Table of Contents

Air Title V Operating Permit (AOP) - Renewal

version 2.5

(Submission #: HQ1-7ZJZ-K6YCE, version 1)

Details

Submission ID HQ1-7ZJZ-K6YCE

Status In Process

Form Input

Form Instructions

In accordance with 33.1-15-14-04.c. of the North Dakota Air Pollution Control Rules, a Title V permit renewal application must be submitted to the Department at least six months, but no more than eighteen months, prior to the expiration date. Permit renewal applications are incomplete unless all information requested in SFN 52824 is supplied. The current Title V permit will be the baseline reference for a renewal. The requirements (40 CFR 70.5(c) & NDAC 33.1-15-14-06.4.c) to include a citation and description of all applicable requirements and a description of or reference to any applicable test method for determining compliance with each applicable requirement may be met by accomplishing either or both of the following: 1) provide an annotated (red-lined) copy of the current permit indicating all changes needed to reflect the current facility configuration, applicable requirements and test methods; 2) provide a narrative that conveys all changes needed to the current permit to reflect the current facility configuration, all applicable requirements and test methods.

FOR ACID RAIN UNITS ONLY • Submit with the Title V permit renewal application all Acid Rain renewal applications (the Acid Rain Permit Application, the Phase II NOx Compliance Plan, and if applicable, the Phase II NOx Averaging Plan).

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Section A - Permit Information

Permit Number
AOP-28376

Permit Version
5

Issue Date
08/06/2019

Expiration Date
08/12/2024

Permittee

Company Name
Cargill, Inc.

Address

250 Seventh Avenue NE

West Fargo, ND 58078

United States

Responsible Official

Prefix
NONE PROVIDED

First Name	Last Name
Michael	*Gregoryk*

Title
Facility Leader

Phone Type	Number	Extension
Business	701-282-1708	

Email
michael_gregoryk@cargill.com

Address
250 Seventh Avenue NE
West Fargo, ND 58078
United States

Contact Person for Air Pollution Matters

Prefix
NONE PROVIDED

First Name	Last Name
Michael	*Gregoryk*

Title
Facility Leader

Phone Type	Number	Extension
Business	701-282-1708	

Email
michael_gregoryk@cargill.com

Address
250 Seventh Avenue NE
West Fargo, ND 58078
United States

Section B (Part 1) - Facility Information

Facility Name
Cargill, Inc. - Cargill Oilseeds Processing

Have you added, removed, or made any modifications to equipment since your last operating permit issuance?
Yes

Is this source subject to Title IV Acid Rain regulations?
No

Is this a portable source?
No

Facility Location
250 Seventh Avenue NE
West Fargo, ND 58078
United States

County
Cass

Facility Location:
46.88373000000000,-96.89849400000000

250 Seventh Avenue NE, West Fargo, ND

Please download the form linked here, complete it, and upload it to this application using the attachment control below.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.
PERMIT APPLICATION FOR TITLE V PERMIT TO OPERATE (SFN52858)

Attach completed form here

Signed SFN52824 .pdf - 02/07/2024 03:45 PM
Comment
NONE PROVIDED

Section B (Part 2) - Additional Location Information

Legal Description of Facility Site

Qtr Qtr	Qtr	Section	Township	Range
SE	NW	5	139N	49W

Land area at facility site (indicate whether measurement is in acres or sq. ft.)
NONE PROVIDED

MSL elevation at facility
NONE PROVIDED

Section C - Nature of Business

General Nature of Business

Describe Nature of Business	NAICS Code	SIC Code
Oilseeds Processing	311224-Soybean and Other Oilseed Processing	2076-Vegetable Oil Mills, Except Corn, Cottonseed, and Soybeans

Actual Start of Construction Date
NONE PROVIDED

Actual End of Construction Date
NONE PROVIDED

Facility Startup Date
NONE PROVIDED

Section D - Process Equipment Information (1 of 1)

Emission Unit -

Emission Unit ID
NONE PROVIDED

Emission Unit Description
NONE PROVIDED

Emission Point ID
NONE PROVIDED

Emission Point Description
NONE PROVIDED

Emission Process Description
NONE PROVIDED

Emission Unit Status
NONE PROVIDED

Applicable PTCs

PTC Number

Applicable Federal Air Programs

Program Code

Applicable State Regulations

Regulation

Emission Unit form
Download the emission unit form linked here, complete it, and upload it to this application using the attachment control below.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.
EMISSION UNIT FOR TITLE V PERMIT TO OPERATE (SFN61006)

Attach Emission Unit Form
NONE PROVIDED
Comment
NONE PROVIDED

Section E - Control Equipment (1 of 1)

Emission Unit: `EU_ID` - `EU_DESC`

Control Equipment ID
NONE PROVIDED

Emission units being controlled by this control unit
NONE PROVIDED

Control Equipment Description
NONE PROVIDED

Control equipment form
Download the form linked here, complete it, and upload it to this application using the attachment control below.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.
PERMIT APPLICATION FOR AIR POLLUTION CONTROL EQUIPMENT (SFN8532)

Attach Control Equipment Form
NONE PROVIDED
Comment
NONE PROVIDED

Section F - Facility-Wide Applicable Regulations and Potential to Emit (PTE)

Applicable Federal Air Programs

Program Code

Applicable State Regulations

Regulation

Potential to Emit (PTE)

Pollutant	Tons Per Year Without Fugitives	Tons Per Year With Fugitives
NOx	132.57	134.70
CO	41.20	42.98
VOCs	124.15	124.26
SO2	14.88	14.89
PM	57.01	338.15
PM10	51.42	121.16
PM2.5	46.79	59.18
Total HAPs	113.01	113.05

Emission Calculations Document Upload
Using the attachment control below, upload emission calculations documents.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attach Emission Calculations Documents
Facility Wide PTE 2024-0207.pdf - 02/07/2024 02:17 PM
Comment
NONE PROVIDED

Section G - Compliance Schedule

Will your facility be in compliance with all applicable requirements effective at the time of permit issuance?
Yes

Will your facility be in compliance with all applicable requirements effective after the time of permit issuance?
Yes

Section H - Flexible Permits

Are you requesting a flexible permit?
No

Section I - Compliance Assurance Monitoring (CAM)

To determine if your facility is subject to CAM, review the information provided at the following link.
Compliance Assurance Monitoring (CAM) Guidance

Is the facility identified in this application in compliance with applicable monitoring and compliance certification requirements?
Yes, the facility IS in compliance with applicable monitoring and compliance certification requirements.

Section K - Redline Permit Upload

Use the attachment control below to upload a redline version of your existing permit document, showing any changes.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document

Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attach redline version of permit here

T5G81005_4_0_redlined.pdf - 02/07/2024 03:51 PM

Comment

NONE PROVIDED

Section L - General Document Upload

File Upload

Use the attachment control below to upload any other information necessary for application review, such as plot plans, process diagrams, maps, etc.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attachments

2024 TV Permit Renewal v2.0.pdf - 02/07/2024 03:50 PM

Comment

NONE PROVIDED

Additional Forms

NONE PROVIDED

Attachments

Date	Attachment Name	Context	User
2/7/2024 3:51 PM	T5G81005_4_0_redlined.pdf	Attachment	Russell Novotny
2/7/2024 3:50 PM	2024 TV Permit Renewal v2.0.pdf	Attachment	Russell Novotny
2/7/2024 3:45 PM	Signed SFN52824 .pdf	Attachment	Russell Novotny
2/7/2024 2:17 PM	Facility Wide PTE 2024-0207.pdf	Attachment	Russell Novotny

Status History

	User	Processing Status
2/7/2024 10:49:28 AM	Russell Novotny	Draft
2/8/2024 7:46:26 AM	Christopher Anderson	Signing
2/8/2024 7:46:26 AM	Christopher Anderson	Submitting
2/8/2024 7:47:52 AM	Christopher Anderson	Submitted
2/8/2024 7:48:02 AM	Christopher Anderson	In Process

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- ☑ I am the owner of the account used to perform the electronic submission and signature.
- ☑ I have the authority to submit the data on behalf of the facility I am representing.
- ☑ I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- ☑ I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

I certify under penalty of lawthat the enclosed documents and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I also certify that the source(s) identified in this application is/are in compliance with all applicable requirements except those requirements for which a compliance schedule has been submitted in the Compliance Schedule Form or Compliance Schedule Section of the application . I understand that failure to comply with any term of a compliance schedule is considered to be a violation of regulation NDAC 33.1-15-14-06.1.e. The source will continue to comply with the current applicable requirements with which it is in compliance. The source will meet, on a timely basis, any applicable requirement, which becomes effective during the permit term. The source is properly implementing any required risk management plan in accordance with section 112(r) of the federal clean air act, if appropriate.

I certify, as the Responsible Official, that I have read and understood the above requirements and conditions applicable to my source/facility and that the information and attachments provided in this application are true, accurate, and complete to the best of my knowledge." Further, I agree to comply with the provisions of Chapter 23.1-06 of the North Dakota Century Code and all rules and regulations of the Department, or revisions thereof. I also understand a permit is nontransferable and, if granted a permit, I will promptly notify the Department upon sale or legal transfer of this permitted establishment.

Note: This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1.

Signed By Christopher Anderson on 02/08/2024 at 7:45 AM

TITLE V PERMIT RENEWAL APPLICATION

Cargill / West Fargo, North Dakota

Prepared By:

TRINITY CONSULTANTS
2155 Woodlane Drive, Suite 101
Woodbury, MN 55125
651-275-9900

February 12, 2024

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY

1.1 Introduction

Cargill, Inc. (Cargill) owns and operates an oilseeds processing facility, located in West Fargo, North Dakota. Cargill operates under Permit to Operate T5-G81005, as issued on August 6th, 2019 by the North Dakota Department of Environmental Quality (NDDEQ). The permit expires on August 12th, 2024. In accordance with Condition No. 9.A. of the permit, a renewal application must be submitted not less than 6 months prior to the permit expiration date (i.e. due by February 12th, 2024).

Additionally, Cargill is proposing certain reconciliatory updates as described in Section 2.1 of this application. According to the general instructions for Title V permit renewal applications, Cargill is including the renewal application form (SFN 52824), a red-lined copy of the current permit, and a narrative to convey the changes needed.

1.2 Title V Permit Renewal Application Organization

This Title V permit renewal application consists of the following sections:

- Section 2 provides a facility description and proposed reconciliatory changes;
- Appendix A contains NDDEQ's Title V Renewal application form;
- Appendix B contains the Title V permit markup; and
- Appendix C contains the facility emissions summary.

2. PROPOSED CHANGES

Cargill owns and operates an oilseeds processing plant located in West Fargo, North Dakota. The sections below discuss the proposed revisions to the Cargill Title V Permit as is reflected in the redlined permit in Appendix B.

2.1 Proposed Changes

2.1.1 New Units

Cargill recently added two new emergency fire pump engines to the facility, EU-66 and EU-67. The emergency fire pump engines are identical and have a capacity of 460 hp. EU-66 and EU-67 will be represented as emission points FP-2 and FP-3, respectively. EU-66 will be replacing EU-53 (emission point FP-1), an existing diesel-driven emergency fire pump with a capacity of 255 hp. These new units did not affect or debottleneck Cargill West Fargo's oilseed processing capacity, i.e., no long-term increases, but did allow the facility to have more fire pump capacity during emergencies. Accordingly, no other existing process units were affected by the addition of equipment, and no emissions increases from existing equipment occurred due to this project.

The North Dakota Department of Environmental Quality (NDDEQ) has determined that the project will result in air pollution source of minor significance and a Permit to Construct was not required per Subdivision 33.1-15-14-02.13.n of the North Dakota Air Pollution Control Rules.

Additionally, Cargill installed a 47 hp natural gas fired emergency generator in 2021 (EU-68) to be included in the permit. EU-68 will be represented as emission point Gen-1. The generator was an air pollution source of minor significance and a Permit to Construct was not required per Subdivision 33.1-15-14-02.13.n of the North Dakota Air Pollution Control Rules.

In this renewal application, Cargill is submitting the information to update the Title V permit to reflect the recent project. Pursuant to 33.1-15-14-06.4, detailed information for these insignificant units aren't included in the application. The engines are considered insignificant units as their potential to emit (PTE) are below 2 tons per year for particulate, sulfur dioxide, sulfide, carbon monoxide, nitrogen oxides, ozone, reduced sulfur compounds, and volatile organic compounds emissions and are below 0.50 tons per year for other regulated contaminant emissions.

Table 2-1. Summary of Emission Unit Changes

Emission Unit	Emission Point	Description	Added or Removed
66	FP-2	Diesel Emergency Fire Pump (460 hp)	Added
67	FP-3	Diesel Emergency Fire Pump (460 hp)	Added
68	Gen-1	Natural Gas Emergency Generator (47 hp)	Added
53	FP-1	Diesel Emergency Fire Pump (255 hp)	Removed

2.1.2 EU 43 Indicator Range

Cargill proposes raising the Foster Wheeler Boiler (EU 43) indicator opacity range from 0%-5% up to 0%-10% to be consistent with 40 CFR 63 Subpart DDDDD National Emissions Standards for Hazardous Air Pollutants (NESHAP) for boilers and process heaters at major sources (Major Source Boiler MACT). Cargill proposes to maintain the 20% opacity limit. Stack testing completed in 2020 showed PM emissions of 0.043 lb/hr which is well below the limit of 4.17 lb/hr. Typical operations of the boiler are around 0% to 5% with rare instances of opacity above 5% for brief periods of time which has restricted Cargill's use of hulls in the boiler and increased use of natural gas. To allow for operational flexibility, and due to the stack testing demonstrating low PM emissions, Cargill proposes to increase the indicator range to 10% to be consistent with the range in the Boiler MACT.

2.1.3 Miscellaneous Changes

Cargill is proposing minor wording changes in the permit as well. These changes reflect corrections to existing units and clarifications. These changes include:

- Using generic language when referring to "hulls". The language in section 4.B.6. discusses the sulfur content of the "sunflower hulls" but Cargill proposes to remove "sunflower" which is consistent with how hulls are discussed elsewhere in the permit.
- Removing nominal rating from the seed receiving equipment for the units where the maximum rating is already listed.
- Updating the extraction and refining system (EU48) listed "approximate" processing capacity from 1,500 metric tons/day to 1,700 metric tons/day. There was no process change or de-bottlenecking and the facility potential emissions are not impacted.
- Updating the cooling tower systems "approximate" water circulation rate from 7,000 gallons/minute to 8,000 gallons/minute.

2.2 New Engines Regulatory Applicability

2.2.1 40 CFR Part 60: Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

New Source Performance Standard (NSPS) Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (NSPS IIII) was reviewed for the new engines, EU-66, and EU-67. The engines meet the definition of an emergency stationary internal combustion engine as described in §60.4219:

> *"... means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.*
> *(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.*
> *(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f)."*

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).”

The engines have requirements under NSPS IIII as they are emergency stationary internal combustion engines constructed after July 1, 2006, as described in §60.4200(2)(ii). Cargill's applicable requirements for the engines under this regulation are as follows:

- §60.4207(b) – must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, Cargill will use ultra-low sulfur fuel;
- §60.4211(a) – must operate the engines according to manufacturer emission-related written instructions, change only emission-related settings as permitted by the manufacturer, and meet the requirement of 40 CFR 1068 as applicable;
- §60.4211(c) – purchase an engine certified to the emission standards described in §60.4204(b), or §60.4205(b) or (c) as applicable, the engines are Tier III certified engines; and
- §60.4211(f) – operate the engines for the purpose maintenance and testing less than 100 hours/year and limit non-emergency situations for no more than 50 hours/year (included in the 100 hour/year limit).

2.2.2 40 CFR Part 60: Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

New Source Performance Standard (NSPS) Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (NSPS JJJJ) was reviewed for the new engines EU-68. The engine meets the definition of an emergency stationary internal combustion engine as described in §60.4248:

"…means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4243(d) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4243(d), then it is not considered to be an emergency stationary ICE under this subpart.
(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.
(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4243(d).
(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4243(d)(3)(i).”

The engine has requirements under NSPS JJJJ as it is an emergency stationary internal combustion engine constructed after January 1, 2009, as described in §60.4230(a)(4)(iv). Cargill's applicable requirements for the engine under this regulation are as follows:

- §60.4233(d) – must comply with the emission standards in Table 1 of the subpart (10 g/hp-hr NO_x and 387 g/hp-hr CO);
- §60.4237(c) – must install a non-resettable hour meter;
- §60.4243(b) – must purchase a certified engine and operate it according to manufacturer emission-related instructions; and

- §60.4243(d) – operate the engine for the purpose maintenance and testing less than 100 hours/year and limit non-emergency situations for no more than 50 hours/year (included in the 100 hour/year limit).

2.2.3 40 CFR 63: Subpart ZZZZ: National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines

NESHAP Subpart ZZZZ: National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (NESHAP ZZZZ) was reviewed for Cargill's new engines. The Cargill West Fargo facility is considered a major source of HAP emissions. The engines meet the definition of an emergency stationary internal combustion engine as described in §63.6675:

> *"…any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.*
> *(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.*
> *(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).*
> *(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii)."*

The engines are subject to NESHAP ZZZZ as they are emergency stationary internal combustion engines at a major source of HAPs, with a rating of equal to or less than 500 horsepower, constructed after June 12, 2006 as described in §63.6590(a)(2)(ii). In accordance with §63.6590(c)(6), compliance for the engines under this regulation are satisfied by following the requirements under NSPS subpart IIII and subpart JJJJ.

APPENDIX A. TITLE V RENEWAL FORM

TITLE V PERMIT TO OPERATE - RENEWAL APPLICATION

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR QUALITY
SFN 52824 (9-2021)

In accordance with 33.1-15-14-04.c. of the North Dakota Air Pollution Control Rules, a Title V permit renewal application must be submitted to the Department at least six months, but no more than eighteen months, prior to the expiration date. Permit renewal applications are incomplete unless all information requested herein is supplied. The current Title V permit will be the baseline reference for this renewal. The requirements (40 CFR 70.5(c) & NDAC 33.1-15-14-06.4.c) to include a citation and description of all applicable requirements and a description of or reference to any applicable test method for determining compliance with each applicable requirement may be met by accomplishing either or both of the following: 1) enclose an annotated (red-lined) copy of the current permit indicating all changes needed to reflect the current facility configuration, applicable requirements and test methods; 2) enclose a narrative that conveys all changes needed to the current permit to reflect the current facility configuration, all applicable requirements and test methods.

FOR ACID RAIN UNITS ONLY – Submit with the Title V permit renewal application all Acid Rain renewal applications (the Acid Rain Permit Application, the Phase II NO_x Compliance Plan, and if applicable, the Phase II NO_x Averaging Plan).

PART 1. GENERAL APPLICATION INFORMATION

Owner's Name: Cargill, Inc.

Facility Name: Cargill West Fargo

Name of Person Completing Application: Michael Gregoryk Phone: (701) 282-1708

Title: Facility Leader Email: michael_gregoryk@cargill.com

Current Operating Permit Number: T5-G81005

Expiration Date of Current Operating Permit: 08 / 12 / 2024

PART 2. COMPLIANCE CERTIFICATION

A. Schedule for Submission of Compliance Certifications During the Term of the Permit

Frequency of Submittal	Date Beginning (month/day/year)
Annually	02/14/2020

B. Statement of Compliance with Compliance Assurance Monitoring (CAM) and Compliance Certification Requirements

The facility identified in this application is in compliance with applicable monitoring and compliance certification requirements.

- ☑ Yes
- ☐ No - Describe below which requirements are not being met:
- ☐ CAM not applicable

C. Certification of Compliance with all Applicable Requirements

This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1. Forms without a signed certification will be returned as incomplete.

Except for requirements identified in Compliance Schedule and Plan (Section G) of Title V Permit to Operate application forms for which compliance is not achieved, I hereby certify that, based on information and belief formed after reasonable inquiry, the air contaminant source identified in this form is in compliance with all applicable requirements.

Signed	Date
	2/7/24
Typed Name Michael Gregoryk	

PART 3. STATUS OF SOURCE

Has there been any change to the source since the most recent initial or renewal permit application, minor permit modification, significant modification or administrative permit amendment?

☑ No ☐ Yes

If yes, complete and submit appropriate sections of Title V Permit to Operate application forms.

PART 4. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

Note: This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1. Applications without a signed certification will be returned as incomplete.

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in this application are true, accurate and complete.

Name (typed) Michael Gregoryk

(Signed) _____ Date 2 / 7 / 24

Telephone Number (701) 282-1708

Send original renewal application to:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324
(701)328-5188

Send copy of renewal application to:

Air Program (8P-AR)
Office of Partnerships & Regulatory Assistance
US EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

APPENDIX B. REDLINED TITLE V PERMIT

NORTH Dakota | Environmental Quality
Be Legendary.™

AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE

Permittee: **Name:** Cargill, Inc. Oilseeds Processing **Address:** 250 Seventh Avenue NE West Fargo, ND 58078	**Permit Number:** T5-G81005 **Source Name:** Cargill Oilseeds Processing
Source Location: 250 Seventh Avenue NE West Fargo, ND Cass County	**Source Type:** Seed; Oil
Expiration Date: August 12, 2024	

Pursuant to Chapter 23.1-06 of the North Dakota Century Code, 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 No. 4: 8/6/19
Revision No. 0: _____

James L. Semerad
Director
Division of Air Quality

Cargill Oilseeds Processing
Title V Permit to Operate
Table of Contents

Permit Shield

Compliance with the terms and conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- Such applicable requirements are included and are specifically identified in this permit; or
- The Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source and the determination or a concise summary thereof is included in this permit.

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

1. **Emission Unit Identification**:

The emission units regulated by this permit are as follows:

Emission Unit Description [A]	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Gerber Industry Model #75 oilseeds rail/truck receiving Pit #1 ~~nominally rated at 150 metric tons/hr &~~ 200 metric tons/hr maximum rating	1	DC-1	Cyclone
Gerber Industry Model #75 oilseeds truck receiving Pit #2 ~~nominally rated at 150 metric tons/hr &~~ 200 metric tons/hr maximum rating	2	DC-2	Cyclone
Weigh hopper ~~nominally rated at 150 metric tons/hr &~~ 200 metric tons/hr maximum rating	3 [B]	DC-5	Cyclone
Four Receiving legs ~~nominally rated at 150 metric tons/hr &~~ 200 metric tons/hr maximum rating	4 [B]	DC-6	Cyclone
Two seed scalpers, two cleaner legs, shakers A & B, each ~~nominally rated at 112.5 metric tons/hr &~~ 150 metric tons/hr maximum rating	5 [B] & 5A [B]	DC-3	Cyclone
Skim air from two seed cleaners A & B, each ~~nominally rated at 112.5 metric tons/hr &~~ 150 metric tons/hr maximum rating	6 [B] & 6A [B]	DC-4	Cyclone
Dryer A leg ~~nominally rated at 112.5 metric tons/hr &~~ 150 metric tons/hr maximum rating	7 [B]	DC-7	Cyclone
Dryer B leg, ~~nominally rated at 112.5 metric tons/hr &~~ 150 metric tons/hr maximum rating	8 [B]	DC-8	Cyclone
Town & Country oilseeds dryer (A Dryer) fired on natural gas or propane and rated at 42 x 10^6 Btu/hr nominal	9 [B]	Fugitive	None
Town & Country oilseeds dryer (B Dryer) fired on natural gas or propane and rated at 42 x 10^6 Btu/hr nominal	10 [B]	Fugitive	None

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

Emission Unit Description [A]	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
One prep process scale ~~nominally rated at 70 metric tons/hr &~~ 75 metric tons/hr maximum rating	11 [B]	DC-9	Cyclone
One seed conveying leg ~~nominally rated at 70 metric tons/hr &~~ 75 metric tons/hr maximum rating	11A [B]		
Two scalper/cleaners ~~nominally rated at 70 metric tons/hr &~~ 75 metric tons/hr maximum rating	12 [B]		
16 decorticators ~~nominally rated at 70 metric tons/hr &~~ 75 metric tons/hr maximum rating	13 [B]		
Hulls scale 100 ~~nominally rated at 6.6 metric tons/hr &~~ 8 metric tons/hr maximum rating	15 [B]		
Two Kice primary aspirators each ~~nominally rated at 17.5 metric tons/hr &~~ 18.75 metric tons/hr maximum rating	16	DC-10	Cyclone (inherent process equipment)
Two Kice primary aspirators each ~~nominally rated at 17.5 metric tons/hr &~~ 18.75 metric tons/hr maximum rating	17	DC-11	Cyclone (inherent process equipment)
One Kice secondary aspirator ~~nominally rated at 6.5 metric tons/hr &~~ 7 metric tons/hr maximum rating	18 [B]	DC-12	Cyclone (inherent process equipment)
Two Kice secondary aspirators ~~nominally rated at 6.5 metric tons/hr &~~ 7 metric tons/hr maximum rating	19 [B]	DC-13	Cyclone (inherent process equipment)
Hulls storage tank nominally rated at 8 metric tons/hr	21	DC-25	Cyclone
Hulls receiving pit (HR-1) nominally rated at 8 metric tons/hr	23 [B]	Fugitive	None
Hulls loadout spout (HL-1) nominally rated at 8 metric tons/hr	24 [B]	Fugitive	None
Conditioner with a nominal rated capacity of 1,700 metric tons/day	25	DC-34	Cyclone
Three flakers with a nominal rated capacity of 600 metric tons/day each	26	DC-35	Cyclone
Three expellers with a nominal rated at 600 metric tons/day each	27	DC-36	Cyclone
Expeller cake transfer drag	29 [B]	NV-4	None
Dryer cooler, top, nominally rated at 60 metric tons/hr nominal	30 [B]	DC-28	Cyclone
Dryer cooler, middle, nominally rated at 60 metric tons/hr	31 [B]	DC-29	Cyclone
Dryer cooler, bottom, nominally rated at 60 metric tons/hr	32 [B]	DC-30	Cyclone
Conveying/storage of Filtrol nominally rated at 11 metric tons/hr	33 [B]	DC-17	Bag Filter (inherent process equipment)
Conveying/storage of Filter Aid nominally rated at 3 metric tons/hr	34 [B]	DC-27	Bag Filter (inherent process equipment)

Emission Unit Description [A]	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Meal conveyor nominally rated at 60 metric tons/hr	35 [B]	DC-18	Bag Filter (inherent process equipment)
Meal static sifters nominally rated at 60 metric tons/hr	36 [B]		
Four meal grinders nominally rated at 60 metric tons/hr	37 [B]		
Finished meal conveyor nominally rated at 60 metric tons/hr	38	DC-19	Bag Filter (inherent process equipment)
Carter Day Model #72 RJ finished meal conveyors nominally rated at 150 metric tons/hr	39 [B]	DC-22	Bag Filter (inherent process equipment)
Finished meal weighing hopper nominally rated at 150 metric tons/hr	40 [B]	DC-20	Bag Filter (inherent process equipment)
Finished meal rail loadout nominally rated at 150 metric tons/hr	41 [B]		
Finished meal truck loadout nominally rated at 150 metric tons/hr	42 [B]		
Foster Wheeler boiler rated at 50.3 x 10^6 Btu/hr nominal and fired on hulls or natural gas (built 1981)	43	B-1	Baghouse [C]
International Boiler Works boiler rated at 50 x 10^6 Btu/hr nominal and fired on natural gas and landfill gas (LFG) (built 1992)	44	B-2	None
Hexane underground storage tank with a capacity of 30,000 gallons	45 [B]	T-84	None [D]
Hexane underground storage tank with a capacity of 30,000 gallons	46 [B]	T-85	None [D]
Extraction and refining system with a processing capacity of approximately ~~1,500~~ metric tons of seeds per day.	48	DC-33	None [D]
D.C. feed conveyor 1,700	50 [B]	NV-50a NV-50b NV-50c NV-50d	None
Seed storage tank	51 [B]	T-51a, b & c	None
Seed storage tank	52 [B]	T-52a, b & c	
~~Diesel engine-driven emergency fire pump (255 hp nominal)~~	~~53 [B, E]~~	~~FP-1~~	~~None~~
GTS Energy Model NUK 800 boiler nominally rated at 9.9 x 10^6 Btu/hr and fired on natural gas and landfill gas (deodorizer boiler)	54 [B]	B-3	None
Seed preparation area vacuum system (housekeeping)	61 [B]	61	Bagfilter
Fly ash tank	62 [B]	62	Bagfilter
Pole barn receiving	63 [B]	63	Cyclone
Cooling tower system~~s~~ with a total water circulation capacity of approximately ~~7,000 gallons/minute~~ 8,000 gallons/minute	64 [B]	64	None

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

Emission Unit Description [A]	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Dryer A & B outlet conveyor and leg rated at 200 metric tons/hr	65 [B]	65	Point-of-Use Dust Collector
Plant-wide hexane bubble	Plant-wide	Plant-wide	None

A Emission unit descriptions in this permit may include nominal ratings that approximate the unit's capacities. These nominal ratings do not represent limits unless specifically stated in a condition.

B Insignificant or fugitive emission sources (no specific emission limit).

C The baghouse for EU43 is required for operation only when burning hulls, alone or in combination with other fuels.

D Condensers and a mineral oil scrubber are operated as inherent process equipment to recover solvent from the extraction and refining system and the hexane underground storage tanks. When processing canola seed, Cargill will use a packed bed scrubber as needed to manage odors.

E 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)]

2. **Applicable Regulations, Restrictions and Miscellaneous Conditions**:

A. **Fuel Restrictions**:

1) EU9 and EU10 shall be operated using only pipeline quality natural gas (sulfur content no more than 2 grains/100 scf) or commercial propane as defined by the Gas Processors Association.

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

2) EU43 shall be operated using hulls and/or pipeline quality natural gas (sulfur content no more than 2 grains/100 scf, which ensures compliance with NDAC 33.1-15-06-01.2).

Applicable Requirements: NDAC 33.1-15-14-06.5.b(1) and NDAC 33.1-15-06-01.2

3) EU44 and EU54 shall be operated using only pipeline quality natural gas (sulfur content no more than 2 grains/100 scf) and/or landfill gas (LFG). Total LFG usage plant-wide is limited to 900 x 10^6 cubic feet per year (12-month rolling total).

Applicable Requirements: PTC02003 and PTC09006

EUs 66 and 67

4) ~~EU53~~ shall be operated using only distillate oil containing no more than 0.0015% sulfur by weight.

Applicable Requirements: NDAC 33.1-15-14-06.5.b(1) and NDAC 33.1-15-22-03, Subpart ZZZZ

Add requirement for EU 68 to be operated using only natural gas.

B. **Solvent Usage**: The permittee may use solvents not previously approved by the Department provided:

1) Compliance is maintained with the requirements in Condition 3, Emissions Limits, and any other applicable requirements.

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

2) Approval from the Department is obtained prior to routine usage of solvents not previously approved by the Department.

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

C. **Cooling Tower**: The permittee shall not use chromium-based water treatment chemicals in the cooling tower system (EU64).

Applicable Requirements: PTC18020

D. **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 Dc - Standards of Performance for Small Industrial - Commercial - Institutional Steam Generating Units (EU44).

Applicable Requirements: 40 CFR 60, Subparts A and Dc Add NSPS IIII for EUs 66 and 67 Add NSPS JJJJ for EU 68

E. **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 (facility-wide).

Applicable Requirements: 40 CFR 63, Subparts A and GGGG

2) Subpart ZZZZ (4Z) - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines ~~(EU53).~~ EUs 66, 67, and 68

Applicable Requirements: 40 CFR 63, Subparts A and ZZZZ

3) Subpart DDDDD (5D) – National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (EU43, EU44, and EU54).

a) Conduct a tune-up of EU43 and EU44 annually, no later than 13 months after the previous tune-up per §63.7540(a)(10).

b) Conduct a tune-up of EU54 biennially, no later than 25 months after the previous tune-up per §63.7540(a)(10).

c) If any boiler is installed with a continuous oxygen trim system that maintains an optimum air to fuel ratio, conduct a tune-up every five years per §63.7540(a)(10).

d) For boilers and process heaters (EU43) 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.

e) In accordance with the §63.7499 subcategories, EU44 and EU54 are existing units designed to burn "gas 1 fuels" (LFG) and EU43 is an existing "stoker/sloped grate/others designed to burn kiln-dried biomass/bio-based solid." All units (EU43, 44 and 54) are also designed to burn natural gas.

Applicable Requirements: 40 CFR 63, Subparts A and DDDDD

F. **Like-Kind Engine Replacement**: This permit allows the permittee to replace the existing engine with a like-kind engine. Replacement is subject to the following conditions:

1) The Department must be notified 10 days after change-out of the engine.

2) The replacement engine shall operate in the same manner, provide no increase in throughput and have equal or less emissions than the engine it is replacing.

3) The date of manufacture of the replacement engine must be included in the notification. The facility must comply with any applicable federal standards (e.g. NSPS, NESHAP, MACT) triggered by the replacement.

4) The replacement engine is subject to the same state emission limits as the existing engine in addition to any NSPS or MACT emission limit that is applicable.

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

3. **Emission Unit Limits**:

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit	NDAC Applicable Requirement
Gerber Industry Model #75 oilseeds rail/truck receiving Pit #1	1	DC-1	PM	1.1 lb/hr	Permit to Construct (PTC)
			Opacity	20% [A]	33.1-15-03-02

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit	NDAC Applicable Requirement
Gerber Industry Model #75 oilseeds truck receiving Pit #2	2	DC-2	PM Opacity	1.1 lb/hr 20% [A]	PTC 33.1-15-03-02
Weigh hopper	3	DC-5	PM Opacity	0.1 lb/hr 20% [A]	PTC 33.1-15-03-02
Four receiving legs	4	DC-6	PM Opacity	0.1 lb/hr 20% [A]	PTC 33.1-15-03-02
Two seed scalpers, shakers A & B	5 & 5A	DC-3	PM Opacity	0.2 lb/hr [B] 20% [A]	PTC 33.1-15-03-02
Two seed cleaners/aspirators A & B	6 & 6A	DC-4	PM Opacity	0.23 lb/hr [B] 20% [A]	PTC 33.1-15-03-02
Dryer A leg	7	DC-7	PM Opacity	0.1 lb/hr 20% [A]	PTC 33.1-15-03-02
Dryer B leg	8	DC-8	PM Opacity	0.1 lb/hr 20% [A]	PTC 33.1-15-03-02
One prep process scale, one seed conveying leg, two scalper/cleaners, 16 decorticators and hulls scale 100	11-15	DC-9	PM Opacity	1.7 lb/hr [B] 20% [A]	PTC 33.1-15-03-02
Two Kice primary aspirators	16	DC-10	PM Opacity	1.2 lb/hr 20% [A]	PTC 33.1-15-03-02
Two Kice primary aspirators	17	DC-11	PM Opacity	1.2 lb/hr 20% [A]	PTC 33.1-15-03-02
One Kice secondary aspirator	18	DC-12	PM Opacity	0.15 lb/hr 20% [A]	PTC 33.1-15-03-02
Two Kice secondary aspirators	19	DC-13	PM Opacity	0.15 lb/hr 20% [A]	PTC 33.1-15-03-02
Hulls storage tank	21	DC-25	PM Opacity	0.8 lb/hr 20% [A]	PTC 33.1-15-03-02
Conditioner	25	DC-34	PM/PM_{10} Opacity	0.42 lb/hr 20% [A]	PTC11084 33.1-15-03-02

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit	NDAC Applicable Requirement
Three flakers	26	DC-35	PM/PM_{10}	0.52 lb/hr	PTC11084
			Opacity	20% [A]	33.1-15-03-02
Three expellers	27	DC-36	PM/PM_{10}	0.52 lb/hr	PTC11084
			Opacity	20% [A]	33.1-15-03-02
Dryer cooler, top	30	DC-28	PM	0.1 lb/hr	PTC
			Opacity	20% [A]	33.1-15-03-02
Dryer cooler, middle	31	DC-29	PM	0.2 lb/hr	PTC
			Opacity	20% [A]	33.1-15-03-02
Dryer cooler, bottom	32	DC-30	PM	0.4 lb/hr	PTC
			Opacity	20% [A]	33.1-15-03-02
Conveying/storage of Filtrol	33	DC-17	PM	0.1 lb/hr	33.1-15-14-06.5.b(1)
			Opacity	20% [A]	33.1-15-03-02
Conveying/storage of Filter Aid	34	DC-27	PM	0.1 lb/hr	33.1-15-14-06.5.b(1)
			Opacity	20% [A]	33.1-15-03-02
Meal conveyor, meal static sifters and four meal grinders	35-37	DC-18	PM	0.4 lb/hr [B]	PTC
			Opacity	20% [A]	33.1-15-03-02
Finished meal conveyor	38	DC-19	PM	0.1 lb/hr	PTC
			Opacity	20% [A]	33.1-15-03-02
Carter Day Model #72 RJ finished meal conveyors	39	DC-22	PM	0.1 lb/hr	PTC
			Opacity	20% [A]	33.1-15-03-02
Finished meal weighing hopper, finished meal rail loadout, and finished meal truck loadout	40-42	DC-20	PM	0.1 lb/hr [B]	PTC
			Opacity	20% [A]	33.1-15-03-02

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit	NDAC Applicable Requirement
Foster Wheeler boiler	43	B-1	PM/PM_{10}	4.17 lb/hr	PTC13050
			$PM/PM_{10}/PM_{2.5}$	13.24 tons/year (12-month rolling sum)	PTC13050
			Filterable PM (or TSM [C])	0.32 lb/10^6 Btu (or 4.0E-03 lb/10^6 Btu) of heat input	33.1-15-22-03, Subpart 5D
			NO_x	20.3 lb/hr	PTC
			SO_2	16.8 lb/hr	PTC
			CO	460 ppmv (on a dry basis corrected to 3% oxygen)	33.1-15-22-03, Subpart 5D
			Hg	0.0000057 lb/10^6 Btu of heat input	33.1-15-22-03, Subpart 5D
			HCl	0.022 lb/10^6 Btu of heat input	33.1-15-22-03, Subpart 5D
			Opacity	20% [A]	33.1-15-03-02
International Boiler Works boiler	44	B-2	PM	0.486 lb/10^6 Btu & 0.72 lb/hr	33.1-15-05-02 & PTC02003
			NO_x	8.9 lb/hr	PTC02003
			SO_2	3 lb/10^6 Btu & 1.64 lb/hr	33.1-15-06-01
			Hg	40 µg/m^3 - Gas 1 subcategory	33.1-15-22-03, Subpart 5D
			Opacity	20% [A]	33.1-15-03-02 & PTC02003
Extraction and refining system	48	DC-33	Hexane (VOC)	0.230 gal/ton seeds processed (12-month average)	33.1-15-14-06.5.b(1)
D.C. feed conveyor	50	NV-50a NV-50b NV-50c NV-50d	PM	0.128 lb/hr	33.1-15-14-06.5.b(1)
			Opacity	20% [A]	33.1-15-03-02
Seed storage tank	51	T-51a, b & c	PM	0.39 lb/hr [B]	33.1-15-14-06.5.b(1)

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit	NDAC Applicable Requirement
Seed storage tank	52	T-52a, b & c	PM Opacity	0.39 lb/hr [B] 20% [A]	33.1-15-14-06.5.b(1) 33.1-15-03-02
Diesel engine-driven emergency fire pumps	~~53~~ 66, 67,	~~FP-1~~ FP-2, FP-3,	Opacity Operating Hours	20% [A] See Condition 1, Footnote A	33.1-15-03-02 33.1-15-22-03, Subpart 4Z
Deodorizer boiler	54	B-3	Hg Opacity	40 µg/m^3 - Gas 1 subcategory 20% [A]	33.1-15-22-03, Subpart 5D PTC09006 & 33.1-15-03-02
Plant-wide hexane bubble	Plant-wide	Plant-wide	Hexane	394.2 tons/year (12-month rolling total)	PTC11084
Plant-wide LFG usage	Plant-wide	Plant-wide	LFG Usage	See Cond. 2.A.3	PTC09006

A 40% opacity is permissible for not more than one six-minute period per hour.

B The emission limit applies to the combined total of the applicable emission units and/or emission points.

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

Add: 460 hp diesel firepumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

4. **Monitoring Requirements and Conditions**:

A. **Requirements**:

Emission Unit Description	EU	Pollutant/ Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Gerber Industry Model #75 oilseeds rail/truck receiving pit	1	PM/Opacity	O&M and Visible Emissions Observation (VEO)	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Gerber Industry Model #75 oilseeds truck receiving pit	2	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Two Kice primary aspirators	16	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Two Kice primary aspirators	17	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Hulls storage tank	21	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Conditioner	25	PM/Opacity	VE Evaluation	4.B.8	33.1-15-14-06.5.a(3)(a)
Three flakers	26	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)

Emission Unit Description	EU	Pollutant/ Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Three expellers	27	PM/Opacity	O&M and VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Foster Wheeler boiler	43	$PM/PM_{10}/PM_{2.5}$	CAM, Recordkeeping	4.B.10 & 4.B.13	33.1-15-14-06.10, PTC13050 & 33.1-15-14-06.5.a(3)(a)
		Filterable PM (or TSM)	Emissions Test	4.B.14 & 4.B.15	33.1-15-22-03, Subpart 5D
		NO_x	Emissions Test/O&M	4.B.3	33.1-15-14-06.5.a(3)(a)
		SO_2 (hulls)	Sulfur Analysis	4.B.6	33.1-15-14-06.5.a(3)(a)
		SO_2 (natural gas)	Recordkeeping	4.B.4	33.1-15-14-06.5.a(3)(a)
		CO	Emissions Test	4.B.14 & 4.B.15	33.1-15-22-03, Subpart 5D
		Hg	Emissions Test	4.B.14 & 4.B.15	33.1-15-22-03, Subpart 5D
		HCl	Emissions Test	4.B.14 & 4.B.15	33.1-15-22-03, Subpart 5D
		Opacity	COMS	4.B.5	33.1-15-14-06.5.b(1)
International Boiler Works boiler	44	PM	Recordkeeping	4.B.4	33.1-15-14-06.5.a(3)(a)
		NO_x	Emissions Test/O&M	4.B.3	33.1-15-14-06.5.a(3)(a)
		SO_2	Recordkeeping	4.B.4	33.1-15-14-06.5.a(3)(a)
		Hg	Recordkeeping	4.B.15	33.1-15-22-03, Subpart 5D
		Opacity	Recordkeeping	4.B.4	33.1-15-14-06.5.a(3)(a)
Extraction and refining system	48	Hexane (VOC)	Recordkeeping	4.B.12	33.1-15-14-06.5.a(3)(a) & 33.1-15-22, Subpart 4G
Diesel engine-driven emergency fire pumps	66, ~~53~~ 67,	Opacity	Recordkeeping	4.B.4	33.1-15-14-06.5.a(3)(a)
		Operating Hours	Recordkeeping	4.B.9	33.1-15-22-03, Subpart 4Z
Deodorizer boiler	54	Hg	Recordkeeping	4.B.15	33.1-15-22-03, Subpart 5D
		Opacity	Recordkeeping	4.B.4	PTC09006

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

Emission Unit Description	EU	Pollutant/ Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Plant-wide hexane bubble	Plant-wide	Hexane	Hexane (VOC) Emissions Calculation	4.B.7	33.1-15-14-06.5.a(3)(a) & 33.1-15-22, Subpart 4G
Plant-wide LFG usage	Plant-wide	LFG Usage	Recordkeeping	4.B.11	PTC09006

B. **Monitoring Conditions**:

1) 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 on site and provide the Department with a copy when requested.

2) Once per week in which the emission unit is operated, a company representative shall observe the emission point. If no visible emissions are observed, the date and time shall be recorded.

If visible emissions are observed, the permittee must investigate within eight hours. Any problems that are discovered must be corrected as soon as possible. If correction of the problem 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.

All investigations of malfunctions and visible emissions shall be recorded. The permittee shall comply with the visible emissions and particulate emission limits in Condition 3 (emission limits) and nothing in this condition shall be construed as authorizing otherwise.

3) Within one year of issuance of the permit and to provide a reasonable assurance of compliance, the permittee shall conduct an emissions test to measure NO_x emissions, 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. For EU43, the emissions test shall be conducted when burning natural gas. For EU44, the emissions test shall be conducted when burning either natural gas or LFG or a combination of natural gas and LFG.

In addition, 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 emission unit. The permittee shall have the O&M procedures available on-site and provide the Department with a copy when requested.

4) For purposes of compliance monitoring, burning of gaseous fuels and distillate oil as outlined in Condition 2.A, shall be considered credible evidence of compliance with any applicable opacity, particulate and SO_2 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 burning of gaseous fuel as outlined in Condition 2.A, for evidence of compliance or noncompliance with any applicable opacity, particulate and SO_2 emission limit, in the event of enforcement action.

5) 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 and 40 CFR 63, Subpart DDDDD as incorporated by reference into NDAC 33.1-15-22-03. 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.

b) Within one year of issuance of this permit, the permittee shall conduct a performance evaluation of the continuous opacity monitoring system. The permittee shall conduct performance evaluations of the continuous opacity monitoring system with 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)

A second performance evaluation shall take place no sooner than two years or later than three years from the date of the first performance evaluation under this permit term.

c) The Department may require additional performance audits of the COMS equipment.

d) 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 continuous opacity monitoring system must be made.

6) The sulfur content of the ~~sunflower~~ hulls used as fuel shall be analyzed by a scientifically accepted method for determining the sulfur content in fuel. The permittee shall calculate sulfur dioxide emission rates from the sulfur content of the ~~sunflower~~ hulls using EPA emission factors or other methods approved by the Department. For monitoring the sulfur

content of the ~~sunflower~~ hulls, an analysis shall be conducted at the beginning of each crop year and the results used for calculating emissions until the next year's crop arrives.

7) By the 15th day of each month the owner/operator shall calculate and record the hexane solvent usage at the facility for the previous month. If the calculated hexane emissions for the previous 12-month period exceed 394.2 tons, the owner/operator shall contact the department by the 25th day of the month in which the calculations were made.

8) Once per month in which the emission unit is operated, a certified visible emissions reader shall conduct a formal visible emissions evaluation using EPA Reference Method 9. If the visible emissions evaluation indicates emissions to be less than or equal to the allowable opacity limit, the date, time and readings shall be recorded, and no further action is required.

If the visible emissions evaluation indicates emissions to be greater than the allowable opacity limit, the permittee must investigate the problem within eight hours. Any problems that are discovered must be corrected as soon as possible. If the correction of the emissions is expected to take longer than 24 hours, the permittee shall follow procedures as outlined in Condition 7.G. Following corrective maintenance, a formal visible emissions evaluation shall be made.

All investigations of malfunctions and visible emissions shall be recorded. The permittee shall comply with the visible emissions and particulate emission limits in Condition 3 and nothing in this condition shall be construed as authorizing otherwise.

If the permittee passes six consecutive formal visible emissions evaluations (EPA Reference Method 9), the permittee may reduce the frequency to once every three months (in which the emission unit is operated). However, if the permittee fails a formal visible emissions evaluation, the frequency shall be increased to once per month (in which the emission unit is operated).

9) A log shall be kept of the hours of operation on a calendar year basis.

10) The permittee shall conduct the monitoring, recordkeeping and reporting as required by the applicable subparts of 40 CFR 64 and in accordance with the Compliance Assurance Monitoring Plan (CAM) in Attachment A of this permit. The measured indicators for the emission units subject to CAM are summarized in the table below.

Indicator Ranges

Emission Unit	Control	Indicators	Indicator Range	Frequency
43 (Foster Wheeler boiler)	Baghouse (PM)	Opacity	0% - ~~5%~~ (daily block average) 0%-10%	Continuous while process is operating on hulls, alone or in combination with other fuels

Add: 460 hp diesel firepumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

11) The permittee shall record the quantity of LFG usage by the facility in ft^3/month on the first day of every month and determine the quantity of LFG used during the previous 12-month period. Anytime the quantity of LFG used exceeds 900 x 10^6 ft^3/yr, the owner/operator shall notify the Department within 10 working days.

12) The permittee is subject to a solvent loss ratio (SLR) of 0.230 gallons of solvent used/ton of seeds processed, on a 12-month rolling average, by the 2005 Consent Decree (Civil Action Number 05-2037-JMR-FLN) and voluntary limit contained in the June 8, 2007 letter, Comments and Drafts Revision to Title V Permit Number G81005. By the 15th day of each month, the owner/operator shall calculate and record the solvent loss ratio (SLR) in units of gallons of solvent used per ton of seeds processed for the previous month and for the previous 12-month period. Monitoring of hexane emissions and calculation of the SLR shall be in accordance with 40 CFR 63, Subpart GGGG. If the SLR exceeds 0.230 gal/ton of seeds processed on a 12-month average, then the owner/operator shall contact the Department by the 25th day of the month in which the calculation was made.

13) By the 15th day of each month, the owner/operator shall calculate and record the $PM/PM_{10}/PM_{2.5}$ emissions from EU43 for the previous month and for the previous 12 months. If PM, PM_{10}, or $PM_{2.5}$ emissions for the previous 12-month period exceed 13.24 tons, the owner/operator shall contact the Department by the 25th day of the month in which the calculation was made.

Emissions of PM shall be calculated as follows:

PM (tons) = $(EF_{PM\text{-}HULLS} \times HULLS / 2000) + (EF_{PM\text{-}GAS} \times GAS / 2000)$

Where:

PM (tons) = PM emissions for the previous month (tons)

$EF_{PM\text{-}HULLS}$ = PM emission factor (in pounds of PM per tons of hulls combusted) for combustion of hulls in EU43 as obtained from the most recent stack test conducted when combusting hulls in the boiler.

HULLS = Amount of hulls combusted during the previous month (tons)

$EF_{PM\text{-}GAS}$ = PM emission factor (in pounds of PM per million standard cubic feet of natural gas combusted). The emission factor of 7.6 lb of PM per standard cubic feet of natural gas combusted from EPA publication AP-42, Section 1.4 shall be utilized.

GAS = Amount of natural gas combusted during the previous month (million standard cubic feet)

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

Emissions of PM_{10} shall be calculated as follows:

PM_{10} (tons) = $(EF_{PM10\text{-}HULLS} \times HULLS / 2000) + (EF_{PM10\text{-}GAS} \times GAS / 2000)$

Where:

PM_{10} (tons) = PM_{10} emissions for the previous month (tons)

$EF_{PM10\text{-}HULLS}$ = PM10 emission factor (in pounds of PM10 per tons of hulls combusted) for combustion o hulls in EU43 as obtained from the most recent stack test conducted when combusting hulls in the boiler.

HULLS = Amount of hulls combusted during the previous month (tons)

$EF_{PM10\text{-}GAS}$ = PM_{10} emission factor (in pounds of PM_{10} per million standard cubic feet of natural gas combusted). The emission factor of 7.6 lb of PM_{10} per standard cubic feet of natural gas combusted from EPA publication AP-42, Section 1.4 shall be utilized.

GAS = Amount of natural gas combusted during the previous month (million standard cubic feet)

Emissions of $PM_{2.5}$ shall be calculated as follows:

PM (tons) = $(EF_{PM2.5\text{-}HULLS} \times HULLS / 2000) + (EF_{PM2.5\text{-}GAS} \times GAS / 2000)$

Where:

$PM_{2.5}$ (tons) = $PM_{2.5}$ emissions for the previous month (tons)

$EF_{PM2.5\text{-}HULLS}$ = $PM_{2.5}$ emission factor (in pounds of $PM_{2.5}$ per tons of hulls combusted) for combustion of hulls in EU43 as obtained from the most recent stack test conducted when combusting hulls in the boiler.

HULLS = Amount of hulls combusted during the previous month (tons)

$EF_{PM2.5\text{-}GAS}$ = $PM_{2.5}$ emission factor (in pounds of PM per million standard cubic feet of natural gas combusted). The emission factor of 7.6 lb of $PM_{2.5}$ per standard cubic feet of natural gas combusted from EPA publication AP-42, Section 1.4 shall be utilized.

GAS = Amount of natural gas combusted during the previous month (million standard cubic feet)

14) Conduct all applicable performance tests according to 40 CFR 63, Subpart DDDDD §63.7520 on an annual basis, except as specified in paragraphs (b) through (e), (g), and (h) of §63.7515. Annual performance tests to demonstrate compliance with the filterable PM (or TSM), CO, Hg and HCl must be completed no more than 13 months after the previous performance test, except as specified in paragraphs (b) through (e), (g), and (h) of §63.7515. Performance tests are required to be completed while combusting hulls. A sperate performance test is not required while combusting only pipeline natural gas.

15) 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 DDDDD.

a) In accordance with §63.7555(g), if you elect to demonstrate that the unit (EU44 and EU54) meets the specification for mercury for the unit designed to burn gas 1 subcategory, you must maintain monthly records (or at the frequency required by §63.7540(c)) of the calculations and results of the fuel specification for mercury in Table 6 of the subpart.

b) For the boilers subject to a CO emission limit (EU43) that demonstrate compliance with an O_2 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 the subpart.

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.

7) The records of quality assurance for emissions measuring systems including but not limited to quality control activities, audits and calibration drifts as required by the applicable test method.

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

Monitoring Records

Emission Unit Description	EU	Pollutant/ Parameter	Compliance Monitoring Record
Gerber Industry Model #75 oilseeds rail/truck receiving pit	1	PM/Opacity	O&M & VEO Data
Gerber Industry Model #75 oilseeds truck receiving pit	2	PM/Opacity	O&M & VEO Data
Two Kice primary aspirators	16	PM/Opacity	O&M & VEO Data
Two Kice primary aspirators	17	PM/Opacity	O&M & VEO Data
Hulls storage tank	21	PM/Opacity	O&M & VEO Data
Conditioner	25	PM/Opacity	VE Evaluation Data
Three flakers	26	PM/Opacity	O&M & VEO Data
Three expellers	27	PM/Opacity	O&M & VEO Data
Foster Wheeler boiler	43	PM	CAM Data/Emissions Calculations [A]
		Filterable PM (or TSM)	Emissions Test Data
		NO_x	Emissions Test & O&M Data
		SO_2 (hulls)	Fuel Analysis
		SO_2 (natural gas)	Fuel Type
		Hg	Emissions Test Data
		HCl	Emissions Test Data
		CO	Emissions Test Data
		Opacity	COMS Data [A]
		Operating Load	Recordkeeping
		Excess O_2%	Recordkeeping
		Fuel Usage	Recordkeeping

Emission Unit Description	EU	Pollutant/ Parameter	Compliance Monitoring Record
International Boiler Works boiler	44	PM	Fuel Type
		NO_x	Emissions Test Data
		SO_2	Fuel Type
		Opacity	Fuel Type
		Hg/Fuel Usage	Recordkeeping
Extraction and refining system	48	Hexane (VOC) Solvent Loss	Solvent Loss Data
Diesel engine-driven emergency fire pump s	~~53~~ 66, 67	Opacity	Fuel Type
		Operating Hours	Hours of Operation Data
Deodorizer boiler	54	Opacity	Fuel Type
		Hg/Fuel Usage	Recordkeeping
Plant-wide hexane bubble	Plant-wide	Hexane	Emissions Calculations
Plant-wide LFG usage	Plant-wide	LFG Usage	LFG Usage Data

A Continuous monitoring and recordkeeping only required when combusting hulls, alone or in combination with other fuels

Add: 460 hp diesel fire pumps (EUs 66 and 67) and 47 hp natural gas emergency generator (EU 68)

B. Recordkeeping for EU44 shall be in accordance with 40 CFR 60, Subpart A, §60.7 - Notification and Recordkeeping. The permittee shall record the monthly fuel consumption for EU44.

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

C. Recordkeeping for EU43, EU44, and EU54 shall be in accordance with 40 CFR 63, Subpart A, §63.10, Recordkeeping and Reporting and 40 CFR 63, Subpart DDDDD, Notification, Reports, and Records.

Applicable Requirements: NDAC 33.1-15-22-03, Subpart 5D

D. Recordkeeping for EU43 shall be in accordance with 40 CFR 64, §64.9 - Reporting and Recordkeeping Requirements, Paragraph (b) General Recordkeeping Requirements.

Applicable Requirements: NDAC 33.1-15-14-06.10

E. 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 for EU44 shall be in accordance with 40 CFR 60, Subpart A, §60.7 Notification and Recordkeeping

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

B. Reporting for EU43, EU44, and EU54 shall be in accordance with 40 CFR 63, Subpart A §63.10, Recordkeeping and Reporting and 40 CFR 63, Subpart DDDDD, Notification, Reports, and Records.

Applicable Requirement: NDAC 33.1-15-22-03, Subpart 5D

C. Reporting for EU43 shall be in accordance with 40 CFR 64, §64.9 - Reporting and Recordkeeping Requirements, Paragraph (a) General Reporting Requirements.

Applicable Requirement: NDAC 33.1-15-14-06.10

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. Reference Method 9 test reports are exempt.

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

E. The permittee shall submit a semi-annual monitoring report for all monitoring records required under Condition 5 on forms supplied 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. Reports required by NDAC 33.1-15-22-03, Subpart 5D shall be included with 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 5D

F. 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 on forms supplied or approved by the Department.

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

G. The permittee shall submit an annual Compliance Certification Report in accordance with NDAC 33.1-15-22, Subpart GGGG (Veg Oil MACT).

Applicable Requirement: NDAC 33.1-15-22, Subpart GGGG

H. The permittee shall submit a quarterly excess opacity emissions report for EU43 for time spent burning hulls, alone or in combination with other fuels, by the 30th day following the end of the calendar quarter. Excess opacity emissions are defined as emissions which exceed 20% opacity (6-min avg.) except 40% (6-min avg.) opacity is allowed for not more than one 6-minute period per hour. The report need not address time periods when EU 43 is combusting only pipeline quality natural gas.

Applicable Requirement: NDAC 33.1-15-14-06.5a(3)(a)

I. The permittee shall submit an annual emissions inventory report on forms supplied 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 annual emissions inventory 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. **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

F. **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 shutdown 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

G. **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

H. **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

I. **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

J. **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)

K. **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

L. **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

M. **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

N. **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

O. **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)

P. **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:

North Dakota Department of Environmental Quality
Division of Air Quality
918 E Divide Avenue, 2nd Floor
Bismarck, ND 58501-1947

2) Any document 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 Modification**: 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

B. **Hydrogen Sulfide Restriction**: The permittee shall not discharge into the ambient air hydrogen sulfide (H_2S) in concentrations that would be objectionable on land owned or leased by the complainant or in areas normally accessed by the general public. For the purpose of complaint resolution, two samples with concentrations greater than 0.05 parts per million (50 parts per billion) sampled at least 15 minutes apart within a two-hour period and measured in accordance with Section 33.1-15-16-04 constitute a violation.

Applicable Requirement: NDAC 33.1-15-16-04

Attachment A

Cargill, Inc. - Oilseeds Processing
Oilseeds Processing Plant
West Fargo, ND

Compliance Assurance Monitoring (CAM) Plan

EU43 – Baghouse

Compliance Assurance Monitoring Plan for the Solid Fuel Boiler Baghouse Cargill, Inc. West Fargo, North Dakota

I. Background

A. Emissions Unit

Description:	Oilseed production biomass fueled boiler[1]
Identification:	EU43
Facility:	Cargill Oilseeds Processing West Fargo, North Dakota

B. Applicable Permit. Condition, Emission Limit and Monitoring Requirements

Permit# T5-G81005:	Condition #3
Particulate emission limit:	4.17 pounds per hour
Monitoring requirements:	Continuos Opacity Monitoring System (COMS)

C. Control Technology

Baghouse

II. Monitoring Approach

A. Indicator

The boiler is subject to 40 CFR 63 Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants (NESHAP) for boilers and process heaters at major sources (Major Source Boiler MACT) which became applicable on January 31, 2016. Since this NESHAP was proposed by the EPA after November 15, 1990, emissions standards from this NESHAP do not trigger CAM requirements, as per 40 CFR 64.2(b)(1)(i). Cargill will therefore rely on the pollutant-specific compliance demonstration requirements in the NESHAP to demonstrate that CAM requirements for the PM emissions limits from biomass boilers are satisfied; specifically, Cargill will rely on the opacity monitoring provisions of Subpart DDDDD for solid fuel fired biomass boilers.

Transmissometer visible emissions readings from the COMS will be used as indicators for the proper operation of the control device in controlling particulate matter emissions.

[1] The boiler can fire natural gas as well as biomass, but the CAM plan only applies to biomass because operation of the boiler on natural gas is considered inherently compliant with the particulate limit.

B. Measurement Approach

Visible emissions (opacity) in the stack exhaust will be monitored continuosly by the COMS. Opacity will be determined based on daily block averages in accordance with published USEPA methods.

C. Indicator Range

Cargill will use an opacity indicator range based on daily block averaging period of COMS readings. The indicator levels on a daily block average basis are 0% to ~~5%~~ 10% opacity.[2]

D. CAM Excursions Defined

An excursion based on opacity is a daily block average above ~~5%~~ 10% when the boiler is in operation and firing biomass.

E. Performance Criteria

Data representativeness:

An increase in particulate emissions would likely cause an increase in opacity of the exhaust from the baghouse. The COMS opacity measurements are made downstream of the baghouse on the stack. Therefore, a detected increase in opacity would indicate increased particulate emissions.

[2] One average will be recorded for every 24-hour period starting at 12:00 AM.

Compliance Assurance Monitoring Plan for the Solid Fuel Boiler Baghouse Cargill, Inc. West Fargo, North Dakota

Verification of operational status:

The monitoring equipment will be maintained in good working condition according to the manufacturer's O&M procedures.

QA/QC practices and criteria:

A performance evaluation of the COMS shall be conducted in accordance with monitoring conditions as defined by the facility's Title V permit.

10%

Any recorded daily block average opacity greater than ~~5%~~ will signify an excursion. When a reportable excursion occurs, corrective action will be initiated within 8 hours, beginning with an evaluation of the occurrence to determine the action required to correct the situation. After corrective action has been taken, opacity readings shall be taken again and compared to the indicator range. If the daily block average opacity readings are below ~~5%~~, no additional action is required. If the opacity requirements are not met, the investigation process will begin again as outlined above.

10%

Compliance Assurance Monitoring Plan for the Solid Fuel Boiler Baghouse Cargill, Inc. West Fargo, North Dakota

Monitoring frequency and data collection procedure:

A company representative will review the COMS transmissometer visible emissions readings and specific power levels once per day.

III. Justification

A. Background

This facility processes various oilseeds to extract vegetable oils. The pollutant specific emission unit is the biomass (hulls, etc.) fueled boiler that produces process steam for the facility. A baghouse controls the boiler's particulate emissions.

B. Rationale for Selection of Performance Indicator

The transmissometer visible emissions reading from the COMS was selected as the performance indicator because it is consistent with 40 CFR 63 Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for boilers and process heaters at major sources (Major Source Boiler MACT) which became applicable on January 31, 2016.[3] The transmissometer visible emissions reading from the COMS is indicative of operation of the baghouse in a manner necessary to comply with the particulate emission standard. An increase in visible emissions indicates reduced performance of the baghouse. Therefore, the detection of excessive visible emissions is used as the performance indicator.

C. Rationale for Selection of Indicator Level

The use of opacity as the indicator is consistent with the monitoring requirement under Major Source Boiler MACT which became applicable on January 31, 2016. Under Major Source Boiler MACT, EU43 is subject to a PM (filterable) limit along with an elected opacity indicator given in the rule as 10% opacity on a daily block average.[4] Because an opacity standard applies to EU43 upon the compliance date of Major Source Boiler MACT, Cargill has elected to use a daily block average limit as an indicator range, per 40 CFR 64.3(d)(3)(ii). Through conversation with NDDEQ, Cargill will use ~~a 5% opacity (as opposed to~~ 10% opacity given in the rule~~)~~ on a daily block average limit in order to ensure

[3] Opacity limit from Table 4 to Subpart DDDDD of Part 63 – Operating Limits for Boilers and Process Heaters, Item 4.a.

[4] Opacity limit from Table 4 to Subpart DDDDD of Part 63 – Operating Limits for Boilers and Process Heaters, Item 4.a.

compliance with the permit limit. Low opacity measurements are anticipated due to the baghouse control on particulate emissions. The indicator level is consistent with proper operation of the baghouse for particulate matter control. Emissions testing for PM, PM_{10}, and $PM_{2.5}$ performed ~~by TRC in December 2013~~ in 2020 indicates that operation of EU43 with the baghouse control results in particulate emissions well below the emission limit of 4.17 lb/hr PM/PM_{10}. of 0.043 lb/hr, with usual operations between a 0%-7% range.

Therefore, the use of ~~5%~~ 10% opacity on a daily block average is a good indicator of compliance with the PM/PM_{10} limit of 4.17 lb/hr. If the baghouse is operating properly, there will not be particulate emissions above 4.17 pounds/hour or opacity greater than 20% (based on a one-hour average) from the exhaust stack except potentially during start up, shut down, or upset conditions. The facility's Title V Permit to Operate requires reporting of excursions to the North Dakota Department of Environmental Quality on a semi-annual basis.

APPENDIX C. FACILITY EMISSIONS

Cargill, Inc.
Oilseeds Processing
Permit T5-G81005
250 Seventh Avenue, NE
West Fargo, ND

Emission Unit	Emission Point	Description	Basis of Operation	PM	PM_{10}	$PM_{2.5}$	SO_2	NO_X	VOC	CO	Lead	CO_2e	TRS	H_2S	THAP
1	DC-1	Gerber Industry Model #75 oilseeds rail/truck receiving Pit #1	Rail/Truck Seed Receiving Hours	4.82	4.82	4.82	--	--	--	--	--	--	--	--	--
2	DC-2	Gerber Industry Model #75 oilseeds truck receiving Pit #2	Truck Seed Receiving Hours	4.82	4.82	4.82	--	--	--	--	--	--	--	--	--
3	DC-5	Weigh Hopper	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
4	DC-6	Four receiving legs	Sum of Rail/Truck Seed Rec, Truck Seed Rec, Dryer A, and Dryer B Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
5 & 5A	DC-3	Two seed scalpers, Shakers A&B	Dryer A & B Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
6 & 6A	DC-4	Two seed cleaners/aspirators A&B	Dryer A & B Hours	2.01	2.01	2.01	--	--	--	--	--	--	--	--	--
7	DC-7	Dryer A leg	Dryer A Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
8	DC-8	Dryer B leg	Dryer B Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
9 & 10	Fugitive	Dryers A & B - Natural Gas	Dryer Natural Gas Usage	0.16	0.16	0.16	0.01	2.12	0.12	1.78	1.06E-05	2,556	--	--	0.04
		Dryer A & B - Fugitive PM	Dryer A & B Hours	106.22	26.55	4.54	--	--	--	--	--	--	--	--	--
11	DC-9	One prep process scale	Total Production Hours	7.45	7.45	7.45	--	--	--	--	--	--	--	--	--
11A		One seed conveying leg													
12		Two scalper/cleaners													
13		16 Decorticators													
15		Hulls scale 100													
16	DC-10	Two Kice primary aspirators	Sunflower Production Hours	3.52	3.52	3.52	--	--	--	--	--	--	--	--	--
17	DC-11	Two Kice primary aspirators	Sunflower Production Hours	3.52	3.52	3.52	--	--	--	--	--	--	--	--	--
18	DC-12	One Kice secondary aspirator	Sunflower Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
19	DC-13	Two Kice secondary aspirators	Sunflower Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
21	DC-25	Hulls storage tank	Flax and Canola Production Hours	1.16	1.16	1.16	--	--	--	--	--	--	--	--	--
23	Fugitive	Hulls receiving pit (HR-1)	10/hr day 5 days/week	3.10	3.10	3.10	--	--	--	--	--	--	--	--	--
24	Fugitive	Hulls loadout spout (HL-1)	Not used	--	--	--	--	--	--	--	--	--	--	--	--
55	DC-34	Conditioner	Total Production Hours	0.22	0.22	0.22	--	--	--	--	--	--	--	--	--
56	DC-35	Four flakers	Total Production Hours	1.36	1.36	1.36	--	--	--	--	--	--	--	--	--
57	DC-36	Eight expellers/presses	Total Production Hours	0.53	0.53	0.53	--	--	--	--	--	--	--	--	--
	NV-4	Cake drag	Total Production Hours	0.88	0.88	0.88	--	--	--	--	--	--	--	--	--
30	DC-28	Dryer cooler, top	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
31	DC-29	Dryer cooler, middle		0.88	0.88	0.88	--	--	--	--	--	--	--	--	--
32	DC-30	Dryer cooler, bottom		1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
33	DC-17	Conveying/storage of Filtrol	20% of Total Production Hours per Rodney Roe of Cargill	0.09	0.09	0.09	--	--	--	--	--	--	--	--	--
34	DC-27	Conveying/storage of Filter Aid	20% of Total Production Hours per Rodney Roe of Cargill	0.09	0.09	0.09	--	--	--	--	--	--	--	--	--
35	DC-18	Meal conveyor	Total Production Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
36		Meal static sifters													
37		Four meal grinders													
38	DC-19	Finished meal conveyor	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
39	DC-22	Carter Day Model #72 RJ finished meal conveyors	Meal Loadout Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
40	DC-20	Finished meal weighing hopper	Meal Loadout Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
41		Finished meal rail loadout													
42		Finished meal truck loadout													
43	B-1	Foster Wheeler boiler - Natural Gas	FW Boiler Natural Gas Usage	0.12	0.12	0.12	0.01	1.20	0.09	1.33	0.00	1905.24	--	--	0.03
		Foster Wheeler boiler - Hulls	FW Boiler Hulls Usage	0.18	0.18	0.18	5.54	107.66	4.25	35.59	0.00	50,311.46	--	--	0.42
44	B-2	International Boiler Works boiler - Natural Gas	IBW Boiler Natural Gas Usage	0.24	0.24	0.24	0.02	2.08	0.17	2.66	1.58E-05	3,808	--	--	0.06
		International Boiler Works boiler - Landfill Gas	IBW Boiler LFG Usage	3.09	3.09	3.09	9.30	18.99	9.06	0.24	Not Available	11,172	--	--	2.02
45	T-84	Hexane underground storage tank[1] (30,000 gal)	N/A	--	--	--	--	--	--	--	--	--	--	--	--
46	T-85	Hexane underground storage tank[1] (30,000 gal)	N/A	--	--	--	--	--	--	--	--	--	--	--	--
48	DC-33	Hexane emissions from extraction & refining[2]		--	--	--	--	--	--	--	--	--	--	--	--
49	Bubble	Plant wide hexane (VOC) bubble	Hexane Usage	--	--	--	--	--	110.44	--	--	--	5.62	5.32	110.44
50	NV-5	Dryer feed conveyor	Total Production Hours	0.56	0.56	0.56	--	--	--	--	--	--	--	--	--
51	T-51a, b &c	Seed storage tank	50% of Flax and Canola Production Hours	0.28	0.07	0.07	--	--	--	--	--	--	--	--	--
52	T-52a, b, & c	Seed storage tank	50% of Flax and Canola Production Hours	0.28	0.07	0.07	--	--	--	--	--	--	--	--	--
54	B-3	Deodorizer boiler	Deodorizer Boiler Natural Gas Usage	0.11	0.11	0.11	0.01	1.41	0.08	1.19	7.05E-06	1,697	--	--	0.03
	Fugitive	Seeds Unloading	Rail/Truck Seed Rec & Truck Seed Rec Hours	16.91	3.77	0.61	--	--	--	--	--	--	--	--	--
	Fugitive	Truck Traffic	Truck Traffic	154.76	36.16	3.98	--	--	--	--	--	--	--	--	--
		Cooling Tower	Total Production Hours	9.82	4.65	0.02	--	--	--	--	--	--	--	--	--
66	FP-2	Diesel engine-driven emergency fire pump	N/A	0.02	0.02	0.02	5.20E-04	0.58	0.03	0.09	--	131.70	--	--	3.12E-03
67	FP-3	Diesel engine-driven emergency fire pump	N/A	0.02	0.02	0.02	5.20E-04	0.58	0.03	0.09	--	131.70	--	--	3.12E-03
68	Gen-1	Diesel engine-driven emergency generator	N/A	0.00	0.00	0.00	0.00	0.06	0.00	0.01	--	13.46	--	--	0.00
		Facility-wide Total		**338.15**	**121.16**	**59.18**	**14.89**	**134.70**	**124.26**	**42.98**	**0.00**	**71726.78**	**5.62**	**5.32**	**113.05**
1. Hexane emissions from extraction, refining, and tanks are included in the plant wide hexane bubble.														110.60	Hexane
			Total Without fugitive	**57.01**	**51.42**	**46.79**	**14.88**	**132.57**	**124.15**	**41.20**	**0.00**	**69,170.85**	**5.62**	**5.32**	**113.01**

Updated PTE Provided 3/7/2025

Cargill, Inc.
Oilseeds Processing
Permit T5-G81005
250 Seventh Avenue, NE
West Fargo, ND

Emission Unit	Emission Point	Description	Basis of Operation	PM	PM_{10}	$PM_{2.5}$	SO_2	NO_X	VOC	CO	Lead	CO_2e	TRS	H_2S	THAP
1	DC-1	Gerber Industry Model #75 oilseeds rail/truck receiving Pit #1	Rail/Truck Seed Receiving Hours	4.82	4.82	4.82	--	--	--	--	--	--	--	--	--
2	DC-2	Gerber Industry Model #75 oilseeds truck receiving Pit #2	Truck Seed Receiving Hours	4.82	4.82	4.82	--	--	--	--	--	--	--	--	--
3	DC-5	Weigh Hopper	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
4	DC-6	Four receiving legs	Sum of Rail/Truck Seed Rec, Truck Seed Rec, Dryer A, and Dryer B Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
5 & 5A	DC-3	Two seed scalpers, Shakers A&B	Dryer A & B Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
6 & 6A	DC-4	Two seed cleaners/aspirators A&B	Dryer A & B Hours	2.01	2.01	2.01	--	--	--	--	--	--	--	--	--
7	DC-7	Dryer A leg	Dryer A Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
8	DC-8	Dryer B leg	Dryer B Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
9 & 10	Fugitive	Dryers A & B - Natural Gas	Dryer Natural Gas Usage	0.20	0.20	0.20	0.02	2.67	0.15	2.24	1.34E-05	3,213	--	--	0.05
		Dryer A & B - Fugitive PM	Dryer A & B Hours	106.22	26.55	4.54	--	--	--	--	--	--	--	--	--
11	DC-9	One prep process scale	Total Production Hours	7.45	7.45	7.45	--	--	--	--	--	--	--	--	--
11A		One seed conveying leg													
12		Two scalper/cleaners													
13		16 Decorticators													
15		Hulls scale 100													
16	DC-10	Two Kice primary aspirators	Sunflower Production Hours	3.52	3.52	3.52	--	--	--	--	--	--	--	--	--
17	DC-11	Two Kice primary aspirators	Sunflower Production Hours	3.52	3.52	3.52	--	--	--	--	--	--	--	--	--
18	DC-12	One Kice secondary aspirator	Sunflower Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
19	DC-13	Two Kice secondary aspirators	Sunflower Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
21	DC-25	Hulls storage tank	Flax and Canola Production Hours	1.16	1.16	1.16	--	--	--	--	--	--	--	--	--
23	Fugitive	Hulls receiving pit (HR-1)	10/hr day 5 days/week	3.10	3.10	3.10	--	--	--	--	--	--	--	--	--
24	Fugitive	Hulls loadout spout (HL-1)	Not used	--	--	--	--	--	--	--	--	--	--	--	--
25	DC-34	Conditioner	Total Production Hours	0.22	0.22	0.22	--	--	--	--	--	--	--	--	--
26	DC-35	Four flakers	Total Production Hours	1.36	1.36	1.36	--	--	--	--	--	--	--	--	--
27	DC-36	Eight expellers/presses	Total Production Hours	0.53	0.53	0.53	--	--	--	--	--	--	--	--	--
29	NV-4	Cake drag	Total Production Hours	0.88	0.88	0.88	--	--	--	--	--	--	--	--	--
30	DC-28	Dryer cooler, top	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
31	DC-29	Dryer cooler, middle		0.88	0.88	0.88	--	--	--	--	--	--	--	--	--
32	DC-30	Dryer cooler, bottom		1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
33	DC-17	Conveying/storage of Filtrol	20% of Total Production Hours per Rodney Roe of Cargill	0.09	0.09	0.09	--	--	--	--	--	--	--	--	--
34	DC-27	Conveying/storage of Filter Aid	20% of Total Production Hours per Rodney Roe of Cargill	0.09	0.09	0.09	--	--	--	--	--	--	--	--	--
35	DC-18	Meal conveyor	Total Production Hours	1.75	1.75	1.75	--	--	--	--	--	--	--	--	--
36		Meal static sifters													
37		Four meal grinders													
38	DC-19	Finished meal conveyor	Total Production Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
39	DC-22	Carter Day Model #72 RJ finished meal conveyors	Meal Loadout Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
40	DC-20	Finished meal weighing hopper	Meal Loadout Hours	0.44	0.44	0.44	--	--	--	--	--	--	--	--	--
41		Finished meal rail loadout													
42		Finished meal truck loadout													
43	B-1	Foster Wheeler boiler - Natural Gas	FW Boiler Natural Gas Usage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	--	--	0.00
		Foster Wheeler boiler - Hulls	FW Boiler Hulls Usage	0.23	0.23	0.23	6.96	135.34	5.34	44.74	0.00	63,247.43	--	--	0.52
44	B-2	International Boiler Works boiler - Natural Gas	IBW Boiler Natural Gas Usage	0.40	0.40	0.40	0.03	3.47	0.29	4.43	2.64E-05	6,348	--	--	0.10
		International Boiler Works boiler - Landfill Gas	IBW Boiler LFG Usage	5.15	5.15	5.15	15.51	31.65	15.10	0.40	Not Available	18,624	--	--	3.37
45	T-84	Hexane underground storage tank[1] (30,000 gal)	N/A	--	--	--	--	--	--	--	--	--	--	--	--
46	T-85	Hexane underground storage tank[1] (30,000 gal)	N/A	--	--	--	--	--	--	--	--	--	--	--	--
48	DC-33	Hexane emissions from extraction & refining[2]		--	--	--	--	--	--	--	--	--	--	--	--
49	Bubble	Plant wide hexane (VOC) bubble	Hexane Usage	--	--	--	--	--	390.05	--	--	--	5.62	5.32	390.05
50	NV-50a, NV-50b, NV-50c, NV-50d	Dryer feed conveyor	Total Production Hours	0.56	0.56	0.56	--	--	--	--	--	--	--	--	--
51	T-51a, b &c	Seed storage tank	50% of Flax and Canola Production Hours	0.28	0.07	0.07	--	--	--	--	--	--	--	--	--
52	T-52a, b, & c	Seed storage tank	50% of Flax and Canola Production Hours	0.28	0.07	0.07	--	--	--	--	--	--	--	--	--
54	B-3	Deodorizer boiler	Deodorizer Boiler Natural Gas Usage	0.11	0.11	0.11	0.01	1.41	0.08	1.19	7.05E-06	1,697	--	--	0.03
	Fugitive	Seeds Unloading	Rail/Truck Seed Rec & Truck Seed Rec Hours	16.91	3.77	0.61	--	--	--	--	--	--	--	--	--
	Fugitive	Truck Traffic	Truck Traffic	154.76	36.16	3.98	--	--	--	--	--	--	--	--	--
64	64	Cooling Tower	Total Production Hours	9.82	4.65	0.02	--	--	--	--	--	--	--	--	--
66	FP-2	Diesel engine-driven emergency fire pump	N/A	0.02	0.02	0.02	5.20E-04	0.58	0.03	0.09	--	131.70	--	--	3.12E-03
67	FP-3	Diesel engine-driven emergency fire pump	N/A	0.02	0.02	0.02	5.20E-04	0.58	0.03	0.09	--	131.70	--	--	3.12E-03
68	Gen-1	Diesel engine-driven emergency generator	N/A	0.00	0.00	0.00	0.00	0.06	0.00	0.01	--	13.46	--	--	0.00
		Facility-wide Total		**340.34**	**123.35**	**61.37**	**22.53**	**175.78**	**411.06**	**53.19**	**0.00**	**93405.82**	**5.62**	**5.32**	**394.12**
														390.22	Hexane
			Total Without fugitive	**59.16**	**53.57**	**48.94**	**22.51**	**173.11**	**410.91**	**50.95**	**0.00**	**90,192.71**	**5.62**	**5.32**	**394.07**

1. Hexane emissions from extraction, refining, and tanks are included in the plant wide hexane bubble.