



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-1402-01020/00001
Mod 0 Effective Date: 08/14/2009 Expiration Date: 02/06/2023
Mod 1 Effective Date: 12/29/2010 Expiration Date: 02/06/2023
Mod 2 Effective Date: 02/07/2013 Expiration Date: 02/06/2023

Permit Issued To: RIVERLAND AG CORP
1660 S HWY 100
STE 350
MINNEAPOLIS, MN 55416

Contact: TIM KOCH
RIVERLAND AG CORP
1660 S HWY 100 STE 350
MINNEAPOLIS, MN 55416
(952) 746-6804

Facility: BUFFALO LAKE PORT
120 CHILDS ST - GRAIN ELEVATORS
BUFFALO, NY 14203

Description:

Buffalo Lake Port is a grain storage facility with approximately 3.8 million bushels of storage capacity. The facility is comprised of several emission units including EU 1-RECV (truck and rail grain receiving stations), EU 2-RECV (barge/ship self-unloading station for grain), EU 3-SHIP (truck and rail grain shipping stations), EU 4-HAND (grain handling and headhouse operations), and EU 5-STOR (grain storage silo vent). Particulate emissions from all of the emission points are controlled by baghouses.

The facility is subject to the requirements of 40CFR60 Subpart DD, Standards of Performance for Grain Elevators, which specifies particulate and opacity limits for control equipment on all affected facilities at Buffalo Lake Port, including truck/railcar unloading stations, a barge/ship unloading station, truck/railcar loading stations and grain handling operations. Fugitive particulate emissions from the affected facilities are also regulated under 40CFR60 Subpart DD.

This modification included the following:

- Facility name changed from Riverland AG Corp to Buffalo Lake Port;
- Process throughput units changed from lbs/hr to bushels/hr for each process;
- Monitoring conditions updated for applicable requirements: 6NYCRR211.1, 6NYCRR211.2, 60CFR302(b)(1) and 60CFR302(b)(2);
- Monitoring conditions added for applicable requirements missing from permit: 40CFR60, Subpart A; 40CFR302(c)(1); 40CFR302(c)(2); 40CFR302(c)(3) and 40CFR304.



By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: LISA PORTER
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2915

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
 - Applications for permit renewals, modifications and transfers
 - Permit modifications, suspensions or revocations by the Department
 - Permit modifications, suspensions or revocations by the Department

Facility Level

- Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS



DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



Condition 2-1: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 2-1.1:

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 4: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

New York State Department of Environmental Conservation

Permit ID: 9-1402-01020/00001

Facility DEC ID: 9140201020



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: RIVERLAND AG CORP
1660 S HWY 100
STE 350
MINNEAPOLIS, MN 55416

Facility: BUFFALO LAKE PORT
120 CHILDS ST - GRAIN ELEVATORS
BUFFALO, NY 14203

Authorized Activity By Standard Industrial Classification Code:
4221 - FARM PRODUCT WAREHOUSING/STORE

Mod 0 Permit Effective Date: 08/14/2009

Permit Expiration Date: 02/06/2023

Mod 1 Permit Effective Date: 12/29/2010

Permit Expiration Date: 02/06/2023

Mod 2 Permit Effective Date: 02/07/2013

Permit Expiration Date: 02/06/2023



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

2-1 6 NYCRR 211.1: Air pollution prohibited

Emission Unit Level

EU=1--RECV

1 40CFR 60.300, NSPS Subpart DD: Applicability and designation of affected facility

2-2 40CFR 60.302(c)(1), NSPS Subpart DD: Compliance Demonstration

EU=1--RECV

3 40CFR 60.303, NSPS Subpart DD: Test methods and procedures

2-3 40CFR 60.302(b)(1), NSPS Subpart DD: Compliance Demonstration

2-4 40CFR 60.302(b)(2), NSPS Subpart DD: Compliance Demonstration

EU=1--RECV,EP=00001,Proc=001,ES=0001A

2-5 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A

2-6 40CFR 60.304, NSPS Subpart DD: Modifications

EU=2--RECV

4 40CFR 60.302(d), NSPS Subpart DD: Compliance Demonstration

EU=3--SHIP

2-7 40CFR 60.302(c)(3), NSPS Subpart DD: Compliance Demonstration

2-8 40CFR 60.302(c)(2), NSPS Subpart DD: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

6 ECL 19-0301: Contaminant List

7 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

8 6 NYCRR Subpart 201-5: Emission Unit Definition

2-9 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

10 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit

11 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6 NYCRR 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,



required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.



(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item F: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Required Emission Tests - 6 NYCRR 202-1.1



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item K: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item L: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: Federally Enforceable Requirements - 40 CFR 70.6 (b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 2-1: Air pollution prohibited



Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:6 NYCRR 211.1

Item 2-1.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**** Emission Unit Level ****

Condition 1: Applicability and designation of affected facility
Effective between the dates of 08/14/2009 and 02/06/2023

Applicable Federal Requirement:40CFR 60.300, NSPS Subpart DD

Item 1.1:

This Condition applies to:

Emission Unit: 1-RECV

Emission Unit: 2-RECV

Emission Unit: 3-SHIP

Emission Unit: 4-HAND

Emission Unit: 5-STOR

Item 1.1:

This Condition applies to Emission Unit: 1--RECV

Item 1.2.3:

(a) The provisions of this subpart apply to each affected facility at any grain terminal elevator, except as provided under Section 60.304(b). The affected facilities are each truck unloading station, barge and ship unloading station, barge and ship loading station, railcar loading station, railcar unloading station, grain dryer and all grain handling operations.

(b) Any facility under paragraph 9a) of this

New York State Department of Environmental Conservation

Permit ID: 9-1402-01020/00001

Facility DEC ID: 9140201020



section which commences construction, modification or reconstruction after August 3, 1978 is subject to the requirements of this part.

Condition 2-2: Compliance Demonstration
Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(c)(1), NSPS Subpart DD

Item 2-2.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: 1--RECV

Emission Unit: 3--SHIP

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 2-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any fugitive emission from the following:

Any individual truck unloading station, railcar unloading station, or railcar loading station, which exhibits greater than 5 percent opacity.

In addition, to verify compliance with this opacity limit, a facility representative must observe particulate emissions from the unloading or loading operations a minimum of one time per day during operation. The observations shall be documented in a permanently bound logbook, indicating date, time, weather condition, observation, i.e. were any particulate emissions observed, and observer's name. The remaining time, opacity shall be monitored via observation by either the operator or facilities representative. If at any time opacity is observed, corrective action shall be carried out immediately and recorded in the logbook. If the



corrective action required cannot be implemented quickly, immediate action shall be taken to minimize emissions until a permanent solution can be completed. At times when a problem occurs and the corrective action cannot be carried out immediately, the facility must contact the NYSDEC Regional office as soon as possible via telephone or e-mail and submit a written report describing the incident and the corrective action taken within 30 days of the violation. Records of opacity observations, corrective actions taken, and performance tests shall be kept on-site for five years and be available for NYSDEC review upon request.

Parameter Monitored: OPACITY
Upper Permit Limit: 5 percent
Reference Test Method: EPA method 9
Monitoring Frequency: PER SHIFT
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3: Test methods and procedures
Effective between the dates of 08/14/2009 and 02/06/2023

Applicable Federal Requirement:40CFR 60.303, NSPS Subpart DD

Item 3.1:
This Condition applies to:

- Emission Unit: 1-RECV Emission Point: 00001
- Emission Unit: 2-RECV Emission Point: 00002
- Emission Unit: 3-SHIP Emission Point: 00003
- Emission Unit: 4-HAND Emission Point: 00004
- Emission Unit: 5-STOR Emission Point: 00005

Item 3.1:
This Condition applies to Emission Unit: 1--RECV

Item 3.2.3:

(a) In conducting the performance tests required in Section 60.8, the owner or operator shall use as reference methods in Appendix A of this part or other methods and procedures as specified in this section, except as provided in Section 60.8(b). Acceptable alternative methods and procedures are given in paragraph



(c) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in Section 60.302 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration and the volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 1.70 dscm (60 dscf). The probe and filter holder shall be operated without heaters; and

(2) Method 2 shall be used to determine the ventilation volumetric flow rate; and

(3) Method 9 and the procedures in Section 60.11 shall be used to determine opacity.

(c) The owner or operator may use Method 5 for Method 17 as alternative reference method for the procedures specified in this section.

Condition 2-3: Compliance Demonstration
Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(b)(1), NSPS Subpart DD

Item 2-3.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: 1--RECV	Emission Point: 00001
Emission Unit: 2--RECV	Emission Point: 00002
Emission Unit: 3--SHIP	Emission Point: 00003
Emission Unit: 4--HAND	Emission Point: 00004
Emission Unit: 5--STOR	Emission Point: 00005

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 2-3.2:

Compliance Demonstration shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 9-1402-01020/00001

Facility DEC ID: 9140201020



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility except a grain dryer any process emission which contains particulate matter in excess of 0.023 g/dscm (ca. 0.01 gr/dscf).

To ensure compliance with this limit, the facility shall follow manufacturers recommended preventative maintenance protocol and inspection procedures.

Upper Permit Limit: 0.01 grains per dscf

Reference Test Method: EPA method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-4: Compliance Demonstration

Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(b)(2), NSPS Subpart DD

Item 2-4.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1--RECV

Emission Unit: 2--RECV

Emission Unit: 3--SHIP

Emission Unit: 4--HAND

Emission Unit: 5--STOR

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner



or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility, except a grain dryer, any process emission which exhibits greater than 0 percent opacity.

To verify compliance with this opacity limit, a facility representative must observe particulate emissions from the unloading operations a minimum of one time per day for each grain delivery. The observations shall be documented in a permanently bound logbook, indicating date, time, weather condition, observation, i.e. were any particulate emissions observed, and observer's name. The remaining time, opacity shall be monitored via observation by either the operator or facilities representative. If at any time opacity is observed, corrective action shall be carried out immediately and recorded in the logbook. If the corrective action required cannot be implemented quickly, immediate action shall be taken to minimize emissions until a permanent solution can be completed. Future grain deliveries shall not be accepted until the opacity problem has been resolved.

At times when a problem occurs and the corrective action cannot be carried out immediately, the facility must contact the NYSDEC Regional office as soon as possible via telephone or e-mail and submit a written report describing the incident and the corrective action taken within 30 days of the violation. Records of opacity observations, corrective actions taken, and performance tests shall be kept on-site for five years and be available for NYSDEC review upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 0 percent

Reference Test Method: EPA method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-5: Applicability of General Provisions of 40 CFR 60 Subpart A Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 2-5.1:

This Condition applies to:

Emission Unit: 1-RECV
Process: 001

Emission Point: 00001
Emission Source: 0001A



(a) The factor 6.5 shall be used in place of "annual asset guidelines repair allowance percentage", to determine whether a capital expenditure as defined by Section 60.2 has been made to an existing facility.

(b) the following physical changes or changes in the method of operation shall not by themselves be considered a modification of any existing facility:

(1) The addition of gravity loadout spouts to existing grain storage or grain transfer bins; or

(2) The installation of automatic grain weighing scales; or

(3) Replacement of motor and drive units driving existing grain handling equipment; or

(4) the installation of permanent storage capacity with no increase in hourly grain handling capacity.

Condition 4: Compliance Demonstration
Effective between the dates of 08/14/2009 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(d), NSPS Subpart DD

Item 4.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2--RECV

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The owner or operator of any barge or ship unloading station shall operate as follows:

(1) The unloading leg shall be enclosed from the top (including the receiving hopper) to the center line of the bottom pulley and ventilation to a control device shall be maintained on both sides of the leg and the grain receiving hopper.

New York State Department of Environmental Conservation

Permit ID: 9-1402-01020/00001

Facility DEC ID: 9140201020



(2) The total rate of air ventilated shall be at least 32.1 actual cubic meters per cubic meter of grain handling capacity (ca. 40 ft³ /bu).

The total enclosure and air ventilation rate of the unloading leg must be maintained at all times that the unloading process is in operation to ensure compliance with the 0.01 gr/dscf particulate limit and the 0% opacity limit specified under 40 cfr 60.302(b).

Parameter Monitored: TOTAL RATE OF AIR VENTILATED

Lower Permit Limit: 32.1 actual cubic meters per cubic meter of grain handling capacity

Reference Test Method: EPA method 2

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-7: Compliance Demonstration
Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(c)(3), NSPS Subpart DD

Item 2-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3--SHIP

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any fugitive emission from:

Any individual truck loading station, which exhibits greater than 10 percent opacity.

To verify compliance with this opacity limit, a facility representative must observe particulate emissions from the



truck loading operations a minimum of one time per day during operation. The observations shall be documented in a permanently bound logbook, indicating date, time, weather condition, observation, i.e. were any particulate emissions observed, and observer's name. The remaining time, opacity shall be monitored via observation by either the operator or facilities representative. If at any time opacity is observed, corrective action shall be carried out immediately and recorded in the logbook. If the corrective action required cannot be implemented quickly, immediate action shall be taken to minimize emissions until a permanent solution can be completed.

At times when a problem occurs and the corrective action cannot be carried out immediately, the facility must contact the NYSDEC Regional office as soon as possible via telephone or e-mail and submit a written report describing the incident and the corrective action taken within 30 days of the violation. Records of opacity observations, corrective actions taken, and performance tests shall be kept on-site for five years and be available for NYSDEC review upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-8: Compliance Demonstration
Effective between the dates of 02/07/2013 and 02/06/2023

Applicable Federal Requirement:40CFR 60.302(c)(2), NSPS Subpart DD

Item 2-8.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: 4--HAND

Emission Unit: 5--STOR

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 2-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL



DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any fugitive emission from any grain handling operation which exhibits greater than 0 percent opacity.

To verify compliance with this opacity limit, a facility representative must observe particulate emissions from the grain handling operation a minimum of one time per day. The observations shall be documented in a permanently bound logbook, indicating date, time, weather condition, observation, i.e. were any particulate emissions observed, and observer's name. The remaining time, opacity shall be monitored via observation by either the operator or facilities representative. If at any time opacity is observed, corrective action shall be carried out immediately and recorded in the logbook. If the corrective action required cannot be implemented quickly, immediate action shall be taken to minimize emissions until a permanent solution can be completed.

At times when a problem occurs and the corrective action cannot be carried out immediately, the facility must contact the NYSDEC Regional office as soon as possible via telephone or e-mail and submit a written report describing the incident and the corrective action taken within 30 days of the violation. Records of opacity observations, corrective actions taken, and performance tests shall be kept on-site for five years and be available for NYSDEC review upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 0 percent

Reference Test Method: EPA method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 6: Contaminant List

Effective between the dates of 08/14/2009 and 02/06/2023

Applicable State Requirement:ECL 19-0301

Item 6.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 7: Unavoidable noncompliance and violations

Effective between the dates of 08/14/2009 and 02/06/2023

Applicable State Requirement:6 NYCRR 201-1.4

Item 7.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports



described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 8: Emission Unit Definition
Effective between the dates of 08/14/2009 and 02/06/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 8.1(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1--RECV

Emission Unit Description:

Grain receiving at the facility consists of receiving grain via rail, truck and ship. This emission unit contains grain receiving via rail and truck.

Building(s): 1

Item 8.2(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 2--RECV

Emission Unit Description:

This emission unit contains grain delivery via ship unloading station.

Building(s): 1

Item 8.3(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 3--SHIP

Emission Unit Description:

This emission unit contains grain shipment via truck and railcar.

Building(s): 1

Item 8.4(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 4--HAND



Emission Unit Description:

This emission unit contains grain handling and headhouse operations.

Building(s): 1

Item 8.5(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 5--STOR

Emission Unit Description:

This emission unit contains the storage bin vent for grain storage.

Building(s): 1

Condition 2-9: Visible Emissions Limited
Effective between the dates of 02/07/2013 and 02/06/2023

Applicable State Requirement:6 NYCRR 211.2

Item 2-9.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

****** Emission Unit Level ******

Condition 10: Emission Point Definition By Emission Unit
Effective between the dates of 08/14/2009 and 02/06/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 10.1(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1--RECV

Emission Point: 00001

Height (ft.): 132	Length (in.): 22	Width (in.): 33
NYTMN (km.): 4752.8	NYTME (km.): 184.5	Building: 1

Item 10.2(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 2--RECV

Emission Point: 00002

Height (ft.): 132	Length (in.): 22	Width (in.): 33
NYTMN (km.): 4752.8	NYTME (km.): 184.5	Building: 1



Item 10.3(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 3--SHIP

Emission Point: 00003

Height (ft.): 26

Diameter (in.): 36

NYTMN (km.): 4752.8

NYTME (km.): 184.5

Building: 1

Item 10.4(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 4--HAND

Emission Point: 00004

Height (ft.): 140

Diameter (in.): 36

NYTMN (km.): 4752.8

NYTME (km.): 184.5

Building: 1

Item 10.5(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 5--STOR

Emission Point: 00005

Height (ft.): 26

Diameter (in.): 36

NYTMN (km.): 4752.8

NYTME (km.): 184.5

Building: 1

Condition 11: Process Definition By Emission Unit

Effective between the dates of 08/14/2009 and 02/06/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 11.1(From Mod 2):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1--RECV

Process: 001

Source Classification Code: 3-02-005-01

Process Description:

The facility receives grain via truck and railcar unloading stations. The grain is dumped into a hopper pit and conveyed to storage silo. Throughput = 8000 bushels per hour.

Emission Source/Control: 00001 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0001A - Process

Item 11.2(From Mod 2):

This permit authorizes the following regulated processes for the cited Emission Unit:



Emission Unit: 2--RECV
Process: 002 Source Classification Code: 3-02-005-01
Process Description:
The facility receives grain via ship unloading station.
Throughput = 12,000 bushels per hour.

Emission Source/Control: 00002 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0002A - Process

Item 11.3(From Mod 2):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 3--SHIP
Process: 003 Source Classification Code: 3-02-005-01
Process Description:
The facility sells and ships grain via truck and rail.
Grain is transferred from storage into trucks and railcar
at loading stations. Throughput = 37,000 bushels per
hour.

Emission Source/Control: 00003 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0003A - Process

Item 11.4(From Mod 2):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 4--HAND
Process: 004 Source Classification Code: 3-02-005-01
Process Description:
This process consists of grain handling operations and
headhouse. Throughput = 50,000 bushels per hour.

Emission Source/Control: 00004 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0004A - Process

Item 11.5(From Mod 2):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 5--STOR
Process: 005 Source Classification Code: 3-02-005-01
Process Description:
This process consists of storage bin vent for grain
storage. Throughput = 50,000 bushels per hour.

Emission Source/Control: 00005 - Control
Control Type: FABRIC FILTER



Emission Source/Control: 0005A - Process

