

June 30, 2026

Ms. Karina Cortes Odland
Environmental Coordinator
Archer Daniels Midland Company
5525 - 136th Avenue SE
Enderlin, ND 58027
karina.cortes@adm.com

Re: Air Quality
Title V (Renewal)
Permit to Operate

Dear Ms. Odland:

Pursuant to the Air Pollution Control Rules of the State of North Dakota, the Department of Environmental Quality (Department) has reviewed your permit renewal application dated September 10, 2025 for the Enderlin Facility located in Ransom County, North Dakota.

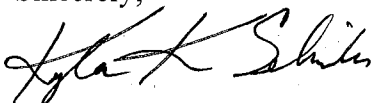
Enclosed is a copy of the Department's draft/proposed Title V Permit to Operate and statement of basis for the facility. Before making final determinations on the permit application, the Department provides for public comment by means of the enclosed public notice, to be immediately followed by a 45-day Environmental Protection Agency (EPA) review period. As indicated in the notice, the 30-day public comment period will begin July 21, 2026 and end August 19, 2026.

If any changes are subsequently made to the draft permit, then a review copy of the proposed permit reflecting those changes will be provided to EPA prior to the start of a 45-day EPA review period. The 45-day EPA review period is scheduled to begin August 20, 2026 and end October 5, 2026.

All comments received will be considered in the final determination concerning issuance of the permit. The Department will take final action on the permit application following the public comment period and the EPA review period. You will be notified in writing of our final determination.

If you have any questions, please contact me at (701)328-5218 or email kkschneider@nd.gov.

Sincerely,



Kyla K. Schneider
Environmental Scientist

KKS: RLS

Enc:

xc/enc: EPA Region 8, Air Permitting (email – r8airpermitting@epa.gov)

NOTICE OF INTENT TO ISSUE AN
AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE

Take notice that the North Dakota Department of Environmental Quality (NDDEQ) proposes to reissue an Air Pollution Control Permit to Operate to Archer Daniels Midland Company (ADM) for operation of the Enderlin Facility in accordance with the ND Air Pollution Control Rules. The facility is located at 5525 – 136th Avenue SE, Enderlin in Ransom County and is comprised of oilseed processing, extraction and refining plant with an edible bean plant and a protein isolate plant. The ADM mailing address is P.O. Box 1470, Decatur, IL 62525. The draft permit incorporates construction permits ACP-18337 v1.0.

A thirty-day public comment period for the draft permit will begin July 21, 2026 and end August 19, 2026. Direct comments in writing to the NDDEQ, Division of Air Quality, 4201 Normandy Street, Bismarck, ND 58503-1324 or email AirQuality@nd.gov, Re: Public Comment Permit Number AOP-28378 v6.0. Please note that, to be considered, comments submitted by email must be sent to the email address listed; comments sent to any other email address **will not** be considered. Comments must be received by 11:59 p.m. central time on the last day of the public comment period to be considered in the final permit determination. A public hearing regarding issuance of the permit will be held if a significant degree of public interest exists as determined by the NDDEQ. Requests for a public hearing must be received in writing by the NDDEQ before the end of the public comment period.

The notice, draft permit, statement of basis and application are available for review at the NDDEQ address and at the Division of Air Quality website at <https://deq.nd.gov/AQ/PublicCom.aspx>. A copy of these documents may be obtained by writing to the Division of Air Quality or contacting Kyla Schneider at (701)328-5218 or emailing kkschneider@nd.gov.

The NDDEQ will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. Language assistance services are available free of charge to you. To request accommodations or language assistance, contact the NDDEQ Non-discrimination/EJ Coordinator at 701-328-5150 or deqEJ@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Dated this 10th day of July 2026.

James L. Semerad
Director
Division of Air Quality

**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE**

Permittee:

Name:

Archer Daniels Midland Company (ADM)

Address:

P.O. Box 1470
Decatur, IL 62525

Source Location:

5525 - 136th Avenue SE
Enderlin, ND 58027
Ransom County

Permit Number:

AOP-28378 v6:0

Source Name:

Enderlin Facility

Source Type:

Seed, Oil (Soybean and Other Oilseed Processing)

Expiration Date:

May 15, 2031

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), and the Air Pollution Control Rules of the State of North Dakota, Article 33.1-15 of the North Dakota Administrative Code (NDAC), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Title V Permit to Operate is hereby issued authorizing such permittee to operate the emissions units at the location designated above. This Title V Permit to Operate is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified on the following pages. All conditions are enforceable by EPA and citizens under the Clean Air Act unless otherwise noted.

Renewal: TBD

James L. Semerad
Director
Division of Air Quality

4201 Normandy St

Bismarck, ND 58503-1324

Fax: 701-328-5200

deq.nd.gov

Director's Office
701-328-5150

Division of
Air Quality
701-328-5188

Division of
Municipal Facilities
701-328-5211

Division of
Waste Management
701-328-5166

Division of
Water Quality
701-328-5210

Division of Chemistry
701-328-6140
2635 East Main Ave
Bismarck ND 58501

Enderlin Facility
Title V Permit to Operate
Table of Contents

<u>Condition</u>	<u>Page No.</u>
1. Emission Unit Identification	3
2. Applicable Standards, Restrictions and Miscellaneous Conditions	5
3. Emission Unit Limits	11
4. Monitoring Requirements and Conditions	15
5. Recordkeeping Requirements	24
6. Reporting	27
7. Facility Wide Operating Conditions	29
8. General Conditions	35
9. State Enforceable Only Conditions (not Federally enforceable)	41
Attachment A – Compliance Assurance Monitoring (CAM) Plan for EU 17	

1. **Emission Unit Identification:**

The emission units regulated by this permit are as follows:

Table 1.1 Emission Unit Identification

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Processing Equipment			
Dehuller system	05	05	Cyclone
Dehuller system	06	06	Cyclone
Hull storage bin vents	07 ^A	07	Bagfilter
Elevators & conveyors	08	08	Cyclone
Meal/hull processing	11	11	Cyclones (2)
Hammermills	12 ^A	12	Bagfilter
A dryer	15 ^A	15	None/Fugitive Emissions
West building vents (NSPS DD)	22 ^A	22	None/Fugitive Emissions
Dry seed tank vents (10) (NSPS DD)	23 ^A	23	Bagfilters (10)
Meal storage tanks	25 ^A	25	Bagfilter
FM tank-transferring	26 ^A	26	Bagfilter
Day tank	29 ^A	29	Bagfilter
Fly ash and bottom ash loadout	30 ^A	30	Bagfilter
Seed receiving (NSPS DD)	51 ^A	51	Bagfilter
Whole seed truck loading spout	51a ^A	Fug1	None
Whole seed rail loading spout	51b ^A	Fug 2	None
Seed cleaning (NSPS DD)	52 ^A	52	Bagfilter
Dockage loadout	52a ^A	52a	None
Seed storage (NSPS DD)	53 ^{A, B}	53	Bagfilter
Filter aid receiving	54 ^A	54	Bagfilter
Bleaching clay receiving	55 ^A	55	Bagfilter
Rotary seed conditioner	56	56	Cyclone
East building vents (NSPS DD)	57 ^A	57	None/Fugitive Emissions
Expeller aspiration	58	58	Cyclones (2)
Truck meal loadout	59 ^A	59	Bagfilter
Rail meal loadout	60 ^A	60	Bagfilter
Rail meal unload pit	60a ^A	Fug 3	None
Desolventizer-toaster-dryer-cooler (DTDC) (MACT GGGG)	61	61	Cyclones (2)
Whole seed conditioner	63	63	Cyclone
Hull grinding	65 ^A	65	Bagfilter
Refinery vacuum system vent	66 ^A	66	None
Main vent (hexane extraction) (MACT GGGG)	67	67	Condensation/Mineral Oil Absorption
Dehulling area	68 ^A	68	Bagfilter

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Bean receiving/storage/handling	70 ^C	70	Bagfilter
Bean/bean powder conveying/storage/ packaging	77 ^D		
Isolate valve packer receiver	PI-22		
Isolate super sacker receiver	PI-23		
Isolate valve packer aspiration	PI-24		
Pea hull loadout aspiration	PI-25		
Bean dehydrator	72 ^A	72	None
Wood/PC grain fuel receiving station	79 ^A	79	Bagfilter
B335A raw flake conveyor vent fan	84 ^A	84	None
C101F L – path fan	85 ^A	85	None
Raw legume transport	PI-03	PI-03	Bagfilter
Raw legume screening	PI-04		
Raw legume split conditioner	PI-05		
Legume split flacking	PI-06		
Hull separation aspiration	PI-07A		
Hulls grinder blowline	PI-07B		
Hulls transport to storage	PI-07C ^A	PI-07	Bagfilter
Isolate sizing	PI-17 ^A	PI-17	Bagfilter
WWTP anaerobic reactor	FR-01 ^E	FR-01	Caustic Scrubber & Biogas Flare
Biogas flare	FR-02		None
Fuel Burning Equipment			
JTA boiler rated at 280 x 10 ⁶ Btu/hr (nominal) and fired on hulls, biomass, railroad ties and clean wood (constructed 1998, NSPS Db; NESHAP/MACT DDDDD)	17	17	ESP
125 bhp diesel engine driven emergency generator (manuf. 1978, NESHAP/MACT ZZZZ)	33 ^{A, F}	33	None
Newpoint NUK natural gas-fired (No. 2 fuel oil backup) boiler rated at 15 x 10 ⁶ Btu/hr (constructed 2010, NSPS Dc; NESHAP/MACT DDDDD)	62	62	None
Trane Murray natural gas/LPG-fired (No. 2 fuel oil backup) boiler rated at 180 x 10 ⁶ Btu/hr (nominal) (constructed 1977, NESHAP/MACT DDDDD)	64	64	None
1,818 bhp Caterpillar diesel engine driven emergency generator (manuf. 1997, NESHAP/MACT ZZZZ)	69 ^F	69	None
285 bhp diesel fire pump #1 engine (manuf. 1981,NESHAP/MACT ZZZZ)	81 ^{A, F}	81	None
460 bhp diesel fire pump #2 engine (manuf. 1996, NESHAP/MACT ZZZZ)	82 ^{A, F}	82	None
Starch flash dryer equipped with a natural gas-fired burner rated at 30 x 10 ⁶ Btu/hr	PI-09	PI-09	Scrubber
Isolate spray dryer system equipped with a natural gas-fired burner rated at 32 x 10 ⁶ Btu/hr	PI-16	PI-16a	Bagfilter
		PI-16b	Bagfilter

^A Insignificant or fugitive emission sources (no specific emission limit).

- B Dust discharge from the bottom of the EP 53 bagfilter is routed to the bottom of EP 51 bagfilter, instead of pneumatically conveying the EP 53's particulate catch to the EU 26 Fines Tank.
- C Includes eight tanks: four on the east side (numbered 1011, 1012, 1013, 1014) and four on the west side (numbered 1021, 1022, 1023, 1024). Tank 1011 was repurposed by the Legume Protein Isolate Project to PI-01 Raw Legume Storage Tank.
- D Includes four tanks, including PI-08, some pneumatic conveying, and the bean packaging equipment. PI-08 was repurposed by the Legume Protein Isolate Project as the hulls storage and loadout tank.
- E Emissions from this unit are first routed through a wet scrubber for the control of sulfur compounds, and then combusted at the flare EP FR-01.
- F The potential to emit for an emergency stationary reciprocating internal combustion engine (RICE) is based on operating no more hours per year than is allowed by the subpart (40 CFR 63, Subpart ZZZZ) for other than emergency situations. For engines to be considered emergency stationary RICE under the RICE rules, engine operations must comply with the operating hour limits as specified in the applicable subpart. There is no time limit on the use of emergency stationary RICE in emergency situations [40 CFR 63, Subpart ZZZZ, §63.6640(f)].

B. JTA Boiler (EU 17) Continuous Emission Monitoring System (CEMS) and Continuous Emission Rate Monitoring System (CERMS):

Table 1.2 JTA Boiler Continuous Monitoring

Monitoring Type	Pollutant		
CEMS	SO ₂	NO _x	CO ₂
CERMS	SO ₂	CO ₂	Flow

Applicable Requirements: PTC06004 & NDAC 33.1-15-12-02, Subpart Db

2. Applicable Standards, Restrictions and Miscellaneous Conditions:

A. Fuel Restrictions:

- 1) The JTA boiler (EU17) is restricted to combusting:
- Hulls consisting of sunflower and/or soybean hulls.
 - Biomass fuel which includes oilseeds/small grains/edible beans, seeds, screenings and seed derivatives, including vegetable oil dewaxing and filtration cake process materials, at various percentages.
 - Railroad ties (RRT): including bridge timbers, signal poles and similar such material) that have only been pressure treated with creosote, bunker C, or similar such nonhazardous substances. Railroad ties treated with hazardous substances, such as chromate copper arsenate or pentachlorophenol, are not included in this definition and may not be burned.
 - Clean wood consisting of untreated wood or untreated wood products including clean and untreated lumber, tree stumps (whole or chipped), and tree limbs (whole

or chipped). Clean wood does not include yard waste (as defined in 40 CFR 60.51b) or construction, renovation, and demolition wastes (including but not limited to railroad ties and telephone poles).

- e) Additional fuels may be burned in the JTA boiler with Department approval.

Applicable Requirements: PTC06004 and NDAC 33.1-15-14-03.6

- 2) The burners for the starch flash dryer (EU PI-09) and the isolate spray dryer system (EU PI-16) are restricted to combusting only natural gas containing no more than 2 grains of sulfur per 100 standard cubic feet.

Applicable Requirement: ACP-17820 v1.1

- 3) The engines (EU 33, 69, 81 and 82) are restricted to combusting only distillate oil containing no more than 0.0015 percent sulfur by weight.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

- 4) The Newpoint NUK boiler (EU 62) and Trane Murray boiler (EU 64) are restricted to combusting only natural gas containing no more than 2 grains of sulfur per 100 standard cubic feet, commercial propane as defined by the Gas Processors Association or distillate oil containing no more than 0.05 percent sulfur by weight.

Applicable Requirements: NDAC 33.1-15-12, Subpart Dc and NDAC 33.1-15-14-06.5.b(1)

B. Operations Restrictions:

- 1) JTA Boiler (EU 17):

- a) Operation of the JTA boiler is limited to a steam output of 164,200 lb/hr (1-hr avg.) of steam.

- 1] Department approval must be obtained prior to routine operation of the boiler at a steam output greater than 164,200 lb/hr of steam and will be based upon performance test results demonstrating compliance with the applicable emission limits while operating at least 90% of the requested steam output.

- a] For purposes of demonstrating compliance, the boiler will be allowed to operate at a steam output greater than 164,200 lb/hr of steam for up to 60 days after the 164,200 lb/hr limit is initially exceeded. Compliance with the applicable emission limits must be demonstrated within the 60-day period, subject to extensions for cause.

- b] A compliance report is due within 45 days following completion of testing.

Applicable Requirement: ACP-18337 v1.0

- b) Operation of the JTA boiler is limited to steam loads of 145,555 lb/hr when RRT and clean wood exceed 56.0% by weight of the total fuel load.

- 1] The amount of RRT and clean wood that may be combusted in the JTA boiler is limited to a maximum of 75.8% by weight as determined on a monthly basis. The 75.8% by weight rate is based on the most recent tests that were conducted in August 2011 to develop a CAM Plan for the JTA boiler.

- a] Department approval must be obtained prior to routine operation of the boiler at a rate higher than 75.8% by weight and will be based upon performance test results demonstrating compliance with the applicable emission limits while operation at rates above the 75.8% level.

- i. For purposes of demonstrating compliance, the boiler will be allowed to operate at a rate above the 75.8% level for up to 60 days after the 75.8% level is initially exceeded. Compliance with the applicable emission limits must be demonstrated within the 60-day period.

- ii. A compliance report is due within 45 days following completion of testing.

Applicable Requirement: ACP-18337 v1.0

- c) For boilers and process heaters subject to a CO emission limit that demonstrate compliance with an O₂ analyzer system as specified in §63.7525(a), maintain the 30-day rolling average oxygen content at or above the lowest hourly average oxygen concentration measured during the CO performance test, as specified in Table 8 of 40 CFR 63, Subpart DDDDD (5D). This requirement does not apply to units that install an oxygen trim system since these units will set the trim system to the level specified in §63.7525(a).

Applicable Requirement: NDAC 33.1-15-22-03, Subpart 5D, Table 4 (item 8)

- 2) Newpoint NUK Boiler (EU 62) and Trane Murray Boiler (EU 64):
- a) Combined No. 2 fuel oil usage for EU 62 and EU 64 is limited to 3,980,841 gallons per 12-month rolling total.
 - b) EU 64 is limited to 100,000 lb/hr (1-hr avg) steam output when combusting fuel oil and 115,000 lb/hr (1-hr avg) steam output when combusting natural gas.

Applicable Requirement: ACP-18337 v1.0

- 3) Average Operating Load: For boilers and process heaters that demonstrate compliance with a performance test, maintain the 30-day rolling average operating load of each unit such that it does not exceed 110 percent of the highest hourly average operating load recorded during the performance test.

Applicable Requirement: NDAC 33.1-15-22-03, Subpart 5D, Table 4 (item 7)

C. **Hexane VOC Solvent Loss Ratio (SLR):** The final VOC SLR limit shall be a Compliance Ratio ≤ 0.90 .

Where:

Compliance Ratio = Actual Solvent Loss / $\sum[(Crush_i) * (SLF_i)]$;

Actual Solvent Loss = Gallons of actual solvent loss during previous 12 operating months excluding any allowable losses during malfunction periods where:

The malfunction results in a shutdown of the solvent extraction system; and

Cumulative solvent losses during malfunction periods do not exceed 4,000 gallons in a 12-month rolling period.

$Crush_i$ = Tons of each oilseed type "i" process during the previous 12 operating months during normal operating periods; and

SLF_i = The corresponding solvent loss factor (gal/ton) for oilseed "i" as listed in Table 1 of 40 CFR §63.2840.

Applicable Requirement: ACP-18337 v1.0

D. **Flaring Restrictions:**

- 1) When it is necessary to operate the flare (EU FR-02) during emergency, malfunction or maintenance, all precautions shall be taken to minimize emissions and maintain compliance with the applicable ambient air quality standards as outlined in NDAC 33.1-

15-02 and the opacity standard of 20% not to exceed 60% for more than one six-minute period per hour.

- 2) The flare (EU FR-02) must be equipped and operated with an automatic ignitor or a continuous burning pilot which must be maintained in good working order as outlined in NDAC 33.1-15-07-02.
- 3) The presence of a flame shall be monitored using a thermocouple or any other equivalent device approved by the Department.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

E. **New Source Performance Standards (NSPS):** The permittee shall comply with all applicable requirements of the following NDAC 33.1-15-12-02 and 40 CFR 60 subparts in addition to complying with Subpart A - General Provisions.

- 1) Subpart Db - Standards for Performance for Industrial - Commercial - Institutional Steam Generating Units [JTA Boiler (EU 17)].
- 2) Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [Newpoint NUK boiler (EU 62)].
- 3) Subpart DD - Standards of Performance for Grain Elevators [various pieces of seed handling equipment (EU 22, 23, 51, 52, 53 and 57)].

Applicable Requirements: NDAC 33.1-15-12-02, Subparts A, Db, Dc and DD

F. **National Emission Standards for Hazardous Air Pollutants (NESHAP)/Maximum Achievable Control Technology (MACT):** The permittee shall comply with all applicable requirements of the following NDAC 33.1-15-22-03 and 40 CFR 63 subparts in addition to complying with Subpart A - General Provisions.

- 1) Subpart GGGG (4G) - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production (EU 61 and 67).
- 2) Subpart ZZZZ (4Z) - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EU 33, 69, 81 and 82).
- 3) Subpart DDDDD (5D) - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters (EU 17, 62 and 64).
 - a) The permittee has stated the intent to operate the gas/oil boilers (EU 62 and 64) as "units designed to burn gas 1" as defined by NDAC 33.1-15-22-03, Subpart 5D. These boilers will primarily burn natural gas and will burn liquid fuel only for periodic testing of liquid fuel, maintenance, or operator training not to exceed a

combined total of 48 hours during any calendar year. Gaseous fuel boilers that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition. If fuel use recordkeeping for these boilers does not confirm boiler operation in compliance with the "gas 1" definition, additional NDAC 33.1-15-22-03, Subpart 5D emission limits and requirements apply.

- b) Conduct a tune-up of the JTA (EU 17) and gas boilers (EU 62 and 64) annually, no later than 13 months after the previous tune-up, in accordance with §63.7540(a)(10). Alternatively, boilers with a continuous oxygen trim system that maintain an optimum air to fuel ratio must conduct a tune-up every 5 years, as specified in §63.7540(a)(10)(i) through (vi).

Applicable Requirements: NDAC 33.1-15-22-03, Subparts A, GGGG, ZZZZ and DDDDDD

- G. **Best Management Practices:** At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

- H. **Like-Kind Emission Unit Replacement:** This permit allows the permittee to replace the existing emission unit with a like-kind unit. Replacement is subject to the following conditions:

- 1) The Department must be notified within 10 days of replacement. The date of manufacture of the replacement unit and any additional federal applicability must be included in the notification.
- 2) The replacement unit shall operate in the same manner without increasing throughput and have equal or less emissions than the unit it is replacing.
- 3) The replacement unit is subject to the same emission limits and performance testing requirements – both state and federal – as the existing unit. The facility must comply with any applicable federal standards (e.g. NSPS, NESHAP, MACT) triggered by the replacement.
- 4) Testing shall be conducted to confirm compliance with the emission limits within 180 days after start-up of the replacement unit. Emergency units shall not be required to test if replaced by a like-kind unit.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

3. Emission Unit Limits:

Table 3.1 Emission Unit Limits

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission/ Parameter Limit	NDAC Applicable Requirement
Processing Equipment					
Dehuller system and Hull storage bin vents	05 through 07	05 through 07	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Elevators & conveyors	08	08	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Meal/hull processing and Hammermills	11 & 12	11 & 12	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
West building vents	22	22	Opacity (fugitive)	0%	33.1-15-12, Subpart DD
Dry seed tank vents (10)	23	23	PM	0.01 gr/dscf (each vent)	33.1-15-12, Subpart DD
			Opacity	0% (each vent)	33.1-15-12, Subpart DD
Meal storage tanks, FM tank-transferring, Day tank and Fly ash and bottom ash loadout	25, 26, 29 & 30	25, 26, 29 & 30	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Seed receiving	51	51	PM	0.01 gr/dscf	33.1-15-12, Subpart DD
			Opacity	0%	33.1-15-12, Subpart DD
Seed cleaning	52	52	PM	0.01 gr/dscf	33.1-15-12, Subpart DD
			Opacity	0%	33.1-15-12, Subpart DD
Seed storage	53	53	PM	0.01 gr/dscf	33.1-15-12, Subpart DD
			Opacity	0%	33.1-15-12, Subpart DD
Filter aid receiving, Bleaching clay receiving and Rotary seed conditioner	54 through 56	54 through 56	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
East building vents	57	57	Opacity (fugitive)	0%	33.1-15-12, Subpart DD
Expeller aspiration, Truck meal loadout and Rail meal loadout	58 through 60	58 through 60	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Desolventizer-toaster-dryer-cooler (DTDC)	61	61	n-Hexane	Condition 2.F.1	33.1-15-22-03, Subpart 4G
			Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Whole seed conditioner and Hull grinding	63 & 65	63 & 65	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02

Emission Unit Description	EU	EP	Pollutant/Parameter	Emission/Parameter Limit	NDAC Applicable Requirement
Main vent (hexane extraction)	67	67	n-Hexane	Condition 2.F.1	33.1-15-22-03, Subpart 4G
Facility-wide solvent loss	61 & 67	61 & 67	Hexane	≤ 0.90 VOC SLR (Condition 2.C)	ACP-18337 v1.0
Dehulling area bagfilter	68	68	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Bean receiving/storage/handling	70	70	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Bean/bean powder conveying/storage/packaging	77				
Isolate valve packer receiver	PI-22				
Isolate super sacker receiver	PI-23				
Isolate valve packer aspiration	PI-24				
Pea hull loadout aspiration	PI-25				
Bean dehydrator	72	72	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Wood/PC grain fuel receiving station	79	79	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Raw legume transport	PI-03	PI-03	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Raw legume screening	PI-04				
Raw legume split conditioner	PI-05				
Legume split flaking	PI-06				
Hull separation aspiration	PI-07A				
Hulls grinder blowline	PI-07B				
Isolate sizing	PI-17	PI-17	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
WWTP anaerobic reactor with caustic scrubber & biogas flare	FR-01/ FR-02	FR-01	SO ₂	35.10 tons/12-month rolling total	ACP-18183 v1.0 & ACP-18337 v1.0
			Opacity	20% (six-minute avg.) ^B	ACP-18183 v1.0 & ACP-18337 v1.0
Processing equipment	Facility-wide	Facility-wide	Oil seeds	3,000 ton/day (amount processed)	ACP-18337 v1.0

Emission Unit Description	EU	EP	Pollutant/Parameter	Emission/Parameter Limit	NDAC Applicable Requirement
Fuel Burning Equipment					
JTA boiler	17 ^C	17	Filterable PM (or TSM ^D)	0.034 lb/10 ⁶ Btu (or 0.0002 lb/10 ⁶ Btu) ^E	33.1-15-22-03, Subpart 5D
			PM ₁₀	38.0 lb/hr (3-hr avg.)	33.1-15-15-01.2 (BACT)
			SO ₂	When combusting creosote-treated railroad ties or clean wood: 0.47 lb/10 ⁶ Btu (24-hr block avg.)	33.1-15-15-01.2 (BACT)
				When combusting any fuel: 131.6 lb/hr (24-hr block avg.) & 265.0 lb/hr (1-hr avg.) & 334.0 tons/yr (12 m.r.t.) & 3.0 lb/10 ⁶ Btu (1-hr avg.)	33.1-15-15-01.2 33.1-15-02-04 33.1-15-15-01.2 33.1-15-06-01.2
			NO _x	0.20 lb/10 ⁶ Btu (30 d.r.a.)	33.1-15-15-01.2 (BACT)
			CO	0.63 lb/10 ⁶ Btu & 1,100 ppm @ 3% O ₂ (stack test 3 run avg.)	ACP-18337 v1.0, 33.1-15-15-01.2 (BACT) & 33.1-15-22-03, Subpart 5D
			Hg	0.0000054 lb/10 ⁶ Btu	33.1-15-22-03, Subpart 5D
			HCl	0.020 lb/10 ⁶ Btu	33.1-15-22-03, Subpart 5D
			Opacity	20% (six-minute avg.) ^F & 10% (daily block avg.) ^G	33.1-15-12, Subpart Db & 33.1-15-22-03, Subpart 5D, Table 4 (item 4.a) & Table 8 (item 1)
			Operating Load	164,200 lb/hr steam output (1-hour avg.)	ACP-18337 v1.0 & 33.1-15-22-03, Subpart 5D, Table 7 & 8
Emergency diesel generator engine	33	33	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operating Hours	Table 1.1 Footnote G & Condition 2.F.2	33.1-15-22, Subpart 4Z
Newpoint NUK boiler	62	62	SO ₂	0.05 lb/10 ⁶ Btu ^H	33.1-15-12, Subpart Dc
			Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operations	3,980,841 gallons fuel oil/12-month rolling total ^I	ACP-18337 v1.0

Emission Unit Description	EU	EP	Pollutant/Parameter	Emission/Parameter Limit	NDAC Applicable Requirement
Trane Murray boiler	64 ^E	64	Natural Gas/LPG: NO _x	0.053 lb/10 ⁶ Btu	ACP-18337 v1.0
			Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operating Load	115,000 lb/hr steam output (1-hour avg.)	ACP-18337 v1.0
			No. 2 Fuel Oil: SO ₂	0.05 lb/10 ⁶ Btu ^H	33.1-15-14-06.5.b(1)
			NO _x	0.14 lb/10 ⁶ Btu	ACP-18337 v1.0
			Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operations	3,980,841 gallons fuel oil/12-month rolling total ^I	ACP-18337 v1.0
			Operating Load	100,000 lb/hr steam output (1-hour avg.)	ACP-18337 v1.0
Caterpillar emergency diesel generator engine	69	69	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operating Hours	Table 1.1 Footnote G & Condition 2.F.2	33.1-15-22, Subpart 4Z
Diesel fire pump #1 engine	81	81	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operating Hours	Table 1.1 Footnote G & Condition 2.F.2	33.1-15-22, Subpart 4Z
Diesel fire pump #2 engine	82	82	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
			Operating Hours	Table 1.1 Footnote G & Condition 2.F.2	33.1-15-22, Subpart 4Z
Starch flash dryer	PI-09	PI-09	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
Isolate spray dryer system	PI-16	PI-16a	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02
		PI-16b	Opacity	20% (six-minute avg.) ^A	33.1-15-03-02

^A 40% opacity is permissible for not more than one six-minute period per hour, unless otherwise noted, or provided under NDAC 33.1-15-03; applies to each emission point.

^B 60% opacity is permissible for not more than one six-minute period per hour per NDAC 33.1-15-03-03.1, unless otherwise noted, or provided under NDAC 33.1-15-03.

^C Additional NDAC 33.1-15-22-03, Subpart DDDDD emissions limits may apply depending on boiler operation and type of fuel used; see Condition 2.G.3. All methods provided by the rule for demonstrating compliance are available to the permittee, even if those methods may not be specifically stated in this permit.

^D Total Selected Metals (TSM) - arsenic, beryllium, cadmium, chromium, lead, manganese, nickel and selenium

^E The lb/10⁶ Btu emission limits established by 40 CFR 63, Subpart DDDDD are more stringent than the lb/10⁶ Btu emission limits established by BACT and 40 CFR 60, Subpart Db.

- F. 40% opacity permissible for not more than one six-minute period per hour, except whenever any amount of creosote-treated railroad ties or clean wood are combusted in the JTA boiler (EU 17). When combusting railroad ties or wood, EU 17 shall not discharge into the atmosphere any gases that exhibit greater than 20% opacity (six-minute average), except for one six-minute period per hour of not more than 27% opacity.
- G. The JTA boiler, EU 17, is limited to less than or equal to 10% opacity (daily block average) or the highest hourly average opacity reading measured during the most recent performance test run demonstrating compliance with the PM (or TSM) emission limitation.
- H. As an alternative, the oil combusted may contain a maximum of 0.05 weight percent sulfur.
- I. Combined No. 2 fuel oil usage for EU 62 and 64 is limited to 3,980,841 gallons in any 12-month period.

4. Monitoring Requirements and Conditions:

A. Requirements:

Table 4.1 Emission Monitoring

Emission Unit Description	EP	Pollutant/Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Processing Equipment					
Dehuller system	05 & 06	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Elevators & conveyors	08	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Meal/hull processing	11	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Rotary seed conditioner	56	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Expeller aspiration	58	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Desolventizer-toaster-dryer-cooler (DTDC)	61	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
		n-Hexane	§63.2850-§63.2855	2.F.1	33.1-15-22-03, Subpart 4G
		Hexane/VOC SLR	Calculation	2.C	ACP-18337 v1.0
Whole seed conditioner	63	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Main vent (hexane extraction)	67	n-Hexane	63.2850-§63.2855	2.F.1	33.1-15-22-03, Subpart 4G
		Hexane/VOC SLR	Calculation	2.C	ACP-18337 v1.0

Emission Unit Description	EP	Pollutant/Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Bean receiving/ storage/handling	70	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Bean/bean powder conveying/storage/ packaging					
Isolate valve packer receiver					
Isolate super sacker receiver					
Isolate valve packer aspiration					
Pea hull loadout aspiration					
Raw legume transport	PI-03	Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Raw legume screening					
Raw legume split conditioner					
Legume split flaking					
Hulls separation aspiration					
Hulls grinder blowline					
WWTP anaerobic reactor/caustic scrubber/biogas flare	FR-01	SO ₂ /H ₂ S	Calculation & Sampling/ Testing	4.B.4 & 4.B.5	ACP- 18183 v1.0
		Opacity	VEO, O&M	4.B.1 & 4.B.3	33.1-15-14-06.5.a(3)(a)
Processing equipment	Facility- wide	Oil seeds (amount processed)	Recordkeeping	4.B.6	33.1-15-14-06.5.a(3)(a), 33.1-15-15-01.4.c(2)(BACT) & ACP-18337 v1.0

Emission Unit Description	EP	Pollutant/ Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Fuel Burning Equipment					
JTA boiler	17	Filterable PM (or TSM)	Emissions Test	4.B.7, 4.B.8	33.1-15-14-06.5.a(3)(a) & 33.1-15-22-03, Subpart 5D
		PM ₁₀	CAM Plan, Emissions Test	4.B.2, 4.B.7	33.1-15-14-06.10
		SO ₂	CEMS/CERMS	4.B.9	33.1-15-14-06.5.a(3)(a)
		NO _x	CEMS	4.B.9	33.1-15-14-06.5.a(3)(a)
		CO	O&M, Emissions Test	4.B.3, 4.B.8	33.1-15-14-06.5.a(3)(a) & 33.1-15-22-03, Subpart 5D
		Hg	Emissions Test	4.B.8	33.1-15-22-03, Subpart 5D
		HCl	Emissions Test	4.B.8	33.1-15-22-03, Subpart 5D
		Opacity	COMS	4.B.10	33.1-15-14-06.5.a(3)(a)
		Operating Load	Recordkeeping	4.B.11	33.1-15-14-06.5.a(3)(a)
Emergency diesel generator engine	33	Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
		Operating Hours	Recordkeeping	4.B.14	33.1-15-22, Subpart 4Z
Newpoint NUK boiler	62	SO ₂ (gas)	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
		SO ₂ (oil)	Sulfur Analysis	4.B.15	33.1-15-14-06.5.a(3)(a)
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
		Operations/ Fuel Usage	Recordkeeping	4.B.16	33.1-15-14-06.5.a(3)(a) & 40 CFR 60 Subpart Dc

Emission Unit Description	EP	Pollutant/Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Trane Murray boiler	64	Natural Gas/LPG: SO ₂ /Opacity/ Fuel Usage	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
		NO _x	Emission Test	4.B.12	33.1-15-14-06.5.a(3)(a)
		Operating Load	Recordkeeping	4.B.17	33.1-15-14-06.5.a(3)(a)
		No. 2 Fuel Oil: SO ₂	Sulfur Analysis	4.B.15	33.1-15-14-06.5.a(3)(a)
		NO _x	Emissions Test	4.B.12	33.1-15-14-06.5.a(3)(a)
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
		Fuel Usage	Recordkeeping	4.B.16	33.1-15-14-06.5.a(3)(a)
		Operating Load	Recordkeeping	4.B.17	33.1-15-14-06.5.a(3)(a)
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
Caterpillar diesel generator engine	69	Operating Hours	Recordkeeping	4.B.14	33.1-15-22, Subpart 4Z
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
Diesel fire pump #1 engine	81	Operating Hours	Recordkeeping	4.B.14	33.1-15-22, Subpart 4Z
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
Diesel fire pump #2 engine	82	Operating Hours	Recordkeeping	4.B.14	33.1-15-22, Subpart 4Z
		Opacity	Recordkeeping	4.B.13	33.1-15-14-06.5.a(3)(a)
Starch flash dryer	PI-09	Opacity	VEO, O&M, Recordkeeping	4.B.1, 4.B.3, 4.B.13	33.1-15-14-06.5.a(3)(a)
Isolate spray dryer System	PI-16a & PI-16b	Opacity	VEO, O&M	4.B.1, 4.B.3, 4.B.13	33.1-15-14-06.10

B. Monitoring Conditions:

- 1) Visual Emissions Observations (VEO): At least once per week in which the emission unit is operated, a company representative who is certified, has been certified, or has received Department approved visible emissions training (requires a one-time visible emissions session) shall observe the emission points.
 - a) If no visible emissions are present, the permittee shall record the date, time and observation results.

- b) If the observation indicates visible emissions are present, the permittee must investigate for a potential problem within eight hours. Any problems that are discovered must be corrected as soon as possible. If the correction of the situation is expected to take longer than 24 hours, the permittee shall follow procedures as outlined in Condition 7.G. Following corrective maintenance, a visible emissions observation shall be made.
 - c) All instances of visible emissions, investigations of malfunctions, and corrective actions taken shall be recorded. The permittee shall comply with the visible emissions and particulate emission limits in Condition 3.A and nothing in this condition shall be construed as authorizing otherwise.
- 2) Compliance Assurance Monitoring (CAM) Plan: The permittee shall conduct the monitoring, recordkeeping and reporting as required by the applicable subparts of 40 CFR 64 and in accordance with the CAM Plan in Attachment A of this permit. The measured indicator ranges for emission units subject to CAM are as follows:

Table 4.2 CAM Indicator Ranges

Emission Unit Description	EU/EP	Control Equipment/ Pollutant Monitored	Indicator Ranges (monitoring period)
JTA boiler	17/17	ESP/PM & Opacity	$\leq 34.15\%$ opacity (38.0 lb/hr) (Frequency: Continuous)

- 3) Operations and Maintenance (O&M): The permittee shall maintain and operate air pollution control equipment and air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions and maintaining continuous compliance.
- a) The manufacturer's recommended operations and maintenance (O&M) procedures, or a site-specific O&M procedure (developed from the manufacturer's recommended O&M procedure), shall be followed to assure proper operation and maintenance of the equipment.
 - 1] The permittee shall have the O&M plan or procedures available on-site and provide the Department with a copy when requested.
- 4) Recordkeeping of SO₂ Emissions from EU FR-01 Biogas Flare (EP FR-01): By the 15th day of each month, the permittee shall calculate and record the sulfur dioxide emissions for the previous month and for the previous 12-month period (12-month rolling total) from Emission Unit FR-01 (EP FR-01) using the following equation:

$$\text{SO}_2 \text{ emissions} = (\text{GF}) \times (\% \text{H}_2\text{S}) \times (0.16 \text{ lb SO}_2/\text{ft}^3 \text{ gas}) \times (1 \text{ ton}/2,000 \text{ lb})$$

Where:

GF = total gas flared in standard cubic feet ^A during the previous 12 mos.

% H₂S = decimal fraction of hydrogen sulfide (H₂S) in biogas by volume

^A Standard conditions are defined as 60° F and 14.7 psi.

- a) If the SO₂ emissions from EU FR-01 (EP FR-01) exceed 35.10 tons in any 12-month period, the Department shall be notified by the 25th day of the month in which the calculation was made.
- 5) H₂S Monitoring for EU FR-01:
 - a) At least once per week when the caustic scrubber is being operated, the hydrogen sulfide concentration of the gas generated shall be measured (in percent hydrogen sulfide, by volume) and recorded.
 - 1] The gas shall be measured after exiting the caustic scrubber and prior to combustion in the biogas flare.
 - b) At least once per calendar quarter when the caustic scrubber is being operated, the hydrogen sulfide concentration of the gas generated shall be measured (in ppm, by volume) and recorded.
 - 1] The gas shall be measured after exiting the caustic scrubber and prior to combustion in the biogas flare.
 - c) At least once per calendar day when the caustic scrubber is not being operated, the hydrogen sulfide concentration of the gas generated shall be measured (in percent hydrogen sulfide, by volume) and recorded.
 - 1] The gas shall be measured after exiting Emission Unit FR-01(anaerobic reactor) and prior to combustion in the biogas flare.
- 6) The amount of oil seeds (tons) processed must be recorded daily.
 - a) If the oil seeds processed exceed 3000 tons in any 24-hour period (day), the Department shall be notified within 10 days in which the calculation was made.
- 7) Emissions Testing (EU 17): Within one year of a renewal permit issuance, the permittee shall conduct an emissions test to measure PM/PM₁₀, using EPA Test Methods in 40 CFR 60, Appendix A.

- a) A test shall consist of three runs, with each run at least one hour in length. Other tests may be used provided they are approved in advance by the Department.
- b) All emissions testing for EU 17 shall be conducted when the boiler is combusting the highest percentage of railroad ties and clean wood that will be combusted in the boiler. The highest percentage of railroad ties and clean wood that may be combusted during normal operations is limited to the percentage of those wood items that were combusted during the most recent tests to develop data for a CAM plan.
 - 1] The amount of each fuel combusted during each emissions test shall be measured and the amounts shall be reported with the results of the emissions test.

Note: This requirement may be satisfied if recurring testing is otherwise performed in accordance with requirements under 40 CFR 63, Subparts DDDDD.

- 8) NESHAP/MACT Subpart DDDDD: Demonstrate continuous compliance with 40 CFR 63, Subpart DDDDD emission limitations, fuel specifications, monitoring and work practice standards in accordance with NDAC 33.1-15-22-03, Subpart 5D. See Table 3.1 Footnote E and Condition 4.C.5.
- 9) CEMS/CERMS for EU 17: The CEMS and/or CERMS for nitrogen oxides and sulfur dioxide shall be used to determine compliance with the nitrogen oxides and sulfur dioxide emission limits applicable to the JTA Boiler.
 - a) The CEMS and the CERMS for the boiler shall be certified in accordance with the applicable requirements of 40 CFR 60, Appendix B.
 - b) A relative Accuracy Test Audit (RATA) shall be conducted annually on the nitrogen oxides CEMS and sulfur dioxide CEMS/CERMS in accordance with the Relative Accuracy Test procedure in 40 CFR, Appendix B, Performance Specification 2 and Performance Specification 6.
 - 1] The annual RATA may be conducted by either an independent testing firm or by an internal testing group.
 - c) When a failure of the CEMS or CERMS occurs, an alternative method, acceptable to the Department, for measuring or estimating the nitrogen oxides or sulfur dioxide must be undertaken as soon as possible. Timely repair of the CEMS or CERMS must be made.
 - d) The Department may require additional performance audits of the monitors.

10) Continuous Opacity Monitoring System (COMS):

- a) Monitoring shall be in accordance with the requirements of 40 CFR 60, Subpart A, Section 60.13, Monitoring Requirements and 40 CFR 60, Appendix F, Procedure 3 - Quality Assurance Procedures for Continuous Opacity Monitoring Systems at Stationary Sources as incorporated by reference into NDAC 33.1-15-12.
- b) The requirements of 40 CFR 60, Appendix F, Procedure 3 include daily calibration checks, quarterly performance audits and annual primary zero alignment under clear path conditions.
- c) The permittee shall conduct quarterly performance audits and annual zero alignments in accordance with 40 CFR 60 Appendix F, Procedure 3. For the performance evaluation, conformance with the specification for calibration error, Section 13.3 Field Audit Performance Specifications, Paragraph (2) Calibration Error of 40 CFR 60, Appendix B, Performance Specification 1 must be demonstrated. Quarterly assessments may be reduced in frequency to semi-annual with four consecutive quarters of quality-assured data (40 CFR 60 Appendix F, Procedure 3, Section 2.0)
- d) Within one year of issuance of a renewal permit, the permittee shall conduct a primary zero alignment under clear path conditions of the COMS, in accordance with Appendix F, Procedure 3.
 - 1) A second primary zero alignment under clear path conditions shall take place no sooner than two years or later than three years from the date of the first performance evaluation.
- e) When a failure of the COMS occurs, an alternative method, acceptable to the Department, for measuring or estimating the opacity must be undertaken as soon as possible. Timely repair of the COMS must be made.
- f) The Department may require additional performance audits of the opacity monitor.

- 11) Record the 30-day average operating load as it relates to 110 percent of the highest hourly average operating load recorded during the most recent performance test.
- 12) Emissions Testing (EU 64): Twice during the term of the permit, to provide a reasonable assurance of compliance, the permittee shall conduct an emissions test to measure NO_x, using EPA Reference Methods in 40 CFR 60, Appendix A or at a minimum a portable analyzer method approved by the Department. A test shall consist of three runs, with each run at least 20 minutes in length.
 - a) The first test shall be conducted within one year of issuance of the permit and the second test shall be conducted no sooner than two years and no later than three years of the first test.

- 13) For purposes of compliance monitoring, burning of pipeline quality natural gas containing no more than 2 grains of sulfur per 100 standard cubic feet, LPG (commercial propane), gasoline, distillate oil containing no more than 0.0015% sulfur by weight shall be considered credible evidence of compliance with any applicable opacity and SO₂ emission limit. However, results from tests conducted in accordance with the test methods in 40 CFR 50, 51, 60, 61, or 75 will take precedence over the burning of the above fuels for evidence of compliance or noncompliance with any applicable opacity and SO₂ emission limit, in the event of enforcement action.
- 14) Engine Operations: A monthly log shall be kept of the hours of operation for each engine and the total hours of operation on a calendar year basis using a non-resettable hour meter. Records shall be maintained to differentiate between time operated for emergency purposes, maintenance/testing purposes, and other nonemergency purposes.
 - a) For certified engines, the permittee shall collect operational and maintenance data to demonstrate that the facility complies with the engine manufacturer's emission related written instructions [40 CFR 60.4211(a)].
- 15) Fuel Analysis: The sulfur content of the fuel used shall be analyzed with each shipment using ASTM or Department approved methods.
 - a) The sulfur analysis for the fuel may be conducted by the permittee or by the source where the fuel is purchased.
- 16) Fuel Oil Use (EU 62 and 64): By the 15th day of each month, the permittee shall calculate and record the amount of No. 2 fuel oil combusted for the previous month and for the previous 12-month period (12-month rolling total) in the Newpoint NUK boiler (EU 62) and Trane Murray boiler (EU 64).
 - a) If the No. 2 fuel oil combusted in EU 62 and 64 exceeds 3,980,841 gallons in any 12-month period, the Department shall be notified by the 25th day of the month in which the calculation was made.
- 17) Steam Output of EU 64: The steam output of the Trane Murray (EU 64) boiler must be recorded using a steam flow monitor on a 1-hour average basis and recorded in units of pounds of steam per hour.
 - a) In lieu of a steam flow monitor, a feed water flow monitor may be used as a measure of operating load and can be assumed to be equivalent to the steam flow in units of pounds of steam per hour.

C. In addition to the monitoring outlined in Conditions 5.A and 5.B, monitoring shall be in accordance with the following requirements of the North Dakota Air Pollution Control Rules (NDAC) 33.1-15-12 and 33.1-15-22, as applicable.

- 1) NDAC 33.1-15-12-02, Subpart A, §60.13, Monitoring Requirements
- 2) NDAC 33.1-15-12-02, Subpart Db, §60.47b and §60.48b, Emission Monitoring
- 3) NDAC 33.1-15-12-02, Subpart Dc, §60.46c and §60.47c, Emission Monitoring
- 4) NDAC 33.1-15-22-03, Subpart A, §63.8, Monitoring Requirements
- 5) NDAC 33.1-15-22-03, Subpart DDDDD, §63.7535 through §63.7541, Continuous Compliance Requirements

Applicable Requirements: NDAC 33.1-15-12 and NDAC 33.1-15-22

5. Recordkeeping Requirements:

A. The permittee shall maintain compliance monitoring records as outlined in the Monitoring Records table that include the following information.

- 1) The date, place (as defined in the permit) and time of sampling or measurement.
- 2) The date(s) testing was performed.
- 3) The company, entity, or person that performed the testing.
- 4) The testing techniques or methods used.
- 5) The results of such testing.
- 6) The operating conditions that existed at the time of sampling or measurement.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(3)(b)[1]

Table 5.1 Monitoring Records

Emission Unit Description	EU/EP	Pollutant/ Parameter	Compliance Monitoring Record
Processing Equipment			
Dehuller system	05/05 06/06	Opacity	VEO and O&M Data
Elevators and conveyors	08/08	Opacity	VEO and O&M Data
Meal/hull processing	11/ 11	Opacity	VEO and O&M Data
Rotary seed conditioner	56/56	Opacity	VEO and O&M Data
Expeller aspiration	58/ 58	Opacity	VEO and O&M Data

Emission Unit Description	EU/EP	Pollutant/ Parameter	Compliance Monitoring Record
Desolventizer-toaster-dryer-cooler (DTDC)	61/61	Opacity	VEO and O&M Data
		n-Hexane/ Hexane	VOC SLR Calculation & Applicable Subpart Monitoring Data
Whole seed conditioner	63/63	Opacity	VEO and O&M Data
Main vent (hexane extraction)	67/67	n-Hexane/ Hexane	VOC SLR Calculation & Applicable Subpart Monitoring Data
Bean receiving/storage/ handling	70/70	Opacity	VEO and O&M Data
Bean/bean powder	77/70		
conveying/storage/ packaging	PI-22/70		
Isolate valve packer receiver	PI-23/70		
Isolate super sacker receiver	PI-24/70		
Isolate valve packer aspiration	PI-25/70		
Pea hull loadout aspiration			
Raw legume transport	PI-03/PI-03	Opacity	VEO and O&M Data
Raw legume screening	PI-04/PI-03		
Legume split conditioner	PI-05/PI-03		
Legume split flaking	PI-06/PI-03		
Hulls separation aspiration	PI-07A/PI-03		
Hulls grinder blowline	PI-07B/PI-03		
WWTP anaerobic	FR-01/FR-01	SO ₂ /H ₂ S	Emission Calculation & Sampling/Testing Data
reactor/caustic scrubber/biogas	FR-02/FR-01		
flare		Opacity	VEO and O&M Data
All processing equipment	---	Oil Seeds	Oil Seeds Processed Daily Data
Fuel Burning Equipment			
JTA boiler	17/17	Filterable PM (or TSM)	Emissions Test Data
		PM ₁₀	CAM and Emissions Test Data
		SO ₂	CEMS/CERMS Data
		NO _x	CEMS Data
		CO	O&M and Emissions Test Data
		Hg	Emissions Test Data
		HCl	Emissions Test Data
		Opacity	COMS Data
		Operating Load	Steam Output Data

Emission Unit Description	EU/EP	Pollutant/ Parameter	Compliance Monitoring Record
Emergency diesel generator engine	33/33	Opacity Operating Hours	Type of Fuel Usage Data Hours of Operation Data
Newpoint NUK boiler	62/62	SO ₂ /Opacity/ Fuel Usage	Type & Amount of Fuel Usage/ Fuel Oil Analysis Data
Trane Murray boiler	64/64	SO ₂ /Opacity/ Fuel Usage NO _x Operations	Type & Amount of Fuel Usage/ Fuel Oil Analysis Data Emissions Test Data Steam Output Records Data
Caterpillar diesel generator engine	69/69	Opacity Operating Hours	Type of Fuel Usage Data Hours of Operation Data
Diesel fire pump #1 engine	81/81	Opacity Operating Hours	Type of Fuel Usage Data Hours of Operation Data
Diesel fire pump #2 engine	82/82	Opacity Operating Hours	Type of Fuel Usage Data Hours of Operation Data
Starch flash dryer	PI-09/PI-09	Opacity	VEO, O&M and Type of Fuel Usage Data
Isolate spray dryer system	PI-16/PI-16a & PI-16b	Opacity	VEO, O&M and Type of Fuel Usage Data

B. In addition to requirements outlined in Condition 6.A., recordkeeping shall be in accordance with the following requirements of NDAC 33.1-15-12, 33.1-15-14-06.10 and 33.1-15-22, as applicable.

- 1) NDAC 33.1-15-12-02, Subpart A, §60.7, Notification and Recordkeeping
- 2) NDAC 33.1-15-12-02, Subpart Db, §60.49b, Reporting and Recordkeeping Requirements
- 3) NDAC 33.1-15-12-02, Subpart Dc, §60.48c, Reporting and Recordkeeping Requirements
- 4) NDAC 33.1-15-14-06.10, §64.9(b), Reporting and Recordkeeping Requirements, General Recordkeeping Requirements
- 5) NDAC 33.1-15-22-03, Subpart A, §63.10, Recordkeeping and Reporting
- 6) NDAC 33.1-15-22-03, Subpart GGGG, §63.2862 and §63.2863, Notifications, Reports and Records

- 7) NDAC 33.1-15-22-03, Subpart DDDDD, §63.7555 and §63.7560, Notifications, Reports and Records

Applicable Requirements: NDAC 33.1-15-12, NDAC 33.1-15-14-06.10 and NDAC 33.1-15-22

- C. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings/computer printouts of continuous monitoring instrumentation, and copies of all reports required by the permit.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(3)(b)[2]

6. **Reporting:**

- A. Reporting shall be in accordance with the following requirements of NDAC 33.1-15-12, 33.1-15-14-06.10 and 33.1-15-22, as applicable.
- 1) NDAC 33.1-15-12-02, Subpart A, §60.7, Notification and Recordkeeping
 - 2) NDAC 33.1-15-12-02, Subpart Db, §60.49b, Reporting and Recordkeeping Requirements
 - 3) NDAC 33.1-15-12-02, Subpart Dc, §60.48c, Reporting and Recordkeeping Requirements
 - 4) NDAC 33.1-15-14-06.10, §64.9(a), Reporting and Recordkeeping Requirements, General Reporting Requirements
 - 5) NDAC 33.1-15-22-03, Subpart A, §63.10, Recordkeeping and Reporting
 - 6) NDAC 33.1-15-22-03, Subpart GGGG, §63.2862 and §63.2863, Notifications, Reports and Records
 - 7) NDAC 33.1-15-22-03, Subpart DDDDD, §63.7555 and §63.7560, Notifications, Reports and Records
 - 8) Quarterly excess emission report for the JTA boiler (EU 17) shall be submitted by the 30th day following the end of each calendar quarter (3-month period) for the following:

Table 6.1 Quarterly Excess Emission Reports

Emission Unit	Parameter	Averaging Period
JTA boiler (EU 17)	SO ₂	
	When combusting creosote-treated railroad ties/clean wood: (lb/10 ⁶ Btu)	24-block average
	When combusting any fuel: (lb/hr) (tons/yr) (lb/10 ⁶ Btu)	24-hour block average & 1-hour average 12-month rolling total 1-hour average
	NO _x (lb/10 ⁶ Btu)	30-day rolling average
	Opacity (%)	6-minute average Daily block average

Applicable Requirements: NDAC 33.1-15-12, NDAC 33.1-15-14-06.5a(3)(a), NDAC 33.1-15-14-06.10 and NDAC 33.1-15-22

- B. The permittee shall submit a semi-annual monitoring report for all monitoring records required under Condition 5 in a format provided or approved by the Department. All instances of deviations from the permit must be identified in the report. A monitoring report shall be submitted within 45 days after June 30 and December 31 of each year. Include semi-annual reporting required by NDAC 33.1-15-22-03, Subpart DDDDD in this report (§63.7550).

Applicable Requirements: NDAC 33.1-15-14-06.5.a(3)(c)[1] and [2] and NDAC 33.1-15-22-03, Subpart DDDDD

- C. The permittee shall submit an annual compliance certification report in accordance with NDAC 33.1-15-14-06.5.c(5) within 45 days after December 31 of each year in a format provided or approved by the Department.

Applicable Requirement: NDAC 33.1-15-14-06.5.c(5)

- D. For emission units where the method of compliance monitoring is demonstrated by an EPA Test Method or a portable analyzer test, the test report shall be submitted to the Department within 60 days after completion of the test.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(e)

- E. The permittee shall submit an annual emission inventory report (AEIR) in a format provided or approved by the Department. This report shall be submitted by March 15 of each year. Insignificant units/activities listed in this permit do not need to be included in the report.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(7) and NDAC 33.1-15-23-04

7. **Facility Wide Operating Conditions:**

A. **Ambient Air Quality Standards:**

- 1) Particulate and gases. The permittee shall not emit air contaminants in such a manner or amount that would violate the standards of ambient air quality listed in Table 1 of NDAC 33.1-15-02, external to buildings, to which the general public has access.
- 2) Radioactive substances. The permittee shall not release into the ambient air any radioactive substances exceeding the concentrations specified in NDAC 33.1-10.
- 3) Other air contaminants. The permittee shall not emit any other air contaminants in concentrations that would be injurious to human health or well-being or unreasonably interfere with the enjoyment of property or that would injure plant or animal life.
- 4) Disclaimer. Nothing in any other part or section of this permit may in any manner be construed as authorizing or legalizing the emission of air contaminants in such manner that would violate the standards in Paragraphs 1), 2) and 3) of this condition.

Applicable Requirements: NDAC 33.1-15-02-04 and 40 CFR 50.1(e)

- B. **Fugitive Emissions:** The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

Applicable Requirement: NDAC 33.1-15-17

- C. **Open Burning:** The permittee may not cause, conduct, or permit open burning of refuse, trade waste, or other combustible material, except as provided for in Section 33.1-15-04-02 and may not conduct, cause, or permit the conduct of a salvage operation by open burning. Any permissible open burning under NDAC 33.1-15-04-02 must comply with the requirements of that section.

Applicable Requirement: NDAC 33.1-15-04

- D. **Asbestos Renovation or Demolition:** Any asbestos renovation or demolition at the facility shall comply with emission standard for asbestos in NDAC 33.1-15-13.

Applicable Requirement: NDAC 33.1-15-13-02

E. **Requirements for Organic Compounds Gas Disposal:**

- 1) Any organic compounds, gases and vapors which are generated as wastes as the result of storage, refining or processing operations and which contain hydrogen sulfide shall be incinerated, flared or treated in an equally effective manner before being released into the ambient air.

- 2) Each flare must be equipped and operated with an automatic ignitor or a continuous burning pilot.

Applicable Requirement: NDAC 33.1-15-07-02

- F. **Rotating Pumps and Compressors:** All rotating pumps and compressors handling volatile organic compounds must be equipped and operated with properly maintained seals designed for their specific product service and operating conditions.

Applicable Requirement: NDAC 33.1-15-07-01.5

- G. **Shutdowns/Malfunction/Continuous Emission Monitoring System Failure:**

- 1) **Maintenance Shutdowns.** In the case of shutdown of air pollution control equipment for necessary scheduled maintenance, the intent to shut down such equipment shall be reported to the Department at least 24 hours prior to the planned shutdown provided that the air contaminating source will be operated while the control equipment is not in service. Such prior notice shall include the following:
 - a) Identification of the specific facility to be taken out of service as well as its location and permit number.
 - b) The expected length of time that the air pollution control equipment will be out of service.
 - c) The nature and estimated quantity of emissions of air pollutants likely to be emitted during the shutdown period.
 - d) Measures, such as the use of off-shift labor and equipment, that will be taken to minimize the length of the shutdown period.
 - e) The reasons that it would be impossible or impractical to shut down the source operation during the maintenance period.
 - f) Nothing in this subsection shall in any manner be construed as authorizing or legalizing the emission of air contaminants in excess of the rate allowed by this article or a permit issued pursuant to this article.

Applicable Requirement: NDAC 33.1-15-01-13.1

- 2) **Malfunctions.**
 - a) When a malfunction in any installation occurs that can be expected to last longer than 24 hours and cause the emission of air contaminants in violation of this article or other applicable rules and regulations, the person responsible for such installation shall notify the Department of such malfunction as soon as possible

during normal working hours. The notification must contain a statement giving all pertinent facts, including the estimated duration of the breakdown. The Department shall be notified when the condition causing the malfunction has been corrected.

- b) Immediate notification to the Department is required for any malfunction that would threaten health or welfare or pose an imminent danger. During normal working hours the Department can be contacted at 701-328-5188. After hours the Department can be contacted through the 24-hour state radio emergency number 1-800-472-2121. If calling from out of state, the 24-hour number is 701-328-9921.
- c) Unavoidable Malfunction. The owner or operator of a source who believes any excess emissions resulted from an unavoidable malfunction shall submit a written report to the Department which includes evidence that:
 - [1] The excess emissions were caused by a sudden, unavoidable breakdown of technology that was beyond the reasonable control of the owner or operator.
 - [2] The excess emissions could not have been avoided by better operation and maintenance, did not stem from an activity or event that could have been foreseen and avoided, or planned for.
 - [3] To the extent practicable, the source maintained and operated the air pollution control equipment and process equipment in a manner consistent with good practice for minimizing emissions, including minimizing any bypass emissions.
 - [4] Any necessary repairs were made as quickly as practicable, using off-shift labor and overtime as needed and possible.
 - [5] All practicable steps were taken to minimize the potential impact of the excess emissions on ambient air quality.
 - [6] The excess emissions are not part of a recurring pattern that may have been caused by inadequate operation or maintenance, or inadequate design of the malfunctioning equipment.

The report shall be submitted within 30 days of the end of the calendar quarter in which the malfunction occurred or within 30 days of a written request by the Department, whichever is sooner.

The burden of proof is on the owner or operator of the source to provide sufficient information to demonstrate that an unavoidable equipment malfunction occurred. The Department may elect not to pursue enforcement action after considering whether excess emissions resulted from an unavoidable equipment malfunction. The Department will evaluate, on a case-by-case basis, the information submitted by the owner or operator to determine whether to pursue enforcement action.

Applicable Requirement: NDAC 33.1-15-01-13.2

- 3) Continuous Emission Monitoring System Failures. When a failure of a continuous emission monitoring system occurs, an alternative method for measuring or estimating emissions must be undertaken as soon as possible. The owner or operator of a source that uses an alternative method shall have the burden of demonstrating that the method is accurate. Timely repair of the emission monitoring system must be made. The provisions of this subsection do not apply to sources that are subject to monitoring requirements in Chapter 33.1-15-21 (40 CFR 75, Acid Rain Program).

Applicable Requirement: NDAC 33.1-15-01-13.3

H. **Noncompliance Due to an Emergency:** The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

- 1) An emergency occurred, and that the permittee can identify the cause(s) of the emergency;
- 2) The permitted facility was at the time being properly operated;
- 3) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- 4) The permittee submitted notice of the emergency to the Department within one working day of the time when emission limitations were exceeded longer than 24-hours due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. Those emergencies not reported within one working day, as well as those that were, will be included in the semi-annual report.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a New Source Performance Standard) rather than those established to attain a health-based air quality standard.

An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Applicable Requirement: NDAC 33.1-15-14-06.5.g

- I. **Air Pollution from Internal Combustion Engines:** The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.

Applicable Requirement: NDAC 33.1-15-08-01

- J. **Prohibition of Air Pollution:**

- 1) The permittee shall not permit or cause air pollution, as defined in NDAC 33.1-15-01-04.
- 2) Nothing in any other part of this permit or any other regulation relating to air pollution shall in any manner be construed as authorizing or legalizing the creation or maintenance of air pollution.

Applicable Requirement: NDAC 33.1-15-01-15

- K. **Performance Tests:**

- 1) The Department may reasonably require the permittee to make or have made tests, at a reasonable time or interval, to determine the emission of air contaminants from any source, for the purpose of determining whether the permittee is in violation of any standard or to satisfy other requirements of NDCC 23.1-06. All tests shall be made, and the results calculated in accordance with test procedures approved or specified by the Department including the North Dakota Department of Environmental Quality Emission Testing Guideline. All tests shall be conducted by reputable, qualified personnel. The Department shall be given a copy of the test results in writing and signed by the person responsible for the tests.
- 2) The Department may conduct tests of emissions of air contaminants from any source. Upon request of the Department, the permittee shall provide necessary and adequate access into stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants.

Applicable Requirement: NDAC 33.1-15-01-12

- 3) Except for sources subject to 40 CFR 63, the permittee shall notify the Department by submitting a Proposed Test Plan, or its equivalent, at least 30 calendar days in advance of any tests of emissions of air contaminants required by the Department. The permittee shall notify the Department at least 60 calendar days in advance of any performance testing required under 40 CFR 63, unless otherwise specified by the subpart. If the permittee is unable to conduct the performance test on the scheduled date, the permittee shall notify the Department as soon as practicable when conditions warrant and shall coordinate a new test date with the Department.

Failure to give the proper notification may prevent the Department from observing the test. If the Department is unable to observe the test because of improper notification, the test results may be rejected.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(3)(a), NDAC 33.1-15-12-02 Subpart A (40 CFR 60.8), NDAC 33.1-15-13-01.2 Subpart A (40 CFR 61.13), NDAC 33.1-15-22-03 Subpart A (40 CFR 63.7)

- L. **Pesticide Use and Disposal:** Any use of a pesticide or disposal of surplus pesticides and empty pesticide containers shall comply with the requirements in NDAC 33.1-15-10.

Applicable Requirements: NDAC 33.1-15-10-01 and NDAC 33.1-15-10-02

- M. **Air Pollution Emergency Episodes:** When an air pollution emergency episode is declared by the Department, the permittee shall comply with the requirements in NDAC 33.1-15-11.

Applicable Requirements: NDAC 33.1-15-11-01 through NDAC 33.1-15-11-04

- N. **Stratospheric Ozone Protection:** The permittee shall comply with any applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B:

- 1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to Section 82.156.
- 2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to Section 82.158.
- 3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to Section 82.161.
- 4) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to Section 82.156.

Applicable Requirement: 40 CFR 82

- O. **Chemical Accident Prevention:** The permittee shall comply with all applicable requirements of Chemical Accident Prevention pursuant to 40 CFR 68. The permittee shall comply with the requirements of this part no later than the latest of the following dates:

- 1) Three years after the date on which a regulated substance is first listed under this part; or
- 2) The date on which a regulated substance is first present above a threshold quantity in a process.

Applicable Requirement: 40 CFR 68

- P. **Air Pollution Control Equipment:** The permittee shall maintain and operate air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The manufacturer's recommended Operations and Maintenance (O&M) procedures, or a site-specific O&M procedure developed from the manufacturer's recommended O&M procedures, shall be followed to assure proper operation and maintenance of the equipment. The permittee shall have the O&M procedures available onsite and provide the Department with a copy when requested.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

- Q. **Prevention of Significant Deterioration of Air Quality** (40 CFR 52.21 as incorporated by NDAC Chapter 33.1-15-15): If this facility is classified as a major stationary source under the Prevention of Significant Deterioration of Air Quality (PSD) rules, a Permit to Construct must be obtained from the Department for any project which meets the definition of a "major modification" under 40 CFR 52.21(b)(2).

If this facility is classified as a major stationary source under the PSD rules and the permittee elects to use the method specified in 40 CFR 52.21(b)(41)(ii)(a) through (c) for calculating the projected actual emissions of a proposed project, then the permittee shall comply with all applicable requirements of 40 CFR 52.21(r)(6).

Applicable Requirement: NDAC 33.1-15-15-01.2

8. **General Conditions:**

- A. **Annual Fee Payment:** The permittee shall pay an annual fee, for administering and monitoring compliance, which is determined by the actual annual emissions of regulated contaminants from the previous calendar year. The Department will send a notice, identifying the amount of the annual permit fee, to the permittee of each affected installation. The fee is due within 60 days following the date of such notice. Any source that qualifies as a "small business" may petition the Department to reduce or exempt any fee required under this section. Failure to pay the fee in a timely manner or submit a certification for exemption may cause this Department to initiate action to revoke the permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(7) and NDAC 33.1-15-23-04

- B. **Permit Renewal and Expiration:** This permit shall be effective from the date of its issuance for a fixed period of five years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least six months, but no more than 18 months, prior to the date of permit expiration. The Department shall approve or disapprove the renewal application within 60 days of receipt. Unless the Department requests additional information or otherwise notifies the applicant of incompleteness, the application shall be deemed complete. For timely and complete renewal applications for which the Department has failed to issue or deny the renewal permit before the expiration date of the previous permit, all terms and conditions of the permit, including any permit shield previously granted shall remain in effect until the renewal permit has been issued or denied. The application for renewal shall include the current permit number, description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term.

Applicable Requirements: NDAC 33.1-15-14-06.4 and NDAC 33.1-15-14-06.6

- C. **Transfer of Ownership or Operation:** This permit may not be transferred except by procedures allowed in Chapter 33.1-15-14 and is to be returned to the Department upon the destruction or change of ownership of the source unit(s), or upon expiration, suspension or revocation of this permit. A change in ownership or operational control of a source is treated as an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Department.

Applicable Requirement: NDAC 33.1-15-14-06.6.d

- D. **Property Rights:** This permit does not convey any property rights of any sort, or any exclusive privilege.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(d)

- E. **Submissions:**

- 1) Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to the Department using a format provided or approved by the Department. Physical submittals shall be submitted to:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324

- 2) Any application form, report or compliance certification submitted shall be certified as being true, accurate, and complete by a responsible official.

Applicable Requirement: NDAC 33.1-15-14-06.4.d

- F. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place listed on this permit or where records are kept concerning this permit at any reasonable time for the purpose of ascertaining the state of compliance with this permit and the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.

Applicable Requirements: NDAC 33.1-15-14-06.5.c(2) and NDAC 33.1-15-01-06

- G. **Compliance:** The permittee must comply with all conditions of this permit. Any noncompliance with a federally-enforceable permit condition constitutes a violation of the Federal Clean Air Act. Any noncompliance with any State enforceable condition of this permit constitutes a violation of NDCC Chapter 23.1-06 and NDAC 33.1-15. Violation of any condition of this permit is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Noncompliance may also be grounds for assessment of penalties under the NDCC 23.1-06. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(6)(a) and NDAC 33.1-15-14-06.5.a(6)(b)

- H. **Duty to Provide Information:** The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. This includes instances where an alteration, repair, expansion, or change in method of operation of the source occurs. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such recourse directly to the Department along with a claim of confidentiality. The permittee, upon becoming aware that any relevant facts were omitted, or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. Items that warrant supplemental information submittal include, but are not limited to, changes in the ambient air boundary and changes in parameters associated with emission points (i.e., stack parameters). The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(6)(e), NDAC 33.1-15-14-06.6.b(3) and NDAC 33.1-15-14-06.4.b

- I. **Reopening for Cause:** The Department will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

- 1) Additional applicable requirements under the Federal Clean Air Act become applicable to the permittee with a remaining permit term of three or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement.

No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.

- 2) The Department or the United States Environmental Protection Agency determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.
- 3) The Department or the United States Environmental Protection Agency determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- 4) Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Department at least 30 days in advance of the date that this permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency. Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

Applicable Requirement: NDAC 33.1-15-14-06.6.f

- J. **Permit Changes:** The permit may be modified, revoked, reopened, and reissued or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(c)

- K. **Off-Permit Changes:** A permit revision is not required for changes that are not addressed or prohibited by this permit, provided the following conditions are met:

- 1) No such change may violate any term or condition of this permit.
- 2) Each change must comply with all applicable requirements.
- 3) Changes under this provision may not include changes or activities subject to any requirement under Title IV or that are modifications under any provision of Title I of the Federal Clean Air Act.
- 4) A Permit to Construct under NDAC 33.1-15-14-02 has been issued, if required.
- 5) Before the permit change is made, the permittee must provide written notice to both the Department and Air Program (8P-AR), Office of Partnerships & Regulatory Assistance, US EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, except for changes that qualify as insignificant activities in Section 33.1-15-14-06. This notice shall describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result.

- 6) The permittee shall record all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes. The record shall reside at the permittee's facility.

Applicable Requirement: NDAC 33.1-15-14-06.6.b(3)

L. **Administrative Permit Amendments:** This permit may be revised through an administrative permit amendment, if the revision to this permit accomplishes one of the following:

- 1) Corrects typographical errors.
- 2) Identifies a change in the name, address or phone number of any person identified in this permit or provides a similar minor administrative change at the source.
- 3) Requires more frequent monitoring or reporting by the permittee.
- 4) Allows for a change in ownership or operational control of the source where the Department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the Department.
- 5) Incorporates into the Title V permit the requirements from a Permit to Construct when the review was substantially equivalent to Title V requirements for permit issuance, renewal, reopenings, revisions and permit review by the United States Environmental Protection Agency and affected state review, that would be applicable to the change if it were subject to review as a permit modification and compliance requirements substantially equivalent to Title V requirements for permit content were contained in the Permit to Construct.
- 6) Incorporates any other type of change which the Administrator of the United States Environmental Protection Agency has approved as being an administrative permit amendment as part of the Department's approved Title V operating permit program.

Applicable Requirement: NDAC 33.1-15-14-06.6.d

M. **Minor Permit Modifications:** This permit may be revised by a minor permit modification, if the proposed permit modification meets the following requirements:

- 1) Does not violate any applicable requirement.
- 2) Does not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in this permit.
- 3) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.
- 4) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and

conditions include a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Federal Clean Air Act; and alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the Federal Clean Air Act.

- 5) Is not a modification under NDAC 33.1-15-12, 33.1-15-13, and 33.1-15-15 or any provision of Title I of the Federal Clean Air Act.
- 6) Is not required to be processed as a significant modification.

Applicable Requirement: NDAC 33.1-15-14-06.6.e(1)

N. **Significant Modifications:**

- 1) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing therein shall be construed to preclude the permittee from making changes consistent with this subsection that would render existing permit compliance terms and conditions irrelevant.
- 2) Significant permit modifications shall meet all Title V requirements, including those for applications, public participation, review by affected states, and review by the United States Environmental Protection Agency, as they apply to permit issuance and permit renewal. The Department shall complete review of significant permit modifications within nine months after receipt of a complete application.

Applicable Requirement: NDAC 33.1-15-14-06.6.e(3)

O. **Operational Flexibility:** The permittee is allowed to make a limited class of changes within the permitted facility that contravene the specific terms of this permit without applying for a permit revision; provided the changes do not exceed the emissions allowable under this permit, are not Title I modifications and a Permit to Construct is not required. This class of changes does not include changes that would violate applicable requirements; or changes to federally-enforceable permit terms or conditions that are monitoring, recordkeeping, reporting, or compliance certification requirements.

The permittee is required to send a notice to both the Department and Air Program (8P-AR), Office of Partnerships & Regulatory Assistance, US EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, at least seven days in advance of any change made under this provision. The notice must describe the change, when it will occur and any change in emissions, and identify any permit terms or conditions made inapplicable as a result of the change. The permittee shall attach each notice to its copy of this permit. Any permit shield provided in this permit does not apply to changes made under this provision.

Applicable Requirement: NDAC 33.1-15-14-06.6.b(2)

P. **Relationship to Other Requirements:** Nothing in this permit shall alter or affect the following:

- 1) The provisions of Section 303 of the Federal Clean Air Act (emergency orders), including the authority of the administrator of the United States Environmental Protection Agency under that section.
- 2) 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.
- 3) The ability of the United States Environmental Protection Agency to obtain information from a source pursuant to Section 114 of the Federal Clean Air Act.
- 4) Nothing in this permit shall relieve the permittee of the requirement to obtain a Permit to Construct.

Applicable Requirements: NDAC 33.1-15-14-06.3 and NDAC 33.1-15-14-06.5.f(3)(a), (b) and (d)

- Q. **Severability Clause:** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(5)

- R. **Circumvention:** The permittee shall not cause or permit the installation or use of any device of any means which conceals or dilutes an emission of air contaminants which would otherwise violate this permit.

Applicable Requirement: NDAC 33.1-15-01-08

9. **State Enforceable Only Conditions (not Federally enforceable):**

- A. **General Odor Restriction:** The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which exceeds the limits established in NDAC 33.1-15-16.

Applicable Requirement: NDAC 33.1-15-16

Attachment A

Compliance Assurance Monitoring (CAM) Plan
for

ADM Co., Enderlin Facility
Title V Permit No. AOP-28378

EU/EP
17

Control Equipment
ESP

Pollutant Monitored
PM₁₀/Opacity

DRAFT

Monitoring Approach – Electrostatic Precipitator (EP 17)

Justification

Rationale for Selection of Performance Indicators

Opacity was selected as a performance indicator because there is a correlation between opacity and particulate matter emissions. As opacity increases particulate matter emitted increases.

Rationale for Selection of Indicator Ranges

This indicator range was based on compliance testing that established the correlation to the facility's permit requirement. In order to allow for a margin of compliance the demonstrated opacity level was determined at 90% of the PM10 emissions limit. The demonstrated opacity level will be:

34.15 % when combusting any fuel. This indicator level corresponds to a PM10 emission rate of 34.2 lb/hr.
The PM10 emission limit is 38.0 lb/hr.

Correlation of Opacity and Particulate Emissions

The table below provides a summary of the results of testing conducted August 30-31, 2011 on this source. The following equation was developed from this data:

Particulate Emissions (lb/hr) = $0.0004(Op)^3 - 0.0002(Op)^2 + 0.5408(Op)$; where (Op) = Opacity (6-minute averages in %); $R^2 = 0.9975$

Summary of Test Results – JTA Boiler				
Test #	Sampling Method	Avg. 6-Min Opacity (%)	PM Emission Rate (lb/hr)	PM Emission Rate (lb/mmbtu)
Low Opacity (6.4% Avg.)				
1	EPA M5	6.83	7.68	0.0411
2	EPA M5	6.07	3.54	0.0200
3	EPA M5	6.29	3.05	0.0161
Average		6.40	4.76	0.0257
Mid Opacity (43% Avg.)				
4	EPA M5	40.01	52.35	0.2844
5	EPA M5	42.96	48.43	0.2581
6	EPA M5	46.03	59.70	0.3073
Average		43.00	53.49	0.2833
High Opacity (76.3% Avg.)				
7	EPA M5	80.43	241.29	1.3001
8	EPA M5	75.45	216.60	1.1331
9	EPA M5	73.07	193.50	1.0079
Average		76.32	217.13	1.1470

Indicator	
Measurement Approach	Opacity of ESP Exhaust.
Indicator Range	COMS in ESP exhaust. An excursion is defined as a measured stack opacity greater than the demonstrated opacity level, based on a 3-hour rolling average. Corrective action must be initiated when measure stack opacity is greater than the demonstrated opacity level, based on a 1-hour rolling average. The demonstrated opacity level has at least a 10 percent margin of compliance with the existing PM10 limit. This opacity level will serve as the trigger point for actions/notifications.
Data Representativeness	COMS installed according to 40 CFR 60, Appendix B, Performance Specification 1 (P5-I). As opacity increases, it cart be assumed that particulate emissions increase.
Verification of Operational Status	Results of COMS performance evaluation conducted per P5-I.
QA/QC Practices and Criteria	The COMS was initially installed and evaluated per P5-I. Zero span and drift are checked doily and a semi-annual filter audit is performed.
Monitoring Frequency	Monitor the opacity of the ESP exhaust continuously. (polled every 10 seconds.)
Data Collection Procedures	The DAHS retains 6-minute, 1-hour, and 3-hour averages.
Averaging Period	3-hour rolling average for an excursion. 1-hour average for corrective action. 6-minute averages for Title V opacity compliance.

Archer Daniels Midland Company (ADM), Enderlin Facility
Title V Permit to Operate No. AOP-28378 v6.0
Statement of Basis
(5/15/2026)

Facility Background: The Enderlin Facility (Enderlin), located in Ransom County, is comprised of an oilseed processing, extraction and refining facility with an edible bean plant and a legume protein isolate plant. The most significant emitter of criteria air pollutants (CAP) at this facility is the JTA boiler rated at 280×10^6 Btu/hr and fired on seed hulls, railroad ties and other biomass. Enderlin's oil extraction process produces major emissions of the hazardous air pollutant (HAP) n-hexane. The facility also has numerous less significant sources that primarily emit particulate matter.

Chronology of significant events (not all-inclusive):

1977 - The 180×10^6 Btu/hr Trane-Murry gas/oil-fired boiler (EU 64) was constructed.

May 29, 1981 - Interim variance was issued for the construction of the facility.

Fall 1982 – Enderlin began operations.

December 13, 1982 - Permit to Construct (PTC) 12/13/82 was issued to National Sun Industries, Inc. for the Enderlin Facility.

November 15, 1985 – The first Permit to Operate (PTO) G85006 was issued to National Sun Industries, Inc. (for the seed processing portion of the plant) and to National Sun Energy Company (for the steam generating portion of the plant). PTO G85006 was subsequently renewed at approximately three-year intervals until the first Title V permit was issued in 2000.

October 10, 1989 - PTC 10/10/89 was issued for construction of a 200×10^6 Btu/hr hull-fired JTA boiler (EU 17) to replace two Wellons boilers (combined 200×10^6 Btu/hr).

September 22, 1994 - Archer Daniels Midland (ADM) became the permittee/owner of the facility.

December 28, 1995 - PTC 12/28/95 was issued for construction of a vegetable oil refinery, which included a Nebraska 28×10^6 Btu/hr gas/oil-fired boiler (EU 62).

July 9, 1998 - PTC98002 was issued to allow expansion of the vegetable oil plant, changes to the Trane-Murray boiler, and increase the heat input capacity of the JTA boiler to 280×10^6 Btu/hr.

July 13, 1998 - PTC98010 was issued on to add miscellaneous processing equipment and an 1818 hp Caterpillar engine/generator set.

August 7, 1998 - PTC98017 was issued on for the construction of an edible bean plant which consisted of a steam heated dehydrator, a steam heated dryer, conveyor and storage bins.

August 18, 1998 - An amendment to PTC98002 revised a condition concerning JTA boiler steam limits

July 8, 1999 - PTC99010 was issued, which allowed operation of a gas/oil-fired Zurn 200 x 10⁶ Btu/hr boiler.

June 27, 2000 - Another amendment to PTC98002 revised the JTA boiler SO₂ emission limit.

September 6, 2000 - The initial Title V Permit to Operate (No. T5-G85006) was issued.

June 25, 2001 - Amendment No. 1 of T5-G85006 was issued to permit the combustion of biomass in the JTA boiler.

September 20, 2001 - Amendment No. 2 (significant modification) of T5-G85006 was issued to increase soybean product quality and add applicability of NSPS Subpart DD (grain elevators).

September 26, 2001 - Amendment No. 3 (administrative) of T5-G85006 was issued.

January 9, 2002 - Amendment No. 4 of T5-G85006 allowed the combustion of soybean hulls in the JTA boiler.

April 5, 2002 - Amendment No. 5 (minor modification) of T5-G85006 changed the emission limit of a cyclone (EU 58).

September 4, 2002 - Amendment No. 6 of T5-G85006 removed an incorrect reference to condensate solvent recovery to the refinery vacuum system vent (EU 66).

November 28, 2003 - Amendment No. 7 of T5-G85006 was issued for the meal storage tanks (EU 25) emission limit.

July 1, 2004 - Amendment No. 8 of T5-G85006 incorporated applicability of MACT Subpart GGGG (solvent extraction for vegetable oil). The Hexane VOC solvent loss ratio condition provided in the permit, and containing borrowed equations from MACT Subpart GGGG, originated from a closed consent decree (CD 03-CV-2066).

May 1, 2006 - PTC06004 was issued to permit equipment for combustion of wood in the JTA boiler, thereby causing it to become subject to 40 CFR 60, Subpart Db.

May 15, 2006 - Renewal No. 1 of the Title V (AOP-28378 v2.0) was issued and included an updated CAM Plan.

December 19, 2007 - PTC07037 (ACP-17153 v1.0) was issued and permitted installation of a new expeller to replace two existing expellers (EU 58).

October 23, 2009 – Title V Renewal No. 1, Revision No. 1 (AOP-28378 v2.1) was issued and incorporated the conditions of PTC06004 and ACP-17153 v1.0.

July 2, 2010 - Northern Sun replaced the Nebraska boiler (EU 62) with a smaller Newpoint NUK gas/oil-fired boiler (EU 62) rated at 15×10^6 Btu/hr. A PTC was not required because the change decreased emissions.

April 15, 2011 – The second renewal of the Title V was issued (AOP-28378 v3.0).

December 3, 2012 - PTC12088 (ACP-17493 v1.0) was issued to permit the installation of the edible bean milling process and associated conveying equipment.

October 21, 2014 - PTC14057 (ACP-17647 v1.0) was issued to permit construction of an edible bean paste flash drying process; however, the equipment was not constructed and ACP-17647 v1.0 was rescinded July 31, 2015 at the request of the permittee.

March 24, 2016 - A letter dated from the Department to EPA, Region 8 indicated the Department's determination that the Northern Sun (ADM), Enderlin Facility is exempt from 40 CFR 60, Subpart DDDD. Archer Daniels Midland has self-certified to the Federal Energy Regulatory Commission that they qualify as a co-generation facility and burn homogenous waste. As such, the unit is exempt from needing to comply with 40 CFR 241.4(a)(7), which states that treated railroad ties can comprise no more than 40 percent of the fuel that is used on an annual heat input basis.

April 26, 2016 - The third renewal of the Title V was issued (AOP-28378 v4.0) and incorporated the requirements of ACP-17493 v1.0 and the removal of equipment.

March 2, 2017 - PTC17006 (ACP-17820 v1.0) was issued for a legume protein isolate plant at the Enderlin facility.

March 22, 2017 - A letter from Northern Sun (ADM) to the Department requested removal of EU 86 from the permit since the bean flour mill, baghouse control device and its associated emission point (EP 86) were being relocated inside the production building enclosure.

December 6, 2017 - The Department received a request from Northern Sun (ADM) to modify monitoring for the Trane Murray (EU 64) and Zurn (EU 78) boilers by using a feed water flow monitor to measure operating load instead of steam flow.

August 27, 2018 - A revised operating permit, AOP-28378 v4.1, was issued for significant modifications to the permit, which included, but were not limited to, the streamlining of emission limits, updates in monitoring and the CAM Plan (for EU 17) and the removal of some equipment.

November 27, 2018 - ACP-17820 v1.1 was issued for design modifications to the protein isolate plant. The changes did not result in throughput or capacity deviations, however, potential emissions for PM, PM₁₀ and PM_{2.5} changed.

August 13, 2019 - An administratively revised operating permit, AOP-28378 v4.2, was issued, which included the removal of the Zurn natural gas-fired boiler (EU 78/EP 78), correction to subpart references and updates to the North Dakota standard conditions and formatting.

April 7, 2020 - A minor modification application for the Title V Permit to Operate to incorporate ACP-17820 v1.1 was received by the Department.

June 5, 2023 - ACP-18183 v1.0 was issued to update changes to the WWTP anaerobic reactor (EU FR-01), which included a caustic scrubber and a flare as controls for the unit.

October 5, 2023 - AOP-28378 v5.0 (renewal No. 4) was issued and included modifications associated with the incorporation of construction permits ACP-17820 v1.1 and ACP-18183 v1.0 and administrative changes.

April 10, 2025 - A no-permit-required letter was issued to Enderlin for the replacement of fans and cyclones for the meal/hull processing (EU 11).

July 6, 2026 – ACP-18337 v1.0 was issued to remove insignificant and nonapplicable PM emission limits for several units, remove NO_x and CO emission limits for emergency engines, clarify boiler operating restrictions and address the hexane/VOC solvent loss ratio from a closed Consent Decree.

Current Action: On September 10, 2025, the Department received a timely application through CERIS-ND from ADM for renewal of the Enderlin Facility Title V Permit to Operate No. AOP-28378. The draft permit primarily includes NESHAP/MACT Subpart DDDDD emission limit modifications, removal of limits for emission units that do not vent externally, changes associated with the incorporation of construction permit ACP-18337 v1.0 and administrative updates.

The Department proposes to issue Title V Permit to Operate No. AOP-28378 v6.0 after the required 30-day public comment period and subsequent 45-day EPA review period of the draft permit. This statement of basis summarizes the relevant information considered during the issuance of the Title V permit. The legal basis for each permit condition is stated in the draft permit under the heading of “Applicable Requirement.”

Applicable Programs/As-Needed Topics:

1. **Title V.** The facility requires a Title V Permit to Operate because potential annual PM₁₀, PM_{2.5}, SO₂, NO_x, CO and VOC emissions exceed the 100 tons per year (tpy) major source threshold. The facility is considered an major source of hazardous air pollutant (HAP) emissions because potential individual HAP emissions (hydrogen chloride) are greater than 10 tpy and combined HAP emissions are greater than 25 tpy. A potential to emit table is provided on the last page of this document.
2. **New Source Performance Standards (NSPS).** The following NDAC 33.1-15-12-02 and 40 CFR 60 subparts apply to the facility.

Subpart A, General Provisions applies to each source unit to which another NSPS subpart applies.

Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units [JTA boiler (EU 17)].

Subpart Dc, Standards of Performance for Small Industrial Commercial-Institutional Steam Generating Units [Newpoint NUK boiler (EU 62)].

Subpart DD, Standards of Performance for Grain Elevators (EU 22, 23, 51, 52, 53, and 57).

Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units does not apply to the JTA boiler (EU 17). The boiler (EU 17) is exempt from this rule because the boiler is a self-certified qualifying cogeneration unit combusting homogenous waste. Therefore, the unit (EU 17) is exempt from compliance with 40 CFR 241.4(a)(7), which states that treated railroad ties can comprise no more than 40 percent of the fuel that is used on an annual heat input basis.

3. **National Emission Standards for Hazardous Air Pollutants (NESHAP).** No NDAC 33.1-15-13 and 40 CFR 61 subparts apply to the facility, with the possible exception of NDAC 33.1-15-13-02 (40 CFR 61), Subpart M, National Emission Standard for Asbestos, which may apply during facility modifications involving asbestos.
4. **NESHAP/Maximum Achievable Control Technology (MACT).** The following NDAC 33.1-15-22-03 and 40 CFR 63 subpart applies to the facility, which is a major source of HAP emissions.

Subpart A, General Provisions, applies to each source unit to which another MACT subpart applies.

Subpart GGGG (4G), National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production. Applies to the facility because it is a vegetable oil production plant and a major source of HAP emissions (hydrogen chloride and combined HAPs).

Subpart ZZZZ (4Z), National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (engines EU 33, 69, 81 and 82).

Subpart DDDDD (5D), National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters (boilers EU 17, 62 and 64). The permittee operates the two gas/oil boilers (EU 62 and 64) as "gas 1 boilers" with oil backup as defined by Subpart DDDDD.

5. **Acid Rain.** 40 CFR 75 does not apply since the facility is not an electric utility steam generating facility.

6. **Prevention of Significant Deterioration (PSD).** The facility is a major source under 40 CFR 52 because it has the potential to emit more than 250 tons of a regulated air contaminant during normal operations. There are no changes contained in this draft permit that increase potential emissions by a PSD-significant amount. Therefore, this draft permit is not subject to PSD review.
7. **Best Available Control Technology (BACT).** Although this facility is a major source under PSD, this draft permit does not require a BACT review because there are no changes contained in this draft permit that increase potential emissions by a PSD-significant amount.
8. **Gap Filling.** The draft permit contains gap filling for testing, monitoring or recordkeeping not otherwise required by rule. This gap filling is generally identified by the applicable requirement NDAC 33.1-15-14-06.5.a(3)(a).
9. **Streamlining Decisions.** The lb/10⁶ Btu emission limits established by 40 CFR 63, Subpart DDDDD are more stringent than the previously permitted lb/10⁶ Btu emission limits established by BACT, 40 CFR 60, Subpart Db and PTC98002. There were no changes to streamlining in this draft permit.
10. **Compliance Assurance Monitoring (CAM).** CAM applies because various units have add-on air pollution control equipment installed that is required to achieve compliance with established emission limits (EU 17). With the incorporation of ACP-18337 v1.0, several emission units no longer require CAM, so only the application emission unit was retained for CAM.
11. **Permit Shield.** Permit shield does not apply because the permit to operate does not contain a permit shield.
12. **New Conditions/Limits.** This draft permit includes new limits and conditions associated with the incorporation of ACP-18337 v1.0. Specific modifications are identified in the "Permit Changes by Section" below.
13. **40 CFR 98 - Mandatory Greenhouse Gas Reporting.** This rule requires sources above certain emission thresholds or in certain supplier thresholds to calculate, monitor, and report greenhouse gas emissions. According to the definition of "applicable requirement" in 40 CFR 70.2, neither Subpart 98, nor Clean Air Act Section 307(d)(1)(V), the CAA authority under which Subpart 98 was promulgated, are listed as applicable requirements for the purpose of Title V permitting. Although the rule is not an applicable requirement under 40 CFR 70, the source is not relieved from the requirement to comply with the rule separately from compliance with their Part 70 operating permit. It is the responsibility of each source to determine applicability to the subpart and to comply, if necessary.

Permit Changes by Section:

Note: Administrative changes were made to some sections of the permit to update to the current North Dakota (ND) format and to correct errors. These changes may not be specifically addressed below.

Cover: The permit version, expiration date and renewal date were updated.

Table of Contents: Page numbers and condition headings were updated as necessary. Emission units subject to CAM were updated.

1. **Emission Unit Identification:** EU 71 (bean dryer) was removed from this section and all subsequent sections since the unit has been out of service/inoperable since 2018. The emission points that discharge indoors and do not emit directly to the exterior of the buildings were removed as emission units at the facility (starch pack tanks #1 and #2 and isolate pack tanks #1 through #4, previously EU PI-14, PI-15, PI-18, PI-19, PI-20 and PI-21).
2. **Applicable Standards, Restrictions and Miscellaneous Conditions:** The boilers restrictions were added to this section and all subsequent section numbering was updated. Applicable fuel restrictions for the engines (EU 33, 69, 81 and 82) and the Newpoint NUK boiler and Trane Murray boiler (EU 62 and 64) were added. For clarity and to reduce redundancy, the air pollution control equipment and best management practices conditions were combined into one condition (Condition 2.G). The engine replacement standard condition was updated with the standard emission unit replacement condition.
3. **Emission Unit Limits** (previously Condition 4): Per ACP-18337 v1.0, several emission units' emission limits were updated. The Filterable PM (or TSM), CO, Hg and HCl limits were updated in accordance with the applicable regulation and requirements of 40 CFR 63, Subpart DDDDD. The emission limits for EU PI-14, PI-15, PI-18, PI-19, PI-20 and PI-21 were removed since all units vent indoors. The opacity limits for all emission units were added to Table 3.1 and removed from subsequent areas of the section. The tables' footnotes were revised for emission unit and limits clarity.
4. **Monitoring Requirements and Conditions** (previously Condition 5): Table 4.1 was updated in accordance with the units, emission limits and applicable standards addressed in Table 3.1. Monitoring requirements and conditions were updated for the emission units and limits associated with ACP-18337 v1.0. The PSD monitoring, in accordance with ACP-17820 v1.1, for several emission units was removed since the 5-year time requirement has been satisfied. Visible emissions observations, operations and maintenance and engines monitoring was updated to the current ND standard. CAM Table 4.2 was updated to include only the emission unit currently subject to CAM.
5. **Recordkeeping Requirements** (previously Condition 6): Recordkeeping requirements and conditions in Table 5.1 were updated to correspond with the emission units and limits addressed in ACP-18337 v1.0 and Table 4.1.

6. **Reporting** (previously Condition 7): Condition No. 7.A was updated to reflect the ND standard format for applicable reporting requirements and to include quarterly reporting for EU 17 (JTA boiler).
7. **Facility Wide Operating Conditions** (previously Condition 8): The Noncompliance Due to an Emergency (Condition 7.H) condition that had been removed per EPA's Affirmative Defense Provision Rule effective 8/21/23 was added back into the draft permit since the D.C. Circuit Court reinstate the emergency affirmative defense on September 5, 2025 and the EPA final rule was published and effective 6/1/2026.
8. **General Conditions** (previously Condition 9): No changes.
9. **State Enforceable Only Conditions (not Federally enforceable)** (previously Condition 10): No changes

Attachment A: Compliance Assurance Monitoring (CAM) Plan for EU 08 and 17: Removal of units subject to CAM Plan per ACP-18337 v1.0.

Comments/Recommendations: It is recommended that Title V Permit to Operate No. AOP-28378 v6.0 be processed and considered for issuance following a 30-day public comment period and a subsequent 45-day EPA review period.

Facility-wide Potential Emissions ^A

Pollutant	Tons Per Year Without Fugitives	Tons Per Year With Fugitives
PM (filterable)	66.2	101.2
PM₁₀	204.6	228.5
PM_{2.5}	200.5	214.6
SO₂	369.9	369.9
NO_x	335.8	335.8
CO	219.4	219.4
VOC	736.8	736.8
Total HAPs	50.9	50.9
Individual HAP (hydrogen chloride)	24.5	24.5

^A Based upon Title V renewal application information submitted through CERIS-ND on 9/10/25. Additional emission unit/emission point specific potential emissions are provided in the renewal application.