Engineering Time SubTotal	\$ 1,744.00
Total Engineering Time Fees:				\$ 1,744.00