**PREVENTION OF SIGNIFICANT DETERIORATION (PSD) OF AIR QUALITY**  
**PERMIT TO MODIFY AN AIR CONTAMINANT SOURCE**

**Lincoln-Lancaster County Health Department**  
Environmental Public Health Division  
Air Quality Program  
3131 O Street  
Lincoln, Nebraska 68510  
Phone: (402) 441-8040  
Fax: (402) 441-3890

<table>
<thead>
<tr>
<th>LLCHD Air Quality Program Source Number:</th>
<th>00011</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLCHD Air Quality Program Construction Permit Number:</td>
<td>141A</td>
</tr>
<tr>
<td>Effective Date of Permit:</td>
<td>XX – XX – 2019 MM – DD – YYYY</td>
</tr>
</tbody>
</table>

**A Permit to Modify an Air Contaminant Source is Hereby Issued to:**

<table>
<thead>
<tr>
<th>Permit Holder Name:</th>
<th>Archer Daniels Midland Company (ADM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>P.O. Box 29268</td>
</tr>
<tr>
<td>City, County, State, ZIP:</td>
<td>Lincoln, Nebraska 68529-0268</td>
</tr>
</tbody>
</table>

**This Modification Permit is Issued to the Following Source:**

<table>
<thead>
<tr>
<th>Facility Site Name:</th>
<th>Archer Daniels Midland Company (ADM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility Location:</td>
<td>7800 Thayer Street</td>
</tr>
<tr>
<td>City, County, State, ZIP:</td>
<td>Lincoln, Lancaster County, Nebraska 68507</td>
</tr>
<tr>
<td>Facility NAICS:</td>
<td>311224: Soybean Processing – Soybean Oil</td>
</tr>
</tbody>
</table>

**Environmental Public Health Division / Air Quality Program Recommendation:**

| Permit Writer: | | |
|----------------|-------------------------------------------------|
| ☐ Approve Issuance | ☐ Deny Issuance | | PERMIT WRITER APPROVAL |

| Air Quality Program Supervisor: | | |
|--------------------------------|-------------------------------------------------|
| ☐ Approve Issuance | ☐ Deny Issuance | | SUPERVISOR APPROVAL |

| Environmental Public Health Division Manager: | | |
|-----------------------------------------------|-------------------------------------------------|
| ☐ Approve Issuance | ☐ Deny Issuance | | MANAGER APPROVAL |

**Health Director / Air Pollution Control Officer Authorization:**

**Pursuant to the December 31, 1997 Delegation Letter, signed by the Director of the Nebraska Department of Environmental Quality (NDEQ), the undersigned hereby executes this document on behalf of the Director of the NDEQ.**

| ACTION TAKEN: | | |
|---------------|-------------------------------------------------|
| ☐ Approve Issuance | ☐ Deny Issuance | |

<table>
<thead>
<tr>
<th>Date</th>
<th>Shavonna M. Lausterer, MPH, CPH</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Health Director</td>
</tr>
</tbody>
</table>

Shavonna Lausterer, MPH, CPH  
Health Director  
Scott Holmes, REHS, MS  
Environmental Public Health Division Manager  
Gary R. Bergstrom, Jr.  
Air Quality Program Supervisor
**Project Description:**

On October 4, 2018, ADM-Lincoln submitted a PSD air construction permit application to expand the soybean processing plant.

The soybean expansion project proposed by the facility includes an increase in annual soybean oil processing rate of an average of 180,000 bushels of soybeans per day; increase in the annual utilization (throughput) of some process equipment; replacement of process equipment and control units; changes to emissions limitations; new installation of process equipment; extension to the extractor unit; increase in daily soybean crushing; change in volatile organic compound (VOC) emissions that triggers Prevention of Significant Deterioration (PSD) regulatory applicability; increase in soybean meal production; and increase in the utilization of the onsite coal-fired fluidized bed combustion boiler (FBC) and the two natural gas-fired package boilers.

The proposed expansion will affect the following parts of the facility: grain elevator, soybean oil extraction, and the cogeneration. The changes made to the grain elevator part of the facility is a non-PSD (minor NSR) project and will be addressed under Construction Permit #205, which replaces the previously-issued Construction Permits #078I and #065A. Under the cogeneration facility, there will be increase in the utilization of the FBC and the natural gas-fired package boilers (Boiler #1 and #2) for additional steam to the facility. However, there are no physical modifications or changes to the method of operation at the cogeneration facility.

This permit will focus on the soybean oil extraction part of the ADM-Lincoln facility, which is considered a ‘major modification’ under the PSD program. The increase in the utilization of the boilers will also be taken into account for this project.

Further discussion on this proposed project and the facility’s permitting history will be discussed in the accompanying ‘Statement of Basis’.

This modified PSD construction permit will supersede the previous PSD permit, CP #141 (issued on June 1, 2008) in its entirety.

**Permitted Emission Source(s):**

This permit modification allows for the construction/modification and continued operation of the following emission units and associated control equipment:

<table>
<thead>
<tr>
<th>Emission Unit#</th>
<th>SCC Code</th>
<th>Emission Point &amp; Description</th>
<th>Maximum Capacity/Throughput</th>
<th>Control Unit/Descriptions [4]</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU 30</td>
<td>3-02-019-98</td>
<td>Solvent Extractor (Oil to Refinery) – Hexane Loss</td>
<td>394,200 gallon/year</td>
<td>Condensers &amp; Mineral Oil Scrubber</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>Desolventizer-Toaster (DTDC Processes) [1]</td>
<td>-</td>
<td>Cyclone</td>
</tr>
<tr>
<td>EU 11-1, EU 11-2</td>
<td>3-02-007-89, 3-02-007-90</td>
<td>Dryer-Cooler (DTDC Processes) [2]</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>Hexane Storage Tanks</td>
<td>-</td>
<td>Condensers &amp; Mineral Oil Scrubber</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>Piping Components [3]</td>
<td>-</td>
<td>LDAR Program</td>
</tr>
</tbody>
</table>

[1] The desolventizer-Toaster (DT) part of the DTDC processes removes hexane from spent soybean flakes leaving the extractor that contains hexane. Hexane is removed from the spent flakes using steam. Vapor emissions (VOCs) are vented under vacuum through series of evaporators, condensers, and a mineral oil absorption system before exhausted through the main vent. A new DT will be installed as part of this permitting action.

[2] Following the DT processes, the dryer-cooler (DC) part of the DTDC processes dries and cools spent flakes. Particulate emissions are controlled by cyclones and then exhausted to the atmosphere. There are relatively small VOC losses from the DC process vents.

[3] Equipment leaks that consists of Piping and equipment components such as connectors, valves, pump seals, sampling connections, drains and pressure relief valves.

[4] The control devices (except for the cyclone) are determined by the Best Available Control Technology (BACT) Analysis to reduce pollutants of concern from these emission points under the PSD program.
Facility Regulatory Classification

- The facility is subject to all applicable provisions of the Nebraska Department of Environmental Quality (NDEQ) Title 129 – Nebraska Air Quality Regulations, Chapter 19 for Prevention Significant Deterioration (PSD) Program; in addition to all applicable provisions of 40 CFR Part 52, §52.21.
- The modifications allowed under this construction permit are subject to the PSD program.
- The facility is a major source of hazardous air pollutants (HAP).
- The facility is a Title V major source of air pollution in accordance with LLCAPCPRS Article 2, Section 2, paragraph (B), as well as 40 CFR Part 70 §70.2.
- The facility is a major stationary source in accordance with LLCAPCPRS Article 2, Section 2, paragraph (H)(1).
- None of the units covered by this construction permit are subject to any of the New Source Performance Standards (NSPS) in Title 40, Part 60 of the Code of Federal Regulations (40 CFR 60).
- This permit allows for the operation of units that are subject to the following applicable National Emissions Standards for Hazardous Air Pollutants (NESHAP) in Title 40, Part 63 of the Code of Federal Regulations (40 CFR 63).
  - Subpart A – General Provisions
  - Subpart GGGG – Solvent Extraction for Vegetable Oil Production
- This facility is not subject to the requirements of Title 40, Part 68 of the Code of Federal Regulations (40 CFR 68): Chemical Accident Prevention Provisions

Public Participation

Pursuant to NDEQ Title 129, Chapter 19 and Article 2, Section 14 of the LLCAPCPRS, the public has been notified by prominent advertisement of this permit that approves the construction of an air contaminant source. The thirty (30) day comment period has elapsed, and any/all comments received have been addressed.

Permitting Authority

The Nebraska Department of Environmental Quality has delegated to the Air Quality Program in the Environmental Public Health Division of the Lincoln-Lancaster County Health Department (LLCHD) the permitting authority to implement and enforce the Prevention of Significant Deterioration (PSD) program. Hereby, all documents related to applications for permits to construct/reconstruct/modify or operate any emissions unit or source shall be submitted to the LLCHD at the following address.

Lincoln-Lancaster County Health Department
 c/o Air Quality Program
 3131 ‘O’ Street
  Lincoln, NE  68510

Compliance Authorities

- All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the following:
  - Lincoln-Lancaster County Health Department
    c/o Air Quality Program
    3131 ‘O’ Street
    Lincoln, NE  68510

- If required or requested by the EPA, the owner/operator shall submit reports, tests, and/or notifications to the following:
  - Nebraska Air Compliance Coordinator
    US EPA Region 7
    ECAD/AB
    11201 Renner Blvd.
    Lenexa, KS  66219

Definitions

Unless otherwise defined, or a different meaning is clearly required by context, the words and phrases, as used in this permit, the LLCAPCPRS, and the related appendices shall have the meanings set forth in LLCAPCPRS Article 2, Section 1 (Definitions).
Regulations:

I. Applicable Regulations & Requirements.

(A) The following sections (§) of the LLCAPCPRS are applicable requirements of this permit:

<table>
<thead>
<tr>
<th>Table 1-A: Applicable Regulations of the LLCAPCPRS</th>
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<tbody>
<tr>
<td>Article 1: Administration and Enforcement</td>
</tr>
<tr>
<td>§1</td>
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<td>§2</td>
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<td>§3</td>
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<td>§7</td>
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<td>§8</td>
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<tr>
<td>§9</td>
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<tr>
<td>Article 2: Regulations and Standards</td>
</tr>
<tr>
<td>§1</td>
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<td>§2</td>
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<tr>
<td>§4</td>
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<td>§37</td>
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<td>§38</td>
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</table>

Appendices

I Emergency Emission Reduction Regulations
II & III Hazardous Air Pollutants (HAPs)

(B) The following sections of Lincoln Municipal Code (LMC) are applicable requirements of this permit:

<table>
<thead>
<tr>
<th>Table 1-B: Applicable Sections of LMC Chapter 8.06: Air Pollution</th>
</tr>
</thead>
<tbody>
<tr>
<td>§8.06.130</td>
</tr>
<tr>
<td>§8.06.140</td>
</tr>
<tr>
<td>§8.06.145</td>
</tr>
<tr>
<td>§8.06.150</td>
</tr>
</tbody>
</table>
The following Federal Regulations are applicable requirements of this permit including those not currently delegated to the LLCHD or not yet included in the LLCAPCPRS:

<table>
<thead>
<tr>
<th>Subpart</th>
<th>Subpart Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>General Provisions</td>
</tr>
<tr>
<td>GGGG</td>
<td>Solvent Extraction for Vegetable Oil Production</td>
</tr>
</tbody>
</table>

The following chapter under the Nebraska Department of Environmental Quality are applicable requirements of this permit:

<table>
<thead>
<tr>
<th>Title 129 - Nebraska Air Quality Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>19</td>
</tr>
</tbody>
</table>

**General Conditions:**

II. In accordance with LLCAPCPRS Article 1, Section 1, holding of this permit does not relieve the owner/operator from the responsibility to comply with all applicable portions of the LLCAPCPRS and any other requirements under Local, State, or Federal law. Compliance with this permit shall not be a defense to any enforcement action for violation of an ambient air quality standard.

III. In accordance with LLCAPCPRS Article 1, Section 2, paragraph (C), it is unlawful to:
   (A) Construct or operate an air pollution source without first obtaining a permit required under the LLCAPCPRS;
   (B) Violate any term or condition of this permit or any emission limit set in the permit; or
   (C) Violate any emission limit or standard established in the LLCAPCPRS.

IV. Violations, hearings, and orders shall be conducted in accordance with LLCAPCPRS Article 1, Section 3 (Violations – Hearings – Orders).

V. Appeals shall be conducted in accordance with LLCAPCPRS Article 1, Section 4 (Appeal Procedure).

VI. In accordance with LLCAPCPRS Article 1, Section 5 (Variance), any person who owns or is in control of any plant, building, structure, process, or equipment may apply to the Director for a variance from rules or regulations. Any person who is applying for, or has obtained a variance must comply with all applicable requirements of Article 1, Section 5 of the LLCAPCPRS.

VII. The following provisions of LLCAPCPRS Article 1, Section 6 (Fees) are applicable requirements of this permit:
   (A) Paragraph A – This requirement applies to any person who owns or operates a source as defined in Article 2, Section 1 of the LLCAPCPRS and is required to obtain a construction permit in accordance with Article 2, Section 5 of the Regulations and Standards.
   (B) Paragraph B – Owners or operators of sources identified in paragraph (A) of this condition shall pay an annual fee as required under Article 2, Section 29. The fee shall be based on the actual emission tonnage, up to and including 4,000 tons per year for each regulated pollutant, as established in the emission inventory for the previous calendar year (see Condition XII of this permit). For purposes of this section, a pollutant that may be regulated under more than one provision of LLCAPCPRS need only be counted once. The fee shall be determined in accordance with the Fee Schedule and definitions set forth under this requirement.
   (C) Any person subject to the requirements of LLCAPCPRS Article 2, Section 29 who fails to submit an annual emissions inventory report when required by Article 2, Section 6 of the LLCAPCPRS shall pay
an annual emission fee based on the source’s potential to emit as defined in Article 2, Section 1 of
the LLCAPCPRS.

(D) Paragraph D – Any person or source required to obtain a construction permit under Article 2,
Section 17 (with the exception of a construction permit obtained in accordance with Article 2,
Section 17, paragraph (O)) shall pay a permit fee for activities included under paragraphs (D)(1)(a)
through (D)(1)(f) of Section 6. The permit fee shall be charged at the rate specified in paragraph
(D)(1) of Section 6. Any person required to submit fees pursuant to Section 6 shall submit the fees
to the Director of the Department by check or other authorized transfer payable to the Lincoln-
Lancaster County Health Department. The fees shall be due and payable within thirty (30) days
after issuance of the permit.

(E) Paragraph (H) – All money collected from the permit fees, and air quality service charges provided
for herein, shall be payable to the Lincoln-Lancaster County Health Department and shall be
credited to the Air Pollution Control Fund.

VIII. The following provisions of LLCAPCPRS Article 1, Section 7 (Compliance – Actions to Enforce – Penalties for
Non-Compliance) are applicable requirements of this permit:

(A) Paragraph (A) – The County Attorney or Attorney General may institute enforcement proceedings
1528(2) against any person who fails to comply with the requirements of the LLCAPCPRS. Nothing
in the LLCAPCPRS shall preclude the control of air pollution by resolution, ordinance, or rule,
regulation, or standard not in actual conflict with the state air pollution control regulations. (Ref:
Neb. Rev. Stat. §71-1631(15))

(B) Paragraph (B) – Any person who fails to comply with the requirements of the LLCAPCPRS or who
fails to perform any duty imposed by the LLCAPCPRS shall be subject to a civil penalty of not more
than ten thousand dollars ($10,000) per day per violation.

(C) Paragraph (C) – Any person who knowingly and willfully fails to comply with the requirements of
the LLCAPCPRS or who knowingly and willfully fails to perform any duty imposed by the LLCAPCPRS
shall be subject to felony prosecution under Neb. Rev. Stat. §81-1508(f) including a fine of not more
than ten thousand dollars ($10,000) per day per violation, and up to a maximum six (6) month term
of imprisonment.

(D) Paragraph (D) – Enforcement proceedings may include injunctive relief in court to restrain any
violation that creates an imminent and substantial endangerment to the public health or to the
environment.

IX. In accordance with LLCAPCPRS Article 1, Section 8 (Procedure for Abatement), if the Director has
determined a violation of the Air Pollution Control Program after any hearing required hereunder or if the
Director has probable cause to believe a violation has occurred, the Director shall refer the matter to the
County Attorney.

X. In accordance with LLCAPCPRS Article 1, Section 9 (Severability), if any clause, paragraph, or section of the
LLCAPCPRS shall be held invalid, it shall be conclusively presumed that the City and County would have
enacted the remainder of the LLCAPCPRS not directly related to such clause, paragraph, or section.

XI. The owner/operator shall maintain compliance with the ambient air quality standards set forth in
LLCAPCPRS Article 2, Section 4 (Ambient Air Quality Standards).

XII. In accordance with LLCAPCPRS Article 2, Section 6 (Emissions Reporting – When Required), the
owner/operator shall submit completed emission inventory forms for the preceding calendar year to the
Department by March 31 of each year. The inventory shall include all emissions associated with the
emission units for which this permit is issued. The inventory form shall be certified in accordance with
LLCAPCPRS Article 2, Section 7, paragraph (H).
XIII. The following provisions of LLCAPCPRS Article 2, Section 15 (Permit Modifications – Reopening for Cause) are applicable requirements of this permit:

(A) Paragraph (C)(2) – Subject to the approval of the Director, the terms of a construction permit may be modified without public review through the substitution of alternative provisions, provided the following conditions are met:

1. No emission limit in the original construction permit is exceeded;
2. No applicable requirement included in an operating permit to which the source is subject is violated;
3. No emissions limit, equipment or operational standard applicable to the source will be exceeded;
4. No emissions limit, equipment or operational standard assumed to avoid a classification that would render the source subject to an otherwise applicable requirement will be exceeded; and
5. The nature of the constructed facility will be consistent with that described in the original public notice materials.

(B) Paragraph (G) – The owner/operator may make changes to a permitted facility without a permit revision if the change is not a modification under LLCAPCPRS Article 2, Sections 18, 23, 27, or 28, the change does not require a construction permit under LLCAPCPRS Article 2, Sections 17 or 19, and the change is allowed under the applicable provisions of paragraphs (G)(1) or (G)(2) of Section 15.

(C) Paragraph (H) – No permit revisions shall be required under any State-approved programs providing for economic incentives, marketable permits, emissions trading or other similar programs or processed for changes that are provided for in the permit.

XIV. In accordance with paragraph (A) of LLCAPCPRS Article 2, Section 16 (Stack Heights – Good Engineering Practice), the degree of emissions limitation required of any source for control of any air pollutant shall not be affected by so much of any source’s stack height that exceeds good engineering practice or by any other dispersion technique, except as provided in paragraph (B) of Section 16.

XV. The following provisions of LLCAPCPRS Article 2, Section 17 (Construction Permits – When Required) are applicable requirements of this permit:

(A) Paragraph (A) – No person shall cause the construction, reconstruction, or modification of any source specified in paragraphs (A)(1)-(4) of Section 17 without first having obtained a construction permit from the Department in the manner prescribed by the LLCAPCPRS.

(B) Paragraph (C) – The owner or operator of any source required to obtain a construction permit under the LLCAPCPRS shall submit an application on forms provided by the Department.

(C) Paragraph (L) – Approval to construct, reconstruct and/or modify the source will become invalid if a continuous program of construction is not commenced within eighteen (18) months after the date of issuance of the construction permit; if construction is discontinued for a period of eighteen (18) months or more; or if construction is not completed within a reasonable period of time. The conditions set forth in this permit shall remain applicable requirements until such time that all permitted emission units are removed from the source, or until the owner/operator requests that the permit be nullified and all permitted emission units are rendered inoperable.

(D) Paragraph (N) – Modification of the Construction Permit. The purpose of this section is to provide a means to address unforeseen situations which may develop in the process of constructing or modifying an emission source subject to this section. Modification of the construction permit shall be performed as follows:

1. Subject to the approval of the Director, the terms of a construction permit may be modified without public review through the substitution of alternative provisions, provided the conditions set forth in Condition XIII(A) of this permit are met.
(2) Modifications meeting the conditions of Condition XIII(A) of this permit shall be processed as follows:
   (a) The owner or operator shall submit a request for modification of a construction permit as provided in LLCAPCPRS Article 2, Section 15, paragraph (C)(3) and provide such additional information as may be required to determine if the conditions of Condition XIII(A) of this permit have been met;
   (b) The Department shall review the request and determine whether or not a modification of the construction permit is required. The applicant shall not proceed with the project until a determination is made by the Director.

(3) Proposed modifications to a construction permit which do not meet the conditions of Condition XIII(A) of this permit must be processed through the full construction permit process as provided in paragraphs (C) through (M) of Section 17.

XVI. The following provisions of LLCAPCPRS Article 2, Section 20 (Particulate Limitations and Standards) are applicable requirements of this permit:
   (A) Paragraph (A) – The owner/operator shall limit the emissions of particulates from any processing machine, equipment, device or other articles, or any combination thereof to no greater than the amounts set forth in Table 20-2 of Section 20 during any one (1) hour.
   (B) Paragraph (B) – The owner/operator shall limit the emissions of particulate matter caused by the combustion of fuel in accordance with the limits set forth in Table 20-1 of Section 20, as they apply based on heat input rating.
   (C) Paragraph (E) – The owner/operator shall not cause or allow emissions from any emission point that are of opacity equal to or greater than twenty percent (20%), as evaluated by Method 9 in Appendix A of 40 CFR 60, or recorded by a continuous opacity monitoring system operated and maintained pursuant to 40 CFR Part 60 Appendix B, except as provided for in paragraph (D) of this condition.
   (D) Paragraph (F) – Emission sources subject to monitoring requirements of Article 2, Section 34, paragraph (E) of LLCAPCPRS are allowed to have one six-minute period per hour of not more than twenty-seven percent (27%) opacity.

XVII. In accordance with paragraph (A) of LLCAPCPRS Article 2, Section 24 (Sulfur Compound Emissions – Existing Sources – Emission Standards), the owner/operator shall not cause or allow emissions of sulfur oxides from any fossil fuel burning equipment in excess of two and one-half pounds per million British thermal units (2.5 lbs/MMBtu) input, maximum two (2) hour average.

XVIII. The following provisions of LLCAPCPRS Article 2, Section 32 (Dust – Duty to Prevent Escape Of) are applicable requirements of this permit:
   (A) Paragraph (A) – The source shall not cause or permit fugitive particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premise where it originates.
   (B) Paragraph (B) – The source shall not cause or permit a road, driveway, or open area to be used without applying all such reasonable measures to prevent particulate matter from becoming airborne so that it remains visible beyond the premises where it originates. Such reasonable measures include, but are not limited to: paving or frequent cleaning of roads, driveways, and parking lots; application of water or chemical dust suppressants; and the planting and maintenance of vegetative ground cover.

XIX. The following provisions of LLCAPCPRS Article 2, Section 33 (Compliance – Time Schedule For) are applicable requirements of this permit:
   (A) Paragraph (A) – Except as otherwise noted in specific emission control regulations, compliance with the LLCAPCPRS shall be according to the schedule provided under paragraphs (A)(1)-(3) of Section 33.
(B) Paragraph (B) – Compliance schedules requiring more than twelve (12) months to conform with applicable rules and regulations to meet National Primary and Secondary Ambient Air Quality Standards will be accomplished in progressive steps. A report will be made in writing to the Director within five (5) days after each step is completed.

(C) Paragraph (C) – Failure to meet time schedules approved in accordance with paragraphs (A)(1)-(2) of Section 33 shall constitute a violation of the LLCAPCPRS unless a request to amend the time schedule is received at least thirty (30) days before the end of any specified period approved for a particular activity. Such a request to amend the schedule shall contain the same type of information as required for the initial request for variance as described in paragraph (A)(3) of Section 33.

XX. The following monitoring and reporting requirements are in accordance with LLCAPCPRS Article 2, Section 34, paragraph (H):

(A) Any emission testing and monitoring required by the Department shall be according to the requirements of Article 2, Section 34 of the LLCAPCPRS.

(B) Notwithstanding any other provisions of LLCAPCPRS, the following methods may be used to determine compliance with applicable requirements:

1. A monitoring method approved for the source and incorporated in an operating permit pursuant to LLCAPCPRS Article 2, Section 8,

2. Any compliance test method specified in the State Implementation Plan,

3. Any test or monitoring method approved for the source in a permit issued pursuant to LLCAPCPRS Article 2, Section 17, Section 19 or Section 27,

4. Any test or monitoring method provided for in the LLCAPCPRS, or

5. Any other test, monitoring, or information gathering method that produces information comparable to that produced by any method described in paragraphs (1) through (4) of this condition.

XXI. The following provisions of LLCAPCPRS Article 2, Section 35 (Compliance – Exceptions Due to Startup, Shutdown, or Malfunction) are applicable requirements of this permit:

(A) Paragraph (A) – Upon receipt of a notice of excess emissions issued by the Department, the owner/operator may provide information showing that the excess emissions were the result of a malfunction, start-up, or shutdown.

(B) Paragraph (B) – The information provided by the source operator under paragraph (A) of this condition shall include, at a minimum, the information specified in paragraphs (B)(1)-(9) of Section 35.

(C) Paragraph (C) – The owner/operator shall submit the information specified in paragraph (B) of this condition no later than fifteen (15) days after receipt of the notice of excess emissions.

(D) Paragraph (D) – The owner/operator shall notify the Director, in writing, whenever a planned start-up or shut down may result in excess emissions. This notice shall be mailed, no later than ten (10) days prior to such action and shall include, but not be limited to, the information specified in paragraphs (D)(1)-(10) of Section 35.

(E) Paragraph (E) – The owner/operator shall notify the Director, in writing, whenever emissions due to malfunctions, unplanned shutdowns or ensuing start-ups are, or may be, in excess of applicable emission control regulations for one hour or more. Such notification shall be mailed within forty-eight (48) hours of the beginning of each period of excess emissions and shall include, but not be limited to, the information required in paragraph (D) of Section 35.

XXII. In accordance with LLCAPCPRS Article 2, Section 37 (Compliance – Responsibility of Owner/Operator Pending Review by Director), application for review of plans or advice furnished by the Director will not relieve the owner or operator of a new or modified stationary source of legal compliance with any provision of the LLCAPCPRS, or prevent the Director from enforcing or implementing any provision of the LLCAPCPRS.
In accordance with LLCAPCPRS Article 2, Section 38 (Emergency Episodes – Occurrence and Control: Contingency Plans), if and when the Director declares an air pollution emergency episode as defined in Section 38, the source shall immediately take all applicable required actions listed in LLCAPCPRS Appendix I until the Director declares the air pollution episode terminated.

In accordance with Lincoln Municipal Code (LMC) Section 8.06.030, upon presentation of credentials and other documents as may be required by law, the owner/operator shall allow the LLCHD or an authorized representative to perform the following:

(A) Enter and inspect or cause to be inspected, during reasonable hours, any building, facility, or place, except a building designed for and used exclusively for a private residence, as the Director deems necessary to determine compliance with the provisions of the LLCAPCPRS and to require the submission of air contaminant emission information in connection with such inspections, tests, and studies.

(B) Have access to existing and available records relating to emissions or discharges, which cause or contribute to air pollution or the monitoring of such emissions or discharges;

(C) Issue, modify, or revoke orders prohibiting or abating discharges of air pollutants, or requiring the construction of control systems or any parts thereof or the modification, extension, or adoption of other remedial measures to prevent, control, or abate air pollution.

(D) Conduct tests and take samples of air contaminants, fuel, process materials, or any other substance which affects or may affect discharges or emissions of air contaminants from any source, giving the owner or operator a receipt for the sample obtained.

(E) Issue, continue in effect, revoke, modify, or deny permits, under such conditions as the Director may prescribe and consistent with the Clean Air Act and the LLCAPCPRS.

The owner/operator shall make no modifications to the equipment covered by this construction permit that could potentially affect emissions of air contaminants without the written approval of the LLCHD. This condition also applies to any changes made during installation that alter the plans/specifications presented in the permit application.

Any modification of the operational and/or construction documents must have prior approval from the Department. The source shall provide all necessary information to validate the modification, including, but no limited to, additional engineering, modeling, and ambient air quality studies.

Approval to construct, reconstruct and/or modify the source will become invalid if a continuous program of construction is not commenced within 18 months after the date of issuance of the construction permit; if construction is discontinued for a period of 18 months or more; or if construction is not completed within a reasonable period of time.

The owner/operator of the source shall notify the Department of the actual date of anticipated initial startup of each independently operable emission unit, process, or group of equipment or emission units, and said notification shall be postmarked not more than 60 days nor less than 30 days prior to such date.

The owner/operator must maintain a copy of the permit and of the letter of transmittal on-site. A copy of the permit must also be kept on file at the company's main or corporate office. A copy of the permit must be placed on file at each of the aforementioned locations no later than 14 calendar days after the date of the letter of transmittal.
SPECIFIC CONDITIONS:

XXXI. This permit authorizes the owner/operator to construct/reconstruct/modify and operate the ‘Permitted Emission Units’ in accordance with the following provisions:

(A) This permit authorizes the operation of the ‘Permitted Emission Units’ in a manner that is consistent with the approved application dated October 4, 2018. Prior to modification(s) to any of the “Permitted Emission Units”, and /or prior to any change(s) in the method of operation of any of the ‘Permitted Emission Units’, the owner/operator shall determine what impact, if any, the proposed modification(s) or change(s) have on the potential to emit for the affected emission unit(s), as well as the combined potential to emit for all ‘Permitted Emission Units’ associated with the source.

(B) The owner/operator is subject to all elections specified in the approved application, and any emissions controls used shall be equivalent or higher than those elected in Section 6 of the approved application. The owner/operator may contact the Department to request or submit modifications to the approved application.

(C) Soybean Oil Extraction Operations

<table>
<thead>
<tr>
<th>EU #</th>
<th>Process Description</th>
<th>Maximum Throughput</th>
<th>Control Unit/Description</th>
<th>VOC PTE [1]</th>
<th>HAP PTE [1]</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Single</td>
<td>Combined</td>
</tr>
<tr>
<td>EU 30</td>
<td>Soybean Oil Extraction System</td>
<td>344,925 gal/yr</td>
<td>Condensers &amp; Mineral Oil Scrubber</td>
<td>971 tpy</td>
<td>621.4 tpy</td>
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<tr>
<td></td>
<td>Desolventizer-</td>
<td>-</td>
<td>Condensers &amp; Mineral Oil Scrubber</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Toaster (DTDC Processes)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EU 11-1</td>
<td>EU 11-2</td>
<td>Dryer-Cooler</td>
<td>Cyclone</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(DTDC Processes)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hexane Storage</td>
<td>-</td>
<td>Condensers &amp; Mineral Oil Scrubber</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Tanks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Piping Components</td>
<td>-</td>
<td>LDAR Program</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

[1] Mass balance was used to estimate the amount of VOCs emitted from the soybean oil extraction operations, which includes fugitive emissions from other processes at the plant.

(1) Emission Limits and Emission Control Requirements.

(a) The owner/operator shall not exceed the permitted limits for VOC and HAP specified for the emissions unit identified in Table 31-C of this condition, including fugitive emissions.

(b) EU 30 shall be controlled by the associated control equipment identified in Table 31-C of this condition at all times.

(c) Pursuant to the PSD requirements set forth in NDEQ Title 129, Chapter 19, the owner/operator shall not exceed the ‘VOC solvent loss ratio’ (VOC-SLR) limit of 0.175 gallons of hexane per ton of soybeans processed on a 12-month rolling average including startup, shutdown and malfunction. This limit represents the maximum allowable emission rate using ‘Best Available Control Technology’ (BACT).

(d) The owner/operator shall comply with all emission limitations and emission control requirements set forth in 40 CFR Part 63, Subpart GGGG.

(e) The source shall prepare, maintain and establish a Leak Detection and Repair (LDAR) program for the components in VOC service in the soybean oil production process at the facility. A copy of this plan shall be submitted to the Department...
within ninety (90) days of the issuance of this permit. The plan shall include, at a minimum, the following information:

(i) The frequency of inspections with supporting basis.
(ii) Performance of auditory, visual and/or olfactory (AVO) inspections of leak components
(iii) A description or listing of the components that would be excluded from any routine AVO inspections (i.e. components in vacuum service and components that would be unsafe or difficult to monitor with basis).
(iv) The timing for repairs to leaking components.

(2) Operational and Monitoring Requirements and Limitations.
(a) The total maximum throughput (in gal/yr) for Hexane shall not exceed the permitted limit specified in Table 31-C of this condition at any consecutive 12-month period.

(b) The soybean crushing shall not exceed 5,400 tons of crushed soybeans per day as a 12-month rolling. The total soybean crushing shall not exceed 1,971,000 tons of crushed soybeans during any period of 12 consecutive months.

(i) The crush limits established in this condition shall not be used as a justification to exceed the HAP emissions requirement for a facility of this type in 40 CFR 63, Subpart GGGG, or the VOC SLR limit established in paragraph (C)(1)(c) of this condition.

(c) The owner/operator shall install, operate and maintain the condensers in order to reduce hexane loading to the mineral oil scrubber, and the mineral oil scrubber shall control VOC emissions (i.e. hexane) whenever the associated emission units are in operation.

(i) The condensers and the mineral oil scrubber shall be installed, operated, and maintained in accordance with the manufacturer’s specifications.

(d) The owner/operator shall equip the mineral oil scrubber with devices that is capable of continuously monitoring the following parameters:

1. The outlet gas flow rate, measured in standard cubic feet per minute (scfm);
2. The scrubplant (mineral oil) rate, measured in gallons per minute (gpm); and
3. The mineral oil stripper temperature, measured in degrees Fahrenheit (°F).

(e) The owner/operator shall install, operate and maintain:

(i) A dedicated extractor condenser that is located between the extractor and the vent condenser, which sole purpose is to reduce the vapor loading to the vent condenser; and

(ii) A once-through cold water condenser that is between the vent condenser and the mineral oil absorber, which sole purpose is to condense hexane vapors and reduce the vapor loading to the mineral oil absorber.

(f) The desolventizer-toaster (DT) part of the DTDC shall be properly installed and operated in order to effectively remove/reduce VOC emissions from the dryer-cooler (DC) part of the DTDC unit.

(g) The soybean oil solvent extraction facility operation and maintenance shall be conducted to provide constant performance consistent with conditions that exist during verification and monitoring.

(h) The owner/operator shall conduct routine inspections, maintenance, and monitoring of leak components in accordance with the LDAR program 8 to 15 days
before a scheduled shutdown of the plant. If leak is detected, corrective actions shall be taken to repair such components before operation is resumed.

(i) The owner/operator shall demonstrate compliance with the VOC-SLR limit set forth in paragraph (C)(1)(c) of this condition in accordance with 40 CFR Part 63, Subpart GGGG, with the following exceptions:
   (i) Provisions pertaining to HAP content shall not apply;
   (ii) Monitoring and recordkeeping of solvent losses at facility shall be conducted daily;
   (iii) Solvent losses and quantities of oilseed processed during startup, shutdown, and malfunction (SSM) periods shall not be excluded in determining solvent losses; and
   (iv) Records shall be kept in the form of the table identified in Attachment A of this permit that shows total crush, total solvent losses, solvent losses during malfunction periods, and SLR on monthly basis and on a twelve-month (12) rolling basis.¹

(j) The owner/operator shall demonstrate compliance with the VOC-SLR limit set forth in paragraph (C)(1)(c) of this condition according to the compliance requirements set forth in 40 CFR Part 63, Subpart GGGG §63.2850 for ‘Initial Startup Period’ for an existing source.
   (i) The owner/operator shall comply with the schedule for demonstrating compliance under an initial startup period.
   (ii) After a maximum of three (3) calendar months, the owner/operator shall meet all of the requirements for sources under normal operation.

(3) Reporting and Record Keeping Requirements.
   (a) The owner/operator shall keep records of hexane (extraction solvent) received and used (lost) to demonstrate compliance with paragraphs(C)(1)(c) and (C)(2)(a) of this condition.
   (b) The owner/operator shall maintain records of quantities of soybeans crushed to demonstrate compliance with paragraph(C)(2)(b) of this condition.
   (c) The owner/operator shall report the following information to the Department no later than thirty (30) days after the end of each calendar quarter:
      (i) The weighted average volume fraction (12-month rolling) of n-hexane in the extraction solvent; and
      (ii) All of the information recorded in the “Solvent Loss” table provided in Attachment A of this permit that shows total crush, total solvent losses, solvent losses during malfunction periods, and SLR on a monthly basis and on a twelve-month (12) rolling basis.¹
   (d) The owner/operator shall maintain records at the source sufficient to show compliance demonstration with all the requirements of this permit for a period of at least five (5) years.
   (e) The owner/operator shall comply with all the reporting and record keeping requirements set forth in 40 CFR Part 63, Subpart GGGG on solvent loss and quantity of oilseed processed.
   (f) The owner/operator shall maintain records of operation and maintenance to demonstrate ongoing compliance with the requirements set forth in paragraph (2)(c)(C)(2)(c) of this permit.

¹ The facility is not required to report on ‘Adjusted Solvent Losses (i.e. total solvent losses minus malfunction losses) any longer because the SLR limit established in this permit includes shutdown, startup, and malfunction (SSM) events.
(g) The owner/operator shall maintain records of inspections, monitoring, maintenance, and repairs to demonstrate ongoing compliance with \((2)(c)(2)(c)\) paragraphs (C)(1)(e) and (C)(2)(h) of this condition.

(i) Records shall include descriptions such as date and time of inspections, components inspected; components identified as leaking and basis (i.e., auditory, visual or olfactory), and actions taken.

(ii) Record if repairs cannot be performed at the time of inspection, and whether equipment must be out of service for repair(s).

(iii) If equipment must be out of service, identify date scheduled/expected to be out of service, repair date, description of action taken, if leaks was stopped or not, and any further actions taken to stop the leaks pending repair.

(h) The owner/operator shall maintain monitoring records to demonstrate ongoing compliance with \((2)(c)\) paragraph (C)(2)(d) of this condition.

(i) After permit issuance, the recordkeeping schedule for this source resumes on the startup date of the modified source.

(j) The source is subject to the all applicable recordkeeping requirements of 40 CFR Part 63, Subpart A §63.10.

(4) Requirements of the NESHAPs for Source Categories set forth in 40 CFR Part 63. The owner/operator is subject to all requirements and limitations established in 40 CFR Part 63, Subpart GGGG (Solvent Extraction for Vegetable Oil Production) and 40 CFR Part 63, Subpart A (General Provisions) that are applicable to the soybean oil extraction operations.

(5) Performance Testing and Notification Requirements.

(a) In the event the emission control system is offline at any time the soybean extraction facility is in operation, the Department shall be notified in writing within forty-eight (48) hours of the event in accordance with the requirements of Article 2, Section 35 of the LLCAPCPRS.

(b) The owner/operator shall submit all notifications requirement pursuant to 40 CFR Part 63, Subpart GGGG.

(c) The source is subject to the all applicable notification requirements of 40 CFR Part 63, Subpart A §63.9.
<table>
<thead>
<tr>
<th>Date</th>
<th>Total Crush (tons)</th>
<th>Total Solvent Loss (gallons)</th>
<th>Malfunction Period Solvent Loss (gallons)</th>
<th>Adjusted Solvent Loss (^a) (gallons)</th>
<th>SLR (^b) (gal/ton)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month-Year</td>
<td>Monthly</td>
<td>Monthly</td>
<td>Monthly</td>
<td>Monthly</td>
<td>12-Month Rolling</td>
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<tr>
<td>Month-Year</td>
<td>12-Month Rolling</td>
<td>12-Month Rolling</td>
<td>12-Month Rolling</td>
<td>12-Month Rolling</td>
<td>12-Month Rolling</td>
</tr>
<tr>
<td>Month-Year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^a\) Adjusted Solvent Loss is equal to Total Solvent Loss minus Malfunction Period Loss. This recordkeeping requirement no longer apply to the facility because SLR limit established in the permit includes SSM events.

\(^b\) Solvent Loss Ratio is equal to 12-month rolling Adjusted Solvent Loss divided by 12-Month Rolling Total Crush. Compliance determination for each plant is based on 12-Month Rolling SLR value compared to Final VOC SLR Limit.