


HEARING OFFICER'S REPORT

TO: The Honorable Shawn M. Garvin
Cabinet Secretary, Department of Natural Resources and Environmental Control

FROM: Lisa A. Vest 
Public Hearing Officer, Office of the Secretary
Department of Natural Resources and Environmental Control

RE: Applications of Mountaire Farms of Delaware, Inc., to amend its existing Reg. No. 1102 Natural Minor Permit to allow for the following: (1) replacement of an existing hammermill baghouse with an AirLanco baghouse; and (2) replacement of an existing pellet cooler with an electric Hayes & Stolz pellet cooler at its Millsboro facility, located at 29106 John J. Williams Highway, Millsboro, in Sussex County, Delaware.

DATE: April 22, 2019

I. BACKGROUND AND PROCEDURAL HISTORY:

A public hearing was held on Monday, November 26, 2018, at 6:00 p.m. by the Department of Natural Resources and Environmental Control ("DNREC," "Department") at the Indian River Civic (Senior) Center, located at 214 Irons Avenue, Millsboro, Delaware, to receive comment on the applications of Mountaire Farms of Delaware, Inc. ("Mountaire," "Applicant") to amend its current 7 DE Admin. Code 1102 Natural Minor Permit to allow for the following: (1) replacement of an existing hammermill baghouse with an AirLanco baghouse; and (2) replacement of an existing pellet cooler with an electric Hayes & Stolz pellet cooler at its facility located at 29106 John J. Williams Highway, Millsboro, Delaware ("Applications"). The Applicant's proposed projects are subject to various state and federal regulatory requirements, including, but not limited to, Delaware's air quality regulations, as set forth in 7 DE Admin. Code 1100, *Air Quality Management Section*.

A hammermill is essentially a box surrounding a rotor. There are swinging hammers that are attached to the rotor that move when the rotor spins. When grain enters the hammermill, it is pulverized from the blows of the hammers and impacts with the walls of the hammermill. The material stays confined in this area until it can pass through a screen via the discharge area. A baghouse is a dust-filtering system with chambers consisting of fabric filter bags that remove particulates (in this case, grain dust) from the air during hammermill operation. When the hammermill is in operation, the baghouse is turned on and acts as a vacuum to collect the fine grain dust that becomes airborne during unloading activities.

A pellet cooler is a structure that takes the pelleted material from the hammermill and removes the moisture through a drying and cooling process. This is completed using the pellet cooler's affiliated fan system. The cyclones currently in place, which collect particulate matter through this process, were deemed to be the most effective and efficient technology based on a Best Available Control Technology analysis required by the Department.

The Applicant's proposed permit modifications, if approved by the Department, will enable Mountaire to be proactive with regard to necessary maintenance of its existing equipment. The replacement baghouse filters are 99.99% efficient, the same efficiency as the existing units. The replacement pellet cooler, manufactured by Hayes & Stolz as noted above, has a particulate removal efficiency of 95%. The existing Koger-Air Model 2H54 high-efficiency cyclones (which are part of the pellet cooler mechanisms) were installed in 2010, and will continue to be utilized at this time.

The Application for the replacement of the existing hammermill baghouse was received by the Department on June 21, 2018, and the Application for the replacement of the existing pellet cooler was received by the Department on July 30, 2018. Thereafter, the Applications were placed on public notice by the Department on July 8, 2018 to open the fifteen day public comment period. During the public notice periods, the Department's Division of Air Quality ("DAQ") received a request for a public hearing regarding this matter.

The Department held its public hearing concerning this matter on November 26, 2018, which was attended not only by Department staff and representatives of the Applicant, but also by several individuals from the public. Comment was received from the public at that hearing, and will be discussed in further detail below. Proper notice of the hearing was provided as required by law.

II. SUMMARY OF THE PUBLIC HEARING RECORD:

The public hearing record consists of the following documents: (1) a verbatim transcript; (2) nine documents representing the Department's Exhibits concerning this permitting matter, introduced by responsible DAQ staff at the public hearing held on November 26, 2018, and marked accordingly by this Hearing Officer as "Dept. Exh. 1-9"; (3) written statement from Elio Battista, Jr., Esq., counsel for the Applicant, marked as "Battista Exh. #1"; and (4) Technical Response Memorandum ("TRM") from Melanie Smith, P.E., through DAQ Management, including but not limited to, Angela D. Marconi, P.E., BCEE, Branch Manager, Engineering and Compliance Section, dated March 26, 2019. The Department's person primarily responsible for reviewing this application, Ms. Marconi, as referenced above, developed the record with the relevant documents in the Department's files.

The hearing record generated in this matter indicates that several members of the public offered comments regarding Mountaire's pending Applications at the time of the November 26, 2018 public hearing. These comments were made by citizens who are concerned about the air quality in Sussex County, and, specifically, the impact of the Applicant's operations at its Mountaire complex in Millsboro, Delaware. Specific concerns voiced at the hearing including questions about the level of particulate emissions in Millsboro (and the health impact of the same upon the community) and the strong odors emitting from the Mountaire complex (and the manner in which the Department has been responsive to such complaints).

At the request of this Hearing Officer, the technical experts in the Department's DAQ prepared the aforementioned TRM to (1) specifically address the concerns associated with these pending Applications, as set forth in the public comment received by the Department; and (2) offer DAQ's conclusions and recommendations with regard to these Applications for the benefit of the hearing record generated in this matter. In its TRM, the DAQ provides a summary of the public comment received in this matter, and provides specific responses to the same.

The TRM provides the DAQ's formal responses to the public comment received by the Department regarding matters specifically associated with the Applications currently pending before the Secretary at this time. This TRM does not, however, address comments that pertain to matters outside the permitting authority of the DAQ, nor is it responsive to any comments that are not specifically related to these pending Applications, which was the subject matter of the public hearing held by the Department on November 26, 2018.

I find that the DAQ's TRM offers a detailed review of all aspects of the Applicant's pending Applications, addresses those concerns germane to the subject matter of the aforementioned public hearing, and responds to them in a balanced manner, accurately reflecting the information contained in the formal hearing record. Thus, the aforementioned TRM, with attachments, is attached hereto as Appendix "A" and expressly incorporated herein as such.

III. RECOMMENDED FINDINGS AND CONCLUSIONS:

The pending Applications submitted to the Department by the Applicant in this matter are for DAQ construction permits to replace an existing hammermill baghouse and an existing pellet cooler at Mountaire's facility located at 29106 John J. Williams Highway, Millsboro, Delaware. I find that the proposed projects require the Applicant to obtain DAQ construction permits for the aforementioned projects to be performed at the location noted above. I further find that the Applicant's proposed projects are subject to various state and federal regulatory requirements, including, but not limited to, Delaware's air quality regulations as set forth in 7 DE Admin. Code 1100, *Air Quality Management Section*.

In reviewing the applicable statutes and regulations, as well as weighing public benefits of this project against potential detriments, the Department's experts in the Division of Air Quality have concluded that the aforementioned replacement of both the existing hammermill baghouse and the existing pellet cooler complies with all federal and state air pollution control laws and regulations. Should these Applications be approved, the DAQ construction permits that would be issued by the Department would be reflective of the Applications submitted, and would contain requirements that include, but are not limited to, a Construction-to-Operation inspection at start-up, natural minor inspections (at least) every five years, partial compliance inspections every two to three years, and additional inspections as potential issues may arise.

Among the comments received by the Department in this matter were those that questioned how air emissions will be monitored, specifically, whether the Department considered emissions from nearby plants in its air quality evaluations of a proposed source at Mountaire, or if only Mountaire's sources were taken into consideration during such evaluation. Attendees at the public hearing also questioned whether the Department had equipment to measure air quality in nearby residential areas. Additional questions concerned whether there are ambient air monitors nearby, how the efficiency of the new equipment will be maintained by the Applicant, and what will happen to the Applicant should such equipment is found to not be functioning properly. Still other concerns voiced by members of the public at the hearing pertained to the odor complaints which residents have long attributed to the Applicant's operations at its Millsboro facility.

In response to those comments, DAQ notes in its TRM that the Department evaluates emissions from the proposed source only. Dispersion modeling is conducted for every source that has an air permit. That modeling is very conservative, and incorporates "worst case" parameters. The Department does the ability to measure air quality in nearby residential areas, and does so with the use of its mobile monitoring platform (which has been utilized at several locations since 2013).

With regard to the presence of ambient air monitors, the aforementioned TRM notes that the nearest air monitors are located in Seaford and at Killens Pond in Felton. Both these monitors analyze for particulate matter emissions (PM_{2.5}). Based on particle size, PM_{2.5} emissions are widely dispersed, and are therefore a regional issue rather than a localized issue. Both these monitors show compliance with the National Ambient Air Quality Standards for PM_{2.5}.

In response to the concerns voiced about the new equipment's efficiency, the DAQ notes that the replacement baghouse filters are 99.99% efficient, and are guaranteed by the manufacturer. The operating parameters of the newly installed equipment will be monitored to ensure proper operation. Should those parameters fall outside of the permitted range, corrective action will be required. Moreover, the Department will conduct a Construction-to-Operation inspection upon start-up at the Applicant's Millsboro facility.

Lastly, with regard to the odor concerns associated with Mountaire's operations in Millsboro, the DAQ's TRM notes that the Kent County 911 operators log each call received. That information is then forwarded to the Department's Environmental Protection Officers ("EPOs") that are on call. Only a resident can make an official odor complaint (calls from the road cannot be registered). Since the public hearing on November 26, 2018, the Department's EPOs and DAQ have been working together to diligently address all incoming complaints from the community.

The Department recognizes that the public has voiced concerns associated with both the air quality and the odors which are prevalent in the community surrounding Mountaire's complex in Millsboro. However, it should be noted that DAQ permits are issued based on applicable regulations, and, through the use of air quality screening models, the maximum downwind concentration has been verified to be well under threshold limit values. The record developed in this matter indicates that the Department's experts have considered all statutes and regulations that govern projects such as this proposed baghouse replacement, and have recommended issuance of all permits necessary for the same to the Applicant in this matter.

I find and conclude that the Applicant has adequately demonstrated its compliance with all requirements of the statutes and regulations, as noted herein, and that the record supports approval of the Applications submitted by Mountaire Farms of Delaware, Inc. In conclusion, I recommend that all permits required for the Applicant to replace both the aforementioned existing hammermill baghouse and existing pellet cooler at Mountaire's facility located at 29106 John J. Williams Highway, Millsboro, Delaware, consistent with the record developed in this matter, be issued by the Department in the customary form, and with appropriate conditions.

Further, I recommend the Secretary adopt the following findings and conclusions:

1. The Department has jurisdiction under 7 *Del. C.* §§6003, 6004, 6006(4), and all other relevant statutory authority, to make a final determination on the Applications after holding a public hearing, considering the public comments, and all information contained in the Record generated in this matter;
2. The Department provided proper public notice of the Applications submitted by Mountaire Farms of Delaware, Inc., and of the public hearing held on Thursday, November 26, 2018, and held said hearing to consider any public comment that may be offered on the Applications, in a manner required by the law and regulations;
3. The Department considered all timely and relevant public comments in the Record, as established in the TRM provided by the Department's DAQ, which has now been expressly incorporated into the hearing record generated in this matter;
4. The Department has carefully considered the factors required to be weighed in issuing all permits required by the Applicant's proposed replacement of both an existing baghouse and existing pellet cooler, and finds that the Record supports approval of the Applications and the issuance of all required permits associated with same;

5. The Department shall issue all necessary DAQ construction permits to Mountaire Farms of Delaware, Inc., for the replacement of an existing hammermill baghouse and an existing pellet cooler at Mountaire's facility located at 29106 John J. Williams Highway, Millsboro, Delaware. Furthermore, said permits shall include all conditions as set forth in the Department's draft permits, to ensure that Delaware's environment and public health will be protected from harm;
6. The Department has an adequate Record for its decision, and no further public hearing is appropriate or necessary; and
7. The Department shall serve and publish its Order on its internet site, and shall provide legal notice of the Order in the same manner that the Department provided legal notice of the Application.



LISA A. VEST
Public Hearing Officer

APPENDIX “A”



TECHNICAL RESPONSE MEMORANDUM

TO: Lisa A. Vest, Presiding Hearing Officer

THROUGH: David F. Fees, P.E. *DF*
Angela D. Marconi, P.E., BCEE *ADM*
Joanna L. French, P.E. *JLF*

FROM: Melanie A. Smith, P.E. *JLF for MAS*



SUBJECT: **Mountaire Farms of Delaware, Inc.**
Permit: APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill
Baghouse
Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1
Public Hearing Response Document

DATE: March 26, 2019

BACKGROUND

Lisa Vest, Public Hearing Officer, requested a Technical Response Memorandum (TRM) to provide expert technical assistance for the Hearing Officer's Report and recommendations to the Secretary with regard to the pending Division of Air Quality (DAQ) Application for the replacement of an existing hammermill baghouse and an existing pellet cooler at the Millsboro Complex, Mountaire Farms of Delaware, Inc. The TRM includes a thorough investigation of issues raised by public comments at the hearing conducted on November 26, 2018 and a record of decision to assist and support the Secretary's final decision.

PUBLIC COMMENT INVESTIGATION

Mr. Ken Haynes

Mr. Haynes brought a Google Map photograph taken April 9, 2017 to show the Millsboro Complex's proximity to Possum Point Road. A Google Map photograph taken on June 18, 2018 showed backhoes at the sludge ponds. Mr. Haynes commented that the north or northeast winds carry unbearable smells from the feedmill and sludge ponds. Both 2017 and 2018 summers were ruined for his family due to the smell and having to close windows and run air-conditioning.

Mrs. Joanne Haynes

Mrs. Haynes asked how many air permits Mountaire had.

TECHNICAL RESPONSE MEMORANDUMPermit: APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill BaghousePermit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 2

DAQ Response: The Millsboro Complex is a natural minor with the following permits:

Permit No.	Issue Date	Equipment
<u>APC-2008/0160-OPERATION (Amendment 3)</u>	10/28/16	Front Dryer
<u>APC-2006/0174-OPERATION (Amendment 3)</u>	10/28/16	Back Dryer
<u>APC-87/020-CONSTRUCTION (Amendment 4)</u>	8/15/18	Rec. Pit 1
<u>APC-87/021-OPERATION (Amendment 3)</u>	10/22/14	Rec. Pit 2
<u>APC-2014/0092-CONSTRUCTION(Amendment 1)</u>	8/15/18	Rec. Pit 3
<u>APC-2010/0047-OPERATION</u>	10/22/14	Feed Ingrid. Rec.
<u>APC-2014/0093-CONSTRUCTION(Amendment 4)</u>		Hammermills
<u>APC-2014/0090-CONSTRUCTION(Amendment 2)</u>		Pellet Cooler 1
<u>APC-2014/0091-OPERATION (Amendment 3)</u>	11/15/17	Pellet Cooler 2
<u>APC-2013/0128-OPERATION (Amendment 1)</u>	12/30/16	Hatchery E. Gen. 86
<u>APC-2011/0008-OPERATION (Amendment 1)</u>	11/15/17	Hatchery E. Gen. 79
<u>APC-2003/0251-OPERATION (Amendment 1)</u>	12/30/16	Hatchery E. Gen. 77
<u>APC-2017/0077-OPERATION (Amendment 1)</u>	11/21/17	Admin. E. Gen. 87
<u>APC-2017/0120-OPERATION</u>	10/31/17	Hatchery E. Gen. 88
<u>APC-2010/0082-OPERATION</u>	10/22/14	Boiler 1
<u>APC-2010/0083-OPERATION</u>	10/22/14	Boiler 2
<u>APC-2011/0103-OPERATION (Amendment 1)</u>	10/22/14	Boiler 3
<u>APC-2011/0104-OPERATION (Amendment 1)</u>	10/22/14	Boiler 4
<u>APC-2011/0105-OPERATION (Amendment 1)</u>	10/22/14	Boiler 5
<u>APC-2011/0158-OPERATION (Amendment 1)</u>	10/22/14	Boiler 6
<u>APC-2011/0080-OPERATION (Amendment 4)</u>	12/2/14	Thermal Oxidizer
<u>APC-2011/0081-OPERATION (Amendment 4)</u>	12/2/14	Thermal Oxidizer
<u>APC-2011/0082-OPERATION (Amendment 5)</u>	12/2/14	Scrubber
<u>APC-2011/0083-OPERATION (Amendment 5)</u>	12/2/14	Scrubber
<u>APC-2011/0084-OPERATION (Amendment 5)</u>	12/2/14	Scrubber
<u>APC-2011/0085-OPERATION (Amendment 5)</u>	12/2/14	Scrubber
<u>APC-2011/0059-REGISTRATION (Amendment 1)</u>	1/20/12	Central Vacuum
<u>APC-2015/0016-REGISTRATION</u>	6/23/15	Micro Sys Baghouse
<u>APC-2019/0022-REGISTRATION</u>	8/31/18	Finished Feed Loadout

Mrs. Haynes asked if the waste management system had an air permit.

DAQ Response: The Wastewater Treatment plant does not require an air permit.

Mrs. Haynes asked for a map showing the location of the hammermill baghouse in relation to Indian River.

She is concerned about contamination to the river.

TECHNICAL RESPONSE MEMORANDUM

Permit: APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse

Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 3

DAQ Response: The hammermills are 1,140 feet from the nearest body of water leading to the Indian River. Attachment A shows the Google photograph. Particulate emissions are 0.016 grains per standard cubic foot from the hammermill exhaust and 0.027 grains PM per standard cubic foot from the pellet cooler cyclones. These emissions are below the 7 **DE Admin. Code** 1104 regulatory requirement of 0.2 gr/SCF.

Mrs. Haynes asked if a third line for bird processing was going to be added to the plant.

DAQ Response: An application to the Coastal Zone Permit for an additional processing line was withdrawn.

Mr. Jay Meyer

Mr. Meyer asked if the Department considered air emissions from nearby plants in their evaluation of a proposed source at Mountaire or just Mountaire's sources.

DAQ Response: The Department evaluates emissions from the proposed source only. Dispersion modeling is conducted for every source that has an air permit. The modeling is very conservative and incorporates "worst case" parameters.

Mr. Meyer asked if the Department had equipment to measure air quality in residential areas like Possum Point.

DAQ Response: The Department has a mobile monitoring platform. This monitoring equipment has been used at several locations since 2013.

Mr. Meyer's experience with the complaint line is that once it's recorded, the information is sent to the Division of Air Quality but no one comes out to check. How can the odor problem be resolved without on-location verification and due diligence? Mrs. Haynes' experience was that a couple years ago, someone came and they talked in the car with the person but not once has anyone gotten out of the car. Mr. Haynes said the window was up and the air conditioning was on.

DAQ Response: The Kent County 911 operators log each call received. The information is then forwarded to Environmental Protection Officers (EPO) on call. Only a resident can make an official odor complaint – the odor needs to be interfering with their enjoyment of their property. (Calls from the road cannot be registered.) Since the hearing, the EPOs and DAQ are working together to address all incoming complaints. Cell phones may be used to call the Environmental Complaint line. However, as stated above, the complainant must be calling from their residence to lodge an odor complaint.

TECHNICAL RESPONSE MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse**

Permit: **APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1**

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 4

Mr. Meyer said the lagoon odor subsided over the past few weeks but the grain smell has been evident. He requested more communication to know what the plant is doing and if he should expect more lagoon smell.

Ms. Maria Payan

Ms. Payan requested testimony from John Austin (deceased) be put in the record.

Mr. Austin voiced concern over significant particulate emissions and increased asthma cases in Sussex County. The number of asthma hospitalizations and deaths among African Americans is disproportionately high. Epidemiological studies suggest that asthma symptoms can be worsened by increase in the levels of PM₁₀. One of the nearest residents died of an asthma attack.

The following paragraph is from the Millsboro Inhalation Exposure and Biomonitoring Study which is available at the following web address:

http://www.dnrec.delaware.gov/Admin/Documents/Millsboro_Inhalation_Exposure_and_Biomonitoring_Study_Final_Report_05282013.pdf

“Sampling conducted for PM_{2.5} during the fall of 2011 and 2012 indicated the geometric mean ambient PM_{2.5} concentrations of the Millsboro area was 9.3 µg/m³. The semi-rural location of Seaford had an average PM_{2.5} concentration of 8.9 µg/m³, both below the Federal Standard of 15 µg/m³ and were not statistically different at a test value of $\alpha=0.01$. Sampling conducted outdoors and indoors of 35 distinct participants (32 each season) resulted in average PM_{2.5} concentrations of 11.3 µg/m³ and 11.8 µg/m³ respectively. The higher elevated indoor concentration is expected due to the strength and proximity of PM_{2.5} sources found indoors (e.g. cooking, cleaning, candle burning, smoking, etc.). Personal level sampling conducted during both seasons revealed geometric mean PM_{2.5} concentrations of 20.3 µg/m³ across both seasons. Similar to indoor PM_{2.5} measurements that were elevated with respect outdoor and ambient measurement, higher personal level concentrations were presumably due to personal proximity and strength of sources and is to be expected based on previous studies.”

The average PM_{2.5} emissions for the Fall of 2011 and Fall of 2012 were the following: fixed sampling locations 12.1 µg/m³ for Fall 2011, outdoor residential locations 16.2 µg/m³ for Fall 2011, fixed sampling locations 6.5 µg/m³ for Fall 2012, and outdoor residential locations 6.5 µg/m³ for Fall 2012.

For the outside residential locations in the Fall of 2011, the NAAQS for PM_{2.5} was exceeded – 16.2 µg/m³ vs. a standard of 15.0 µg/m³. However, the values for the Fall of 2012 were well within the NAAQS standards.

Ms. Payan asked for the particulate concentration (micrograms/cubic meter) in the surrounding area resulting from the hammermills.

TECHNICAL RESPONSE MEMORANDUMPermit: **APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse**Permit: **APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1****Mountaire Farms of Delaware, Inc. - Millsboro Complex****Public Hearing Response Document**

March 26, 2019

Page 5

DAQ Response: Based on air dispersion modeling, each hammermill baghouse emits 5.43 micrograms/cubic meter on an annual basis. DAQ used the conservative assumption that all particulate matter is PM10.

Will the particulate levels in the community meet the National Ambient Air Quality Standards (NAAQS)?

DAQ Response: Total Suspended Particulate (TSP or PM) no longer has an NAAQS. Each hammermill baghouse is modeled to emit 5.43 $\mu\text{g}/\text{m}^3$ on an annual basis at the facility fence line and it is therefore assumed the community will meet the NAAQS listed below.

Pollutant		Primary/ Secondary	Averaging Time	Level	Form
Particle Pollution (PM)	PM _{2.5}	primary	1 year	12.0 $\mu\text{g}/\text{m}^3$	annual mean, averaged over 3 years
		secondary	1 year	15.0 $\mu\text{g}/\text{m}^3$	annual mean, averaged over 3 years
		primary and secondary	24 hours	35 $\mu\text{g}/\text{m}^3$	98th percentile, averaged over 3 years
	PM ₁₀	primary and secondary	24 hours	150 $\mu\text{g}/\text{m}^3$	Not to be exceeded more than once per year on average over 3 years

Are there ambient air monitors?

TECHNICAL RESPONSE MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4)** Hammermill Baghouse

Permit: **APC-2014/0090-CONSTRUCTION (Amendment 2)** Pellet Cooler 1

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 6

DAQ Response: The nearest air monitors are in Seaford and at Killens Pond in Felton. Both of these monitors analyze for particulate matter emissions (PM_{2.5}). Based on particle size, PM_{2.5} emissions are widely dispersed and therefore a regional issue rather than a localized issue. Both of these monitors show compliance with the NAAQS for PM_{2.5}.

The baghouse is 99% efficient.

DAQ Response: The efficiency is 99.99% and is guaranteed by the manufacturer.

How will that efficiency be maintained? How will the community know?

DAQ Response: The facility monitors the operating parameters of the equipment to insure proper operation. If these parameters fall outside of the permitted range corrective action is required.

Was there an initial offset for particulate emissions from the hammermills and Pellet Cooler 1 in the Coastal Zone permit?

DAQ Response: The Coastal Zone Act's effective date was June 28, 1971. Pellet Cooler 1's cyclones were replaced in 1983. Pellet Cooler 1 was replaced in 1992 but did not raise its capacity of 50 tons/hour. No offset was required. The hammermills increased capacity from 70 tons/hour to 95 tons/hour and installed a new baghouse in 2016. Particulate (PM₁₀) emissions from the baghouse increased 1.3 tons/year. An offset of 17.0 tons/year was approved for both the hammermills and an upgrade for Pellet Cooler 2 in Secretary's Order No. 2016-CZ-0016 issued April 17, 2016.

What assurance will there be that the baghouse and cyclones will be properly maintained and operated? Who will be inspecting them and how often? Will operations be halted if the equipment is found to not be functioning as designed?

DAQ Response: The Department conducts a construction to operation inspection upon start-up. Opacity is noted at the inspection and I anticipate no visible emissions from my experience with similar installations. The facility is allowed up to 20% opacity for up to three minutes in any one hour and 15 minutes in any 24 hour period from 7 **DE Admin. Code** 1114. Natural minor inspections are at least every 5 years; partial compliance inspections are every 2 to 3 years, and inspections may be conducted as issues arise. The Company is required to report non-compliance. If the equipment is found to not be operating as designed, action will be taken by the Department.

The process description in the Best Available Control Technology (BACT) Analysis for Pellet Cooler 1 is not clear. "In the cyclone, fine particulates are separated from the air stream and sent with the pellets to the finished feed area." What happens to the fine dust when it comes to the finished feed area? Is it captured or loose?

TECHNICAL RESPONSE MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse**

Permit: **APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1**

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 7

DAQ Response: Particulates captured by the pellet cooler cyclones are returned to the conveyor under the pellet cooler with the pellets going to the finished feed area. Particulates captured by the baghouse for the hammermill are returned to the conveyor under the hammermill. The particulates are captured in the sense that they are collected and then put back into the system (through the screw auger). What may be considered loose is when the material is ultimately loaded into tractor trailers during loadout operations.

Can the Coastal Zone Permit be made available for public review? How long has the Coastal Zone Permit been in effect? Will a third production line be added to process poultry?

DAQ Response: This specific question is not relevant to what is being discussed at the public hearing and the feedmill permits at hand.

Will such an expansion be reviewed under the protection of the Coastal Zone Act? Will the Coastal Zone status decision for new or expanded activity consider the impact on the environment, the economy, the esthetics, and neighboring land use? No one in this neighborhood has clean water to drink, nor can they open their windows.

Currently, a Mountaire employee is walking around the perimeter of the property and recording the presence of odors by smell. The sense of smell is proven to be dulled over time. Ms. Payan believes local monitoring should be set up.

Mr. Jay Meyer

Seaford is the nearest monitoring location but right here is where health problems and odor complaints over a period of two years has occurred. Local monitoring is justified. The odors are not everyday or twenty-four hours a day. It's usually when you sit outside that the smell comes across the river and permeates your home if it is not airtight.

Mrs. Joanne Haynes

Mrs. Haynes does not want the hammermills to be moved to the Coastal Zone side of Rt. 24. She is concerned about the effect of particulate emissions on the Indian River. She wants the river cleaned. There are dead fish, dead crabs and no barnacles. She wants Mountaire to be treating this water as if they were living on it and in her opinion, the Company is not doing that.

DAQ Response: The existing hammermills were already in the Coastal Zone.

RECORD OF DECISION

The application is for the replacement of a hammermill baghouse and Pellet Cooler 1. The hammermill baghouse was installed in 2016. The hammermills will be moved to a new location and the existing baghouse does not have the ventilation or the connections to fit the new location.

TECHNICAL RESPONSE MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse**

Permit: **APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1**

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 8

The replacement baghouse filters are 99.99% efficient, the same efficiency as the existing units. Particulate emissions remain unchanged at 1.1 lb/hr PM₁₀ and 4.98 TPY PM₁₀.

The pellet cooler will be replacing a 1992 pellet cooler. The replacement is part of necessary maintenance for the existing equipment. The existing equipment is still functional but Mountaire is proactively replacing it at this time. Capacity remains unchanged at 50 TPH. The existing high efficiency twin cyclones for the pellet cooler were determined to be BACT in an analysis dated October 2018 by Duffield Associates. Because the cyclones were BACT for PM_{2.5}, the Company was compliant with 7 DE Admin. Code 1125 Section 4.0, *Minor New Source Review*. Particulate emissions remain unchanged at 3.8 lb/hr PM₁₀ and 16 TPY PM₁₀.

The baghouse and cyclones comply with 7 DE Admin. Code 1105's standard of 0.2 grains PM per standard cubic foot. The hammermill baghouse emits 0.016 grains PM per standard cubic foot. The pellet cooler cyclones emit 0.027 grains PM per standard cubic foot.

To comply with the National Ambient Air Quality Standards, dispersion modeling using SCREEN3 was performed for the hammermill baghouse. At the property line (225 ft), the Maximum Downwind Concentration (MDC) for PM₁₀ was 58.32 µg/m³ based on a one hour average and 5.82 µg/m³ on an annual average.

The MDC results from SCREEN3 adjusted to an 8-hour average along with the associated Threshold Limit Values (TLVs) and the TLV:MDC for each contaminant are shown below:

Pollutant	Emission Rate (lb/hr)	TLV (8-hr, mg/m ³)	MDC (8-hr, mg/m ³)	TLV:MDC
PM ₁₀	1.14	10	0.0380	263

The baghouse exceeds the Department's standard of 100 for TLV/MDC. As such, the public health, safety, and welfare are presumed to not be adversely impacted by emissions from the hammermills' baghouse.

The Department conducts a construction to operation inspection at start-up. Opacity is noted at the inspection and I anticipate no visible emissions from my experience with similar installations. The facility is allowed up to 20% opacity for up to three minutes in any one hour and 15 minutes in any 24 hour period from 7 DE Admin. Code 1114. Natural minor inspections are at least every 5 years; partial compliance inspections are every 2 to 3 years, and inspections may be conducted as issues arise. The Company is required to report non-compliance.

TECHNICAL RESPONSE MEMORANDUM

Permit: APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill Baghouse

Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1

Mountaire Farms of Delaware, Inc. - Millsboro Complex

Public Hearing Response Document

March 26, 2019

Page 9

RECOMMENDATIONS

I recommend the construction **Permit: APC-2014/0093-CONSTRUCTION (Amendment 4)** for Hammermill Baghouse and **Permit: APC-2014/0090-CONSTRUCTION (Amendment 2)** for Pellet Cooler 1 be issued.

ADM:JLF:MAS

F:\EngineeringAndCompliance\MAS\mas18129.doc

pc: Dover File

MEMORANDUM

TO: Angela D. Marconi, P.E., BCEE *ADM*

THROUGH: Joanna L. French, P.E. *JLF*

FROM: Melanie A. Smith, P.E. *MAS*

**SUBJECT: Mountaire Farms of Delaware, Inc.
Millsboro Complex
Permit: APC-2014/0093-CONSTRUCTION (Amendment 4) Hammermill- EU 53**

DATE: January 29, 2019

BACKGROUND

Mountaire Farms of Delaware, Inc. requested a construction permit to replace the baghouse for the hammermills. The hammermills will be relocated and the associated baghouse will be replaced. The Company submitted an application dated June 4, 2018 that included Forms AQM-1, AQM-2, AQM-4.6, and AQM-5.

Emission Unit	Description
1	Boiler 1
2	Boiler 2
3	Boiler 3
4	Boiler 4
5	Boiler 5
6	Front Dryer
7	Back Dryer
8	Boiler 6
9	Receiving Pit 1
10	Receiving Pit 2
11	Receiving Pit 3
12	Feed Receiving Pit
52	10,000 gallon Gasoline Tank
53	Hammermill
54	Pellet Cooler 1
55	Pellet Cooler 2
56	Batching Bin
60	Hatch. Generator
61	Wastewater Generator
62	Picking Generator
63	Fire Pump
73	No. 2 Fuel Oil Tank
75	No. 2 Fuel Oil Tank
76	No. 2 Fuel Oil Tank
77	Hatch. Generator
78	Admin. Generator
79	Hatch. Generator
80-85	Resource Recovery
86	Hatch. Generator
87	Admin. Generator
88	Hatch. Generator
Registration	Micro System Baghouse

MEMORANDUM**Permit: APC-2014/0093-CONSTRUCTION (Amendment 4)****Mountaire Farms of Delaware, Inc.- Millsboro Complex**

January 29, 2019

Page 2

Pollutant	Facility Wide PTE (tons/year)	Major Source Threshold (tons/year)
Nitrogen Oxides (NO _x)	71.870	100
Volatile Organic Compounds (VOCs)	10.835	50
Carbon Monoxide (CO)	49.388	100
Particulate Matter (PM)	86.684	100
Particulate Matter Less Than 10 Microns (PM ₁₀)	86.684	100
Particulate Matter Less Than 2.5 Microns (PM _{2.5})		25
Sulfur Dioxide (SO ₂)	51.562	100
Lead		10
Carbon Dioxide Equivalent (CO ₂ e)	97,902.175	100,000
Other (list)		

1. Receiving Pits' PM and PM10 PTE is without control.

The Company has not requested confidentiality.

The Company is located within the Coastal Zone, however, a Coastal Zone Permit is not required for construction or operation of the baghouse.

The Company is current with their annual fees and has paid appropriate construction application fees.

TECHNICAL INFORMATION

The baghouse is manufactured by AirLanco and is model 60 series 81AST10. Particulate removal efficiency is 99.99%. The hammermills production rate is 95 TPH and they are available for processing 24 hours/day, 7 days/week, 52 weeks/year.

Potential to Emit/Permitted Emissions

In an EPA Guidance Memo, *Definition of Regulated Pollutant for Particulate Matter for Purposes of Title V*, dated October 16, 1995, the EPA concluded that its definition of a regulated air pollutant for particulate matter under Title V applies only to emissions of PM10. Emission factor was taken from AP-42, Table 9.9.1-2, *Particulate Emission Factors For Grain Processing Facilities*, dated March 2003. The factor includes fabric filter control.

Pollutant	Emiss. Factor (lb/ton)	Process Rate (TPH)	Emissions (lb/hr)	PTE (TPY)	Permitted Emissions (TPY)
PM10	0.012	95	1.14	4.993	4.98

There is no change in emissions.

SCREEN3 Dispersion Modeling

The effects of air contaminant emissions from the baghouse on the public health, safety, and welfare were assessed using Department criteria. The criteria assume no adverse effect when the ratio of the Threshold Limit Value to the Maximum Downwind Concentration (TLV:MDC) is at least 100:1 at the nearest property line and beyond for each air contaminant released. The TLV of each air contaminant was obtained from the pamphlet, 2017 TLVs® and BEIs®, published by the American Conference of Governmental Industrial Hygienists (ACGIH). The MDC of each air contaminant was computed using SCREEN3 air dispersion modeling. AERSCREEN could not be used for this application; the plume is at ambient temperature and would not produce a passing TLV/MDC.

MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4)**

Mountaire Farms of Delaware, Inc.- Millsboro Complex

January 29, 2019

Page 3

In utilizing SCREEN3, the baghouse stack was treated as a point source. Point source variables in SCREEN3 are air contaminant emission rates (in lb/H), stack height (in ft), stack inside diameter (in ft), stack gas exit velocity (in ft/s) or air flow rate (in acfm), stack gas exit temperature (in °F), receptor height above ground level (in ft), and the rural option. The MDC was forced to the fenceline (225 ft). Values input for the stack parameters were the following:

Source	Stack Height (ft)	Stack Diameter (ft)	Gas Flow Rate (acfm)	Exit Gas Temperature (°F)
Hammermills Baghouse	8	1.3	8,200	70

Downwash was not considered for the stack. There is a building nearby. The center of a 100 ft tall shed is 30 feet from the stack. The base of the shed is 24 ft by 24 ft. The building orientation to North is 0° and the stack direction from the center of the building is 90°. The stack will either have a raincap or an elbow facing east, away from the building. Buoyancy was not adjusted in SCREEN3 modeling.

The MDC results from SCREEN3 adjusted to an 8-hour average along with the associated TLVs and the TLV:MDC for each contaminant are shown below:

Pollutant	Emission Rate (lb/hr)	TLV (8-hr, mg/m ³)	MDC (8-hr, mg/m ³)	TLV:MDC
PM10	1.14	10	0.0380	263

The TLV:MDC ratio are above the 100:1 criteria established by the Department. The public health, safety, and welfare are presumed to not be adversely impacted by the emissions.

REGULATORY REVIEW

- X 7 **DE Admin. Code 1102:** Permits
- X 7 **DE Admin. Code 1105:** Particulate Emissions from Industrial Process Operations
- X 7 **DE Admin. Code 1114:** Visible Emissions
- X 7 **DE Admin. Code 1119:** Control of Odorous Air Contaminants
- ☐ 7 **DE Admin. Code 1120:** New Source Performance Standards
- ☐ 7 **DE Admin. Code 1124:** Control of Volatile Organic Compound Emissions
- ☐ 7 **DE Admin. Code 1125:** Requirements for Preconstruction Review
- ☐ 7 **DE Admin. Code 1130:** Title V State Operating Permit Program
- ☐ 7 **DE Admin. Code 1138:** Emission Standards for Hazardous Air Pollutants for Source Categories

7 DE Admin. Code 1102, Section 2.1: *Permits* The Company is subject to the following requirement, "...no person shall initiate construction, install, alter or initiate operation of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to receiving approval of his application from the Department."

7 DE Admin. Code 1105, Section 2.1: *Particulate Emissions from Industrial Process Operations* The Company is subject to the following emissions limit from industrial process operations, "No person shall cause or allow particulate emissions into the atmosphere from any source not provided for in subsequent sections of this Regulation in excess of 0.2 grains per standard cubic foot." The manufacturer specifies particulate emissions will not exceed 0.02 gr/dscf. A condition limiting emissions to 0.2 grains per standard cubic foot has been placed in the permit.

7 DE Admin. Code 1114, Section 2.1: *Visible Emissions* The facility is subject to the following visible emissions requirement, "No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty

MEMORANDUM

Permit: **APC-2014/0093-CONSTRUCTION (Amendment 4)**

Mountaire Farms of Delaware, Inc.- Millsboro Complex

January 29, 2019

Page 4

percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour period, or more than fifteen (15) minutes in any twenty-four (24) hour period." Compliance shall be demonstrated by the Company having no contradictory knowledge of any citizen complaint and by a satisfactory review of complaint history by the Department. This emissions requirement has been placed in the permit along with the associated recordkeeping requirements.

7 DE Admin. Code 1119, Section 2.1: Control of Odorous Air Contaminants The facility is subject to the following control of odorous air contaminants requirement, "no person shall cause or allow the emission of an odorous air contaminant such as to cause a condition of air pollution." Compliance shall be demonstrated through the Company having no contradictory knowledge of any citizen odor complaint and through a satisfactory review of complaint history by the Department. This emissions requirement has been placed in the permit along with the associated reporting requirements.

7 DE Admin. Code 1120: New Source Performance Standards This regulation is not applicable to hammermill baghouses.

7 DE Admin. Code 1124, Section 2: Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs) is not applicable because particulate is not a VOC.

7 DE Admin. Code 1125, Section 4: Minor New Source Review, Requirements for Preconstruction Review, is applicable because the equipment is new (applied for after August 11, 2005), the source requires a permit under **7 DE Admin. Code 1102, Section 2.1.3**, and the source is not covered by the Emission Offset Provisions (EOP) or Prevention of Significant Deterioration of Air Quality (PSD). The baghouse's potential to emit PM_{2.5} is less than the threshold limit of 5 TPY (PM₁₀ PTE is 4.993 TPY).

7 DE Admin. Code 1130: Title V State Operating Permit Program The facility is a natural minor source.

7 DE Admin. Code 1138: Emission Standards for Hazardous Air Pollutants for Source Categories **7 DE Admin. Code 1138** is not applicable because PM₁₀ is not a Hazardous Air Pollutant (HAP).

RECOMMENDATIONS

The hammermill application was advertised Sunday, July 8, 2018. Comments were received. A request for public hearing was received July 23, 2018. Pellet Cooler 1 was advertised in the Notice of Public Hearing with the hammermills on October 28, 2018. A public hearing for both applications was held on November 26, 2018.

The proposed project and attached permit comply with all applicable zoning requirements and federal and state air pollution control laws and regulations. After recommendations have been approved by the Hearing Officer and Secretary, I recommend that **Permit: APC-2014/0093-CONSTRUCTION (Amendment 4)** be issued.

ADM:JLF:MAS

F:\EngAndCompliance\MAS\mas18062.doc

pc: Dover File
 Melanie Smith

DATE

Permit: APC-2014/0093-CONSTRUCTION (Amendment 4) - Hammermills- EU 53

Mountaire Farms of Delaware, Inc.- Millsboro Complex

Mountaire Farms of Delaware, Inc.
P.O. Box 1320
Millsboro, DE 19966

ATTENTION: Mr. Austin Pajda
Environmental Compliance Coordinator

Dear Mr. Pajda:

Pursuant to 7 **DE Admin. Code** 1102, Section 2, approval of the Department of Natural Resources and Environmental Control (the Department) is hereby granted for the construction of AirLanco Model 60 Series 81AST10 pulse jet baghouse for the hammermills (EU 53) at a product capacity up to 95 tons per hour for the equipment located at the Millsboro Complex in Millsboro, Delaware, in accordance with the AQM-1001 series permit renewal application submitted on June 20, 2003, letter dated October 25, 2010 from Beth Sise, emails dated June 25, 2013 and July 8, 2014 from Beth Sise, AQM-2, AQM-3.1, AQM-4.6, AQM-5 for the hammermills dated August 4, 2014 signed by Paul Downes, President, and Forms AQM-1, AQM-2, AQM-4.6, AQM-5 dated June 4, 2018 signed by Jimmy Paulakuhn, VP of Live Operations.

This permit is issued subject to the following conditions:

1. General Provisions

- 1.1 This permit expires on December 27, 2019. If the equipment covered by this permit will not be constructed by December 27, 2019, a request to extend this construction permit must be submitted by November 13, 2019.
- 1.2 The project shall be constructed in accordance with the application described above. If any changes are necessary, revised plans must be submitted and supplemental approval issued prior to actual construction.
- 1.3 Representatives of the Department may, at any reasonable time, inspect this facility.

- 1.4 This permit may not be transferred to another location or to another piece of equipment or process.
- 1.5 This permit may not be transferred to another person, owner, or operator unless the transfer has been approved in advance by the Department. Approval (or disapproval) of the permit transfer will be provided by the Department in writing. A request for a permit transfer shall be received by the Department at least thirty (30) days before the date of the requested permit transfer. This request shall include:
 - 1.5.1 Signed letters from each person stating the permit transfer is agreeable to each person; and
 - 1.5.2 An Applicant Background Information Questionnaire pursuant to 7 Del C, Chapter 79 if the person receiving the permit has not been issued any permits by the Department in the previous five (5) years.
- 1.6 The applicant shall, upon completion of the construction, installation, or alteration, request that the Department grant approval to operate.
 - 1.6.1 A separate application to operate pursuant to 7 **DE Admin. Code** 1102 does not need to be submitted to the Department for the equipment or process covered by this construction permit. Upon a satisfactory demonstration by an on-site inspection that the equipment or process complies with all of the terms and conditions of this permit, the Department shall issue a 7 **DE Admin. Code** 1102 Operating Permit for this equipment or process.
 - 1.6.2 The applicant shall notify the Department sufficiently in advance of the demonstration and shall obtain the Department's prior concurrence of the operating factors, time period, and other pertinent details relating to the demonstration.
 - 1.6.3 The provisions of 7 **DE Admin. Code** 1102 Sections 2.1 and 11.3 shall not apply to the operation of equipment or processes for the purposes of initially demonstrating satisfactory performance to the Department following construction, installation, modification, or alteration of the equipment or processes.
- 1.7 The owner or operator shall not initiate construction, install, or alter any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department pursuant to 7 **DE Admin. Code** 1102, and, when applicable 7 **DE Admin. Code** 1125, and receiving approval of such application from the Department; except as exempted in 7 **DE Admin. Code** 1102 Section 2.2.

2. Emission Limitations

- 2.1 Air contaminant emission levels shall not exceed those specified in 7 **DE Admin. Code** 1100 and the following:
 - 2.1.1 Particulate Matter (PM10) Emissions
PM10 emissions from the hammermills (EU 53) shall not exceed 1.14 pounds per hour and 4.98 tons per twelve (12) month rolling period;
 - 2.1.2 Particulate (PM) Emissions
Air contaminant emission levels from Emission Unit 53 shall not exceed 0.2 grain per standard cubic foot of exhaust air.

- 2.2 No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty (20%) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period.
- 2.3 Odors from this source shall not be detectable beyond the plant property line in sufficient quantities such as to cause a condition of air pollution.

3. Operational Limitations

- 3.1 The owner or operator shall comply with the following operational limits:
 - 3.1.1 The baghouse on Emission Unit 53 shall be operating properly whenever the hammermill is in operation.
 - 3.1.2 Proper operation of the differential pressure gauge on the baghouse on Emission Unit 53 shall be considered a necessary part of proper operation of the baghouse. If a baghouse is not equipped with a pressure differential gauge, pressure shall be determined by Department approved methods.
 - 3.1.3 The efficiency of the baghouse shall be 99.99%.
 - 3.1.4 The process capacity of the hammermills (EU 53) shall not exceed 95 tons per hour.
 - 3.1.5 Particulate emissions based upon the manufacturer equal 0.02 gr/SCF. The hammermills have emissions less than the 0.2 gr/SCF standard. Compliance with Condition 2.1.2 can be consistently demonstrated when Conditions 3.1.1 through 3.1.4 are met.
- 3.2 At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- 3.3 All structural and mechanical components of the equipment or process covered by this Permit shall be maintained in proper operating condition and such equipment shall be operated at all times in a manner consistent with good air pollution control practice.
- 3.4 Fugitive emissions shall not be emitted in such quantities as to cause or create a condition of air pollution from material-handling operations, the stockpiling of materials or vehicular traffic entering or leaving the facility. Dust control measures shall be employed on all non-paved access roads and driveways to the facility to minimize fugitive emissions from vehicular traffic entering or leaving. Dust control measures shall include methods such as water tanker/sprinkler trucks, water sprinkler systems, dust retardant sprays, etc.

4. Testing and Monitoring Requirements

- 4.1 The Department reserves the right to require that the owner or operator perform emission tests using methods approved in advance by the Department.

- 4.1.1 One (1) original and one (1) copy of the test protocol shall be submitted a minimum of forty-five (45) days in advance of the tentative test date to the address in Condition 6.3. The tests shall be conducted in accordance with the State of Delaware and Federal requirements.
- 4.1.2 The test protocol shall be approved by the Department prior to initiating any testing. Upon approval of the test protocol, the Company shall schedule the compliance demonstration with the Source Testing Engineer. The Department must observe the test for the results to be considered for acceptance.
- 4.1.3 The final results of the testing shall be submitted to the Department within sixty (60) days of the test completion. One (1) original and one (1) copy of the test report shall be submitted to the addresses below:

Original to:

Engineering & Compliance Branch
Attn: Permitting Engineer
State Street Commons
100 W. Water Street, Suite 6A
Dover, DE 19904

One (1) Copy to:

Engineering & Compliance Branch
Attn: Source Testing Engineer
715 Grantham Lane
New Castle, DE 19720

- 4.1.4 The final report of the results must meet the following requirements to be considered valid:
 - 4.1.4.1 The full report shall include the emissions test report (including raw data from the test) as well as a summary of the results and a statement of compliance or non-compliance with permit conditions;
 - 4.1.4.2 Summary of Results and Statement of Compliance or Non-Compliance
The owner or operator shall supplement the report from the emissions testing firm with a summary of results that includes the following information:
 - 4.1.4.2.1 A statement that the owner or operator has reviewed the report from the emissions testing firm and agrees with the findings.
 - 4.1.4.2.2 Permit number(s) and condition(s) which are the basis for the compliance evaluation.
 - 4.1.4.2.3 Summary of results with respect to each permit condition.
 - 4.1.4.2.4 Statement of compliance or non-compliance with each permit condition.
- 4.1.5 The results must demonstrate to the Department's satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the owner or operator shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.
- 4.2 Each month, the Company shall monitor the operational standards of Condition 3.2 and 3.3, monitor all of the maintenance performed on equipment covered by this permit, and update records as needed.

- 4.3 For Emission Unit 53, there are no additional visible emission periodic monitoring for these source provided the Company is in compliance with the operational/maintenance requirements of Conditions 3.2, 3.3, 3.4, 4.2, and 5.4.

5. Record Keeping Requirements

- 5.1 The owner or operator shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.
- 5.2 The following information shall be recorded, initialed and maintained in a log each day for Emission Unit 53:
 - 5.2.1 Total quantity of feed processed.
 - 5.2.2 Hours feed processed.
 - 5.2.3 Rate of feed processing in tons per hour.
 - 5.2.4 Pressure drop for each control device. When a normal pressure differential operating range is not established, the Company shall establish this operating range based on this monitoring.
 - 5.2.5 The fugitive dust control measures performed to comply with Condition 3.4.
- 5.3 The following information shall be recorded, initialed and maintained in a log each month for Emission Unit 53:
 - 5.3.1 All routine and non-routine maintenance performed on the baghouse including dates and duration of outages.
 - 5.3.2 Total tons of feed processed.
 - 5.3.3 Total tons of feed processed for the twelve (12) month period immediately preceding the date of record.
- 5.4 The owner or operator shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility; and any malfunction of the air pollution control equipment.
- 5.5 The owner or operator shall maintain the manufacturer's specification for filter efficiency and particulate concentration (gr/SCF).
- 5.6 The rolling twelve (12) month total emissions shall be calculated and recorded each month in a log for each of the following pollutants.
 - 5.6.1 Particulate Matter (PM10)

6. Reporting Requirements

- 6.1 Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department immediately upon discovery by calling the Environmental Emergency Notification and Complaint number, (800) 662-8802.

- 6.2 In addition to complying with condition 6.1 of this permit, any reporting required by 7 DE Admin. Code 1203 "Reporting of Discharge of a Pollutant or an Air Contaminant", and any other reporting requirements mandated by the State of Delaware, the owner or operator shall for each occurrence of excess emissions, within thirty (30) calendar days of becoming aware of such occurrence, supply the Department in writing with the following information:
- 6.2.1 The name and location of the facility;
 - 6.2.2 The subject source(s) that caused the excess emissions;
 - 6.2.3 The time and date of the first observation of the excess emissions;
 - 6.2.4 The cause and expected duration of the excess emissions;
 - 6.2.5 For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
 - 6.2.6 The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

- 6.3 One original and one copy of all required reports shall be sent to the address below:

Division of Air Quality
State Street Commons
100 W. Water Street, Suite 6A
Dover, DE 19904

7. Administrative Conditions

- 7.1 This permit supersedes **Permit: APC-2014/0093-OPERATION (Amendment 3)**, dated May 27, 2016.
- 7.2 This permit shall be made available on the premises.
- 7.3 Failure to comply with the provisions of this permit may be grounds for suspension or revocation.

Sincerely,

Angela D. Marconi, P.E., BCEE
Program Manager
Engineering & Compliance Branch

ADM:JLF:MAS
F:\EngAndCompliance\MAS\mas18062.doc

pc: Dover File
Melanie Smith

MEMORANDUM

TO: Angela D. Marconi, P.E., BCEE *ADM*

THROUGH: Joanna L. French, P.E. *JLF*

FROM: Melanie A. Smith, P.E. *MAS*

**SUBJECT: Mountaire Farms of Delaware, Inc.
Millsboro Complex
Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1- EU 54**

DATE: February 13, 2019

BACKGROUND

Mountaire Farms of Delaware, Inc. submitted an amendment request to replace a 1992 California Pellet Mill pellet cooler with a Hayes & Stolz pellet cooler in an application dated July 18, 2018. Pellet Cooler 1 will remain at 50 TPH and there will be no change in emissions. The Department requested a BACT Analysis for PM2.5 for Pellet Cooler 1 and the document was received October 5, 2018. The existing high efficiency cyclones were determined to be BACT. Please note that only the pellet cooler will be replaced and not the cyclones.

Emission Unit	Description
1	Boiler 1
2	Boiler 2
3	Boiler 3
4	Boiler 4
5	Boiler 5
6	Front Dryer
7	Back Dryer
8	Boiler 6
9	Receiving Pit 1
10	Receiving Pit 2
11	Receiving Pit 3
12	Feed Receiving Pit
52	10,000 gallon Gasoline Tank
53	Hammermill
54	Pellet Cooler 1
55	Pellet Cooler 2
56	Batching Bin
60	Hatch. Generator
61	Wastewater Generator
62	Picking Generator
63	Fire Pump
73	No. 2 Fuel Oil Tank
75	No. 2 Fuel Oil Tank
76	No. 2 Fuel Oil Tank
77	Hatch. Generator
78	Admin. Generator
79	Hatch. Generator
80-85	Resource Recovery
86	Hatch. Generator

Emission Unit	Description
87	Admin. Generator
88	Hatch. Generator
Registration	Micro System Baghouse

Pollutant	Facility Wide PTE (tons/year)	Major Source Threshold (tons/year)
Nitrogen Oxides (NO _x)	71.870	100
Volatile Organic Compounds (VOCs)	10.835	50
Carbon Monoxide (CO)	49.388	100
Particulate Matter (PM)	86.684	100
Particulate Matter Less Than 10 Microns (PM ₁₀)	86.684	100
Particulate Matter Less Than 2.5 Microns (PM _{2.5})		25
Sulfur Dioxide (SO ₂)	51.562	100
Lead		10
Carbon Dioxide Equivalent (CO ₂ e)	97,902.175	100,000
Other (list)		

1. Receiving Pits' PM and PM10 PTE is without control.

The Company has not requested confidentiality.

The Company is located within the Coastal Zone, however, a Coastal Zone Permit is not required for construction or operation of the pellet cooler.

The Company is current with their annual fees and has paid appropriate construction application fees.

TECHNICAL INFORMATION

The pellet cooler is manufactured by Hayes & Stolz. Particulate removal efficiency is 95%. The Pellet Cooler 1 production rate remains unchanged at 50 TPH and they are available for processing 24 hours/day, 7 days/week, 52 weeks/year. Existing Koger-Air Model 2H54 high-efficiency cyclones were installed in 2010.

Potential to Emit/Permitted Emissions

In an EPA Guidance Memo, *Definition of Regulated Pollutant for Particulate Matter for Purposes of Title V*, dated October 16, 1995, the EPA concluded that its definition of a regulated air pollutant for particulate matter under Title V applies only to emissions of PM₁₀. Emission factor was taken from AP-42, Table 9.9.1-2, *Particulate Emission Factors For Grain Processing Facilities*, dated March 2003. The factor includes high efficiency cyclone control.

Pollutant	Emiss. Factor (lb/ton)	Process Rate (TPH)	Emissions (lb/hr)	PTE (TPY)	Permitted Emissions (TPY)
PM ₁₀	0.075	50	3.75	16.4	16

AERSCREEN Dispersion Modeling

There is no change in emissions and the existing cyclones are being used. AERSCREEN was not performed.

REGULATORY REVIEW

- X 7 DE Admin. Code 1102: Permits
- X 7 DE Admin. Code 1105: Particulate Emissions from Industrial Process Operations
- X 7 DE Admin. Code 1114: Visible Emissions
- X 7 DE Admin. Code 1119: Control of Odorous Air Contaminants
- ☐ 7 DE Admin. Code 1120: New Source Performance Standards
- ☐ 7 DE Admin. Code 1124: Control of Volatile Organic Compound Emissions
- ☐ 7 DE Admin. Code 1125: Requirements for Preconstruction Review
- ☐ 7 DE Admin. Code 1130: Title V State Operating Permit Program
- ☐ 7 DE Admin. Code 1138: Emission Standards for Hazardous Air Pollutants for Source Categories

7 DE Admin. Code 1102, Section 2.1: *Permits* The Company is subject to the following requirement, "...no person shall initiate construction, install, alter or initiate operation of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to receiving approval of his application from the Department."

7 DE Admin. Code 1105, Section 2.1: *Particulate Emissions from Industrial Process Operations* The Company is subject to the following emissions limit from industrial process operations, "No person shall cause or allow particulate emissions into the atmosphere from any source not provided for in subsequent sections of this Regulation in excess of 0.2 grains per standard cubic foot."

$(50 \text{ TPH} \times 0.15 \text{ lb/T} \times 7000 \text{ gr/lb}) / (33,000 \text{ CFM} \times 60 \text{ min/hr}) = 0.027 \text{ gr/SCF}$. A condition limiting emissions to 0.2 grains per standard cubic foot has been placed in the permit.

7 DE Admin. Code 1114, Section 2.1: *Visible Emissions* The facility is subject to the following visible emissions requirement, "No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour period, or more than fifteen (15) minutes in any twenty-four (24) hour period." Compliance shall be demonstrated by the Company having no contradictory knowledge of any citizen complaint and by a satisfactory review of complaint history by the Department. This emissions requirement has been placed in the permit along with the associated recordkeeping requirements.

7 DE Admin. Code 1119, Section 2.1: *Control of Odorous Air Contaminants* The facility is subject to the following control of odorous air contaminants requirement, "no person shall cause or allow the emission of an odorous air contaminant such as to cause a condition of air pollution." Compliance shall be demonstrated through the Company having no contradictory knowledge of any citizen odor complaint and through a satisfactory review of complaint history by the Department. This emissions requirement has been placed in the permit along with the associated reporting requirements.

7 DE Admin. Code 1120: *New Source Performance Standards* This regulation is not applicable to feed mill equipment.

7 DE Admin. Code 1124, Section 2: *Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs)* is not applicable because particulate is not a VOC.

7 DE Admin. Code 1125, Section 4: *Minor New Source Review, Requirements for Preconstruction Review*, is applicable because the equipment is new (applied for after August 11, 2005), the source requires a permit under 7 DE Admin. Code 1102, Section 2.1.3, and the source is not covered by the Emission Offset Provisions (EOP) or Prevention of Significant Deterioration of Air Quality (PSD). A BACT Analysis was conducted for PM_{2.5} and the existing high efficiency cyclones were determined to be BACT.

Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1- EU 54
Mountaire Farms of Delaware, Inc.- Millsboro Complex

February 13, 2019

Page 4

7 DE Admin. Code 1130: *Title V State Operating Permit Program* The facility is a natural minor source.

7 DE Admin. Code 1138: *Emission Standards for Hazardous Air Pollutants for Source Categories 7* **DE Admin. Code 1138** is not applicable because PM10 is not a Hazardous Air Pollutant (HAP).

RECOMMENDATIONS

The hammermill application was advertised Sunday, July 8, 2018. Comments were received. Pellet Cooler 1 was advertised in the Notice of Public Hearing with the hammermills on October 28, 2018. A public hearing for both applications was held on November 26, 2018.

The proposed project and attached permit comply with all applicable zoning requirements and federal and state air pollution control laws and regulations. After recommendations have been approved by the Hearing Officer and Secretary, I recommend that the attached **Permit: APC-2014/ 0090-CONSTRUCTION (Amendment 2)** be issued.

ADM:JLF:MAS

F:\EngAndCompliance\MAS\mas18067.doc

pc: Dover File

DATE

Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1- EU 54

Mountaire Farms of Delaware, Inc.- Millsboro Complex

Mountaire Farms of Delaware, Inc.
P.O. Box 1320
Millsboro, DE 19966

ATTENTION: Mr. Austin Pajda
Environmental Manager

Dear Mr. Pajda:

Pursuant to 7 **DE Admin. Code** 1102, Section 2, approval of the Department of Natural Resources and Environmental Control (the Department) is hereby granted for the construction of a Hayes & Stolz (electric) pellet cooler with existing Koger-Air model 2H54, high efficiency twin cyclone collector (EU 54) located at the Millsboro Complex in Millsboro, Delaware, in accordance with the AQM-1001 series permit renewal application submitted on June 20, 2003, letter dated October 25, 2010 from Beth Sise, emails dated June 25, 2013 and July 8, 2014 from Beth Sise, and Forms AQM-1, AQM-2, AQM-3.13, and AQM-5 dated July 18, 2018 signed by Austin Pajda, Environmental Manager.

This permit is issued subject to the following conditions:

1. General Provisions

- 1.1 This permit expires on December 27, 2019. If the equipment covered by this permit will not be constructed by December 27, 2019, a request to extend this construction permit must be submitted by November 13, 2019.
- 1.2 The project shall be constructed in accordance with the application described above. If any changes are necessary, revised plans must be submitted and supplemental approval issued prior to actual construction.
- 1.3 Representatives of the Department may, at any reasonable time, inspect this facility.
- 1.4 This permit may not be transferred to another location or to another piece of equipment or process.
- 1.5 This permit may not be transferred to another person, owner, or operator unless the transfer has been approved in advance by the Department. Approval (or disapproval) of the permit transfer will be provided by the Department in writing. A request for a permit

transfer shall be received by the Department at least thirty (30) days before the date of the requested permit transfer. This request shall include:

- 1.5.1 Signed letters from each person stating the permit transfer is agreeable to each person; and
 - 1.5.2 An Applicant Background Information Questionnaire pursuant to 7 Del C, Chapter 79 if the person receiving the permit has not been issued any permits by the Department in the previous five (5) years.
- 1.6 The applicant shall, upon completion of the construction, installation, or alteration, request that the Department grant approval to operate.
- 1.6.1 A separate application to operate pursuant to 7 **DE Admin. Code** 1102 does not need to be submitted to the Department for the equipment or process covered by this construction permit. Upon a satisfactory demonstration by an on-site inspection that the equipment or process complies with all of the terms and conditions of this permit, the Department shall issue a 7 **DE Admin. Code** 1102 Operating Permit for this equipment or process.
 - 1.6.2 The applicant shall notify the Department sufficiently in advance of the demonstration and shall obtain the Department's prior concurrence of the operating factors, time period, and other pertinent details relating to the demonstration.
 - 1.6.3 The provisions of 7 **DE Admin. Code** 1102 Sections 2.1 and 11.3 shall not apply to the operation of equipment or processes for the purposes of initially demonstrating satisfactory performance to the Department following construction, installation, modification, or alteration of the equipment or processes.
- 1.7 The owner or operator shall not initiate construction, install, or alter any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department pursuant to 7 **DE Admin. Code** 1102, and, when applicable 7 **DE Admin. Code** 1125, and receiving approval of such application from the Department; except as exempted in 7 **DE Admin. Code** 1102 Section 2.2.

2. Emission Limitations

- 2.1 Air contaminant emission levels shall not exceed those specified in 7 **DE Admin. Code** 1100 and the following:
 - 2.1.1 Particulate Matter (PM10) Emissions
PM10 emissions from the pellet cooler shall not exceed 3.8 pounds per hour and 16 tons per twelve (12) month rolling period; and
 - 2.1.2 Particulate (PM) Emissions
Air contaminant emission levels shall not exceed 0.2 grain per standard cubic foot of exhaust air.
- 2.2 No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty

(20%) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period.

- 2.3 Odors from this source shall not be detectable beyond the plant property line in sufficient quantities such as to cause a condition of air pollution.

3. Operational Limitations

- 3.1 The owner or operator shall comply with the following operational limits:
- 3.1.1 The cyclones on Emission Unit 54 shall be operating properly whenever the pellet cooler is in operation.
 - 3.1.2 Proper operation of the differential pressure gauge on each of the cyclones on Emission Unit 54 shall be considered a necessary part of proper operation of the cyclones. When the cyclones are not equipped with pressure differential gauges, pressure shall be determined by Department approved methods.
 - 3.1.3 The process capacity of the pellet cooler shall not exceed 50 tons per hour.
 - 3.1.4 Particulate emissions based upon the process rate equal a controlled maximum of 0.0202 gr/scf. The pellet cooler emits less than the 0.2 gr/scf standard. Compliance with Condition 2.1.2 can be consistently demonstrated when Conditions 3.1.1 through 3.1.3 are met.
 - 3.1.5 In all areas where materials containing manganese are stored, used, or handled, the owner or operator shall comply with the management practices below:
 - 3.1.5.1 The owner or operator shall perform housekeeping measures to minimize excess dust. These measures shall include, but not be limited to, the practices specified below:
 - 3.1.5.1.1 The owner or operator shall use an industrial vacuum system or manual sweeping to reduce the amount of dust.
 - 3.1.5.1.2 At least once per month, the owner or operator shall remove dust from walls, ledges, and equipment using low pressure air or by other means, and then sweep or vacuum the area.
 - 3.1.5.1.3 The owner or operator shall keep exterior doors in the immediate affected areas shut except during normal ingress and egress, as practicable. This requirement does not apply to areas where finished product is stored in closed containers, and no other materials containing manganese are present.
 - 3.1.5.2 The owner or operator shall maintain and operate all process equipment in accordance with manufacturer's specifications and in a manner to minimize dust creation.
 - 3.1.6 The owner or operator shall store any raw materials containing manganese in closed containers.
 - 3.1.7 The mixer where materials containing manganese are added shall be covered at all times when mixing is occurring, except when the materials are being added to the

mixer. Materials containing manganese shall be added to the mixer in a manner that minimizes dust creation.

- 3.1.8 For the bulk loading process where materials containing manganese are loaded into trucks or railcars, the owner or operator shall lessen fugitive emissions by reducing the distance between the loadout spout and the vehicle being loaded by being in compliance with either:

3.1.8.1 Use a device of any kind at the bulk loadout spout that minimizes the distance to the vehicle being loaded, or

3.1.8.2 Use any other means to minimize the distance between the loadout spout and the vehicle being loaded.

- 3.1.9 For the pelleting operations at existing prepared feeds manufacturing facilities with an average daily feed production level exceeding 50 tons per day, the owner or operator shall capture emissions and route them to a cyclone. The cyclone shall be operated and maintained in accordance with good air pollution control practices and the manufacturer's specifications and operating instructions, if available. If the manufacturer's specifications and operating instructions are not available, the owner or operator shall develop and follow standard operating procedures that ensure proper operation and maintenance of the cyclone.

- 3.2 At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

- 3.3 All structural and mechanical components of the equipment or process covered by this Permit shall be maintained in proper operating condition.

- 3.4 Fugitive emissions shall not be emitted in such quantities as to cause or create a condition of air pollution from material-handling operations, the stockpiling of materials or vehicular traffic entering or leaving the facility. Dust control measures shall be employed on all non-paved access roads and driveways to the facility to minimize fugitive emissions from vehicular traffic entering or leaving. Dust control measures shall include methods such as water tanker/sprinkler trucks, water sprinkler systems, dust retardant sprays, etc.

4. Testing and Monitoring Requirements

- 4.1 The Department reserves the right to require that the owner or operator perform emission tests using methods approved in advance by the Department.
- 4.2 The owner or operator shall perform monthly inspections of each device or other means used to minimize the distance between the loadout spout and the vehicle being loaded, to ensure it is in proper working condition.

- 4.3 The owner or operator shall perform quarterly inspections of the cyclone used to control emissions from pelleting operations, for corrosion, erosion, or any other damage that could result in air in-leakage.
- 4.4 The owner or operator shall perform a weekly visual inspection of the operating cyclone to ensure it is being operated and maintained consistent with good air pollution control practices and the manufacturer's specifications and operating instructions.
- 4.5 Each month, the Company shall monitor the operational standards of Condition 3.2 and 3.3, monitor all of the maintenance performed on equipment covered by this permit, and update records as needed.
- 4.6 For Emission Unit 54, there are no additional visible emission periodic monitoring for this source provided the Company is in compliance with the operational/maintenance requirements of Conditions 3.2, 3.3, 3.4, 4.5, and 5.5.

5. Record Keeping Requirements

- 5.1 The owner or operator shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.
- 5.2 The following information shall be recorded, initialed and maintained in a log each day for Emission Unit 54:
 - 5.2.1 Total quantity of feed processed.
 - 5.2.2 Hours feed processed.
 - 5.2.3 Rate of feed processing in tons per hour.
 - 5.2.4 Pressure drop for each control device. When a normal pressure differential operating range is not established, the Company shall establish this operating range based on this monitoring.
 - 5.2.5 The fugitive dust control measures performed to comply with Condition 3.4.
- 5.3 The following information shall be recorded, initialed and maintained in a log each month:
 - 5.3.1 All routine and non-routine maintenance performed on the cyclones including dates and duration of outages.
 - 5.3.2 Total tons of feed processed.
 - 5.3.3 Total tons of feed processed for the twelve (12) month period immediately preceding the date of record.
- 5.4 The following information shall be maintained in a file.
 - 5.4.1 A copy of each notification that the owner or operator submitted to comply with 7 **DE Admin. Code** 1138 Section 17.0, including all documentation supporting any initial notification, notification of compliance status, or notification of change of

status that was submitted.

- 5.4.2 A copy of each annual compliance certification report prepared to comply with 7 **DE Admin. Code** 1138 Section 17.0, including all documentation associated with each deviation.
- 5.4.3 Records of all monthly inspections of each loadout device including the information listed below:
 - 5.4.3.1 The date, place, and time of each inspection.
 - 5.4.3.2 The name of the person performing the inspection.
 - 5.4.3.3 Results of the inspection and, if applicable, the date, time, corrective action taken, and duration of the corrective action period from the time the inspection indicated a problem to the time of the indication that the equipment was restored to proper operation.
- 5.4.4 Records of all quarterly inspections of the cyclone including the information listed below:
 - 5.4.4.1 The date, place, and time of each inspection.
 - 5.4.4.2 The name of the person performing the inspection.
 - 5.4.4.3 Results of the inspection and, if applicable, the date, time, corrective action taken, and duration of the corrective action period from the time the inspection indicated a problem to the time of the indication that the equipment was restored to proper operation.
- 5.4.5 Records of all weekly visual inspections of the cyclone including the information listed below:
 - 5.4.5.1 The date, place, and time of each inspection.
 - 5.4.5.2 The name of the person performing the inspection.
 - 5.4.5.3 Results of the inspection and, if applicable, the date, time, corrective action taken, and duration of the corrective action period from the time the inspection indicated a problem to the time of the indication that the equipment was restored to proper operation.
- 5.5 The owner or operator shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility; and any malfunction of the air pollution control equipment.
- 5.6 The rolling twelve (12) month total emissions shall be calculated and recorded each month in a log for each of the following pollutants.
 - 5.6.1 Particulate Matter (PM₁₀)

6. Reporting Requirements

- 6.1 Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department immediately upon discovery by calling the Environmental Emergency Notification and Complaint number, (800) 662-8802.
- 6.2 In addition to complying with condition 6.1 of this permit, any reporting required by 7 **DE Admin. Code** 1203 "**Reporting of Discharge of a Pollutant or an Air Contaminant**", and any other reporting requirements mandated by the State of Delaware, the owner or operator shall for each occurrence of excess emissions, within thirty (30) calendar days of becoming aware of such occurrence, supply the Department in writing with the following information:
 - 6.2.1 The name and location of the facility;
 - 6.2.2 The subject source(s) that caused the excess emissions;
 - 6.2.3 The time and date of the first observation of the excess emissions;
 - 6.2.4 The cause and expected duration of the excess emissions;
 - 6.2.5 For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
 - 6.2.6 The proposed corrective actions and schedule to correct the conditions causing the excess emissions.
- 6.3 The Company shall prepare an annual compliance certification report for the previous calendar year by March 1. The report shall contain the following information:
 - 6.3.1 The Company's name and address.
 - 6.3.2 A statement of whether the source has complied with all the relevant standards and other requirements of 7 **DE Admin. Code** 1138 Section 17.0.
 - 6.3.3 If the source is not in compliance with the management practices and standards of Condition 3.1.5, 3.1.6, 3.1.7, and 3.1.8, and applicable inspection requirements in Conditions 4.3 and 4.4 at all times during the previous calendar year, the owner or operator shall include a description of each deviation from the applicable requirements, the time periods during which the deviations occurred, and the corrective actions taken.
 - 6.3.4 Identification of all instances during the previous calendar year when the cyclone was not operating properly as determined in accordance with Condition 3.1.9. The owner or operator shall include a description of each deviation from proper operation, the time periods when the deviation occurred and the corrective actions taken.

Permit: APC-2014/0090-CONSTRUCTION (Amendment 2) Pellet Cooler 1- EU 54
Mountaire Farms of Delaware, Inc.- Millsboro Complex

DATE

Page 8

6.4 If a deviation occurred during the previous calendar year, the owner or operator shall submit the annual compliance certification report for the previous calendar year to the Department by March 1.

6.5 One original and one copy of all required reports shall be sent to the address below:

Division of Air Quality
State Street Commons
100 W. Water Street, Suite 6A
Dover, DE 19904

7. Administrative Conditions

7.1 This permit supersedes **Permit: APC-2014/0090-OPERATION (Amendment 1)** dated May 27, 2016.

7.2 This permit shall be made available on the premises.

7.3 Failure to comply with the provisions of this permit may be grounds for suspension or revocation.

Sincerely,

Angela D. Marconi, P.E., BCEE
Program Manager
Engineering & Compliance Branch

ADM:JLF:MAS
F:\EngAndCompliance\MAS\mas18067.doc

pc: Dover File
Melanie Smith