

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

HIGHLAND BAKING COMPANY)
)
 Petitioner,)
 v.)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY)
)
 Respondent.)

PCB # 10-32
(Permit Appeal - Air)

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NOV 10 2009
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

To:
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave.
P.O. 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Pollution Control Board the following documents:

PETITION FOR REVIEW OF CONSTRUCTION PERMIT CONDITIONS FOR
HIGHLAND BAKING COMPANY,
APPEARANCE OF JOSEPH R. PODLEWSKI JR., and
APPEARANCE OF HEIDI E. HANSON,
a copy of which is hereby served upon you.

Respectfully submitted,



Heidi E. Hanson

Dated: November 5, 2009

Joseph R. Podlewski Jr.
Heidi E. Hanson
Podlewski & Hanson P.C.
4721 Franklin Ave, Suite 1500
Western Springs, IL 60558-1720
(708) 784-0624

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(Permit Appeal - Air) Pollution Control Board

APPEARANCE OF JOSEPH R. PODLEWSKI

NOW COMES Joseph R. Podlewski Jr., of the law firm of PODLEWSKI &
HANSON P.C. and hereby enters his appearance on behalf of Petitioner.

Respectfully submitted,

HIGHLAND BAKING COMPANY


By its attorney,
Joseph R. Podlewski

Dated: November 5, 2009

Joseph R. Podlewski, Jr.
Heidi E. Hanson
Podlewski & Hanson P.C.
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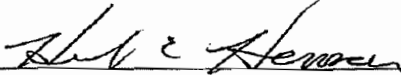
APPEARANCE OF HEIDI E. HANSON

NOW COMES Heidi E. Hanson, of the law firm of PODLEWSKI & HANSON

P.C. and hereby enters her appearance on behalf of Petitioner.

Respectfully submitted,

HIGHLAND BAKING COMPANY


By its attorney,
Heidi E. Hanson

Dated: November 5, 2009

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**PETITION FOR REVIEW OF CONSTRUCTION PERMIT CONDITIONS FOR
HIGHLAND BAKING COMPANY**

NOW COMES the Petitioner, Highland Baking Company, by and through its attorneys, Podlewski & Hanson P.C., and pursuant to Section 40 of the Illinois Environmental Protection Act (415 ILCS 5/40) and 35 Ill Adm. Code 105 Subpart C, petitions the Illinois Pollution Control Board for review of the October 2, 2009 Illinois Environmental Protection Agency construction permit #09050073 issued to Highland Baking Company, and further petitions for a stay of certain conditions of that permit. In support thereof Petitioner states as follows:

Background

1. Highland Baking Company (HBC) is located in Northbrook, Illinois and emits Volatile Organic Material (VOM), primarily ethanol, through the action of yeast on dough in its baking process. It has a federally enforceable state operating permit application pending and it is currently operating pursuant to two construction permits in addition to the permit that is the subject of this appeal.

2. HBC applied to the Illinois Environmental Protection Agency (Agency) on May 26, 2009 for a permit to add one deck oven, one rack oven and one tunnel oven to its existing baking operation. When all ovens are constructed HBC will have eighteen rack ovens, four deck ovens and four tunnel ovens. On September 2, 2009 it sent the Agency an application for a permit to add one catalytic oxidizer to control both its new tunnel oven and its three existing tunnel ovens. The two applications were combined, and the subject of this appeal, a single construction permit (#09050073), was issued which allowed the construction of the rack oven, deck oven, tunnel oven and catalytic oxidizer.

3. The permit was dated October 2, 2009 and was received by Highland Baking Company on October 5, 2009.

Grounds for Appeal

Oxidizer Temperature - Special Condition 7(c)

4. The permit states that no less than 1,400^o F must be maintained in the catalytic oxidizer, in the absence of a test demonstrating compliance. Catalytic oxidizers operate at approximately 600^o F. Therefore the catalytic oxidizer permit limit is incorrect, not necessary to maintain compliance with, and not justified by, the Illinois Environmental Protection Act (Act) and Pollution Control Board Regulations (Regulations). The temperature limit should not have been higher than 600^o F.

New Deck and Rack Oven Emission Limits - Special Condition 8(a)

5. Special Condition 8(a) provides that the deck oven is limited to 0.09 tons per month (tpm) and 0.89 tons per year (tpy) of VOM. It also provides that the rack oven is limited to 0.18 tpm and 1.78 tpy of VOM. Although HBC's application did not propose to control emissions from the deck and rack ovens, the permit limits appear to be based on the assumption that the emissions from those ovens will be controlled. This is incorrect, not necessary to maintain compliance with, and not justified by, the Act and Regulations. In addition the limits appear to be based on emission factors which have been superseded, instead of the corrected factors of 5.85 pounds of VOM per ton of baked buns and rolls and 4.66 pound of VOM per ton of baked loaves. The limits should be recalculated using uncontrolled emission amounts and the revised emission factors.

Tunnel Oven Emissions Limits - Special Condition 8(a)

6. The new tunnel oven emission limits are also based on the superseded emission factors. The limits are incorrect and are not necessary to maintain compliance with, and not justified by, the Act and Regulations. The new tunnel oven emissions limits should be recalculated based on the revised factors. HBC intends that all four tunnel ovens will be controlled to at least at 90% on a routine basis. This should accomplish significant overcontrol of HBC's baking emissions. However, because it will be necessary to replace catalytic elements and service the catalytic oxidizer, the permit's hourly limits should be deleted and monthly limits should be changed to allow the flexibility to operate uncontrolled for some period, so long as the annual limits are not violated. The tunnel limits as drafted are unduly burdensome and are not necessary to maintain compliance with, and not justified by, the Act and Regulations.

Hourly Limits and Recordkeeping - Special Conditions 8(a), 8(b) and 16(a)(ix)

7. Special Condition 8(a) imposes hourly emission limits on the new deck oven, rack oven and tunnel oven. These limits are not necessary in that there is no

applicable pound per hour regulatory limit and it would result in unnecessarily burdensome recordkeeping.

8. Special Conditions 8(b), page 4, and 16(a)(ix), page 10, impose hourly limits for each of 5 different criteria on the deck, rack and tunnel ovens. There are no hourly limitations on baking for the existing ovens or on natural gas emissions for existing combustion sources. Therefore it would be necessary for HBC to maintain separate records for the new pieces of equipment. The hourly limitations are unduly burdensome. They are not necessary to maintain compliance with, and not justified by, the Act and Regulations. All hourly limitations should be deleted. Natural gas emissions should be limited and reported on a source-wide basis.

Separate Limits and Recordkeeping for the New Ovens

9. The use of specific emission limits in Special Condition 8(a) and the requirement of Special Condition 16(a)(ix) that the monthly and aggregate annual VOM emission from the deck, rack and tunnel ovens be reported would make it necessary for HBC to keep records of the production and emissions from these ovens separately from those of their existing ovens. Because emissions from the new rack and deck ovens are small and will not be controlled there is no justification for requiring Highland Baking Company to record the production and emissions of the new rack and deck ovens separately from the emissions of the existing rack and deck ovens. In addition, because the three existing tunnel ovens are also connected to the catalytic oxidizer, there is no rationale for limiting or reporting emissions from the new tunnel oven separately, except for example, when they operate in an uncontrolled mode for maintenance purposes. There is no benefit to be gained from isolating the newly permitted sources. Separate emission limits and recordkeeping is not necessary to maintain compliance with, and is not justified by, the Act and Regulations. Emissions from the newly permitted sources should be added to the total allowable for the facility instead of being separately limited and recorded.

Recordkeeping – Special Condition 16(a)

10. Special Conditions 16(a)(ii) through 16(a)(iii), page 10, require that Highland keep records of pastry production. Highland Baking does not produce pastries. It produces only loaves, buns, and rolls; so this condition is unnecessary.

11. Special Conditions 16(a)(ii) through 16(a)(iv), page 10, require recordkeeping in terms of batches. Highland Baking Company records its production in terms of weight and types of dough. (At present it only uses two emission factors, 5.85 pounds per ton of VOM emissions from bun, roll, and French roll production and 4.66 pound per ton emitted from loaf production.) It is not necessary to record the numbers of batches in order to determine emissions and comply with applicable requirements.

Request for Partial Stay of the Permit

12. Petitioner asks that the Board stay the effectiveness of permit special conditions, 7(c), 8(a), 8(b) and 16(a)(ii) through 16(a)(vii) inclusive and 16(a)(ix), all in the particulars described above, or confirm the effectiveness of the automatic stay. Each of the objected-to conditions, or parts of conditions, impose requirements not found in previous permits and are not supported by the Act or the Regulations. Such stay is necessary in order to avert irreparable harm to Petitioner. Such stay will not harm the public or the environment.

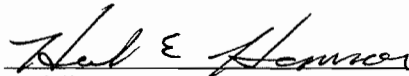
13. Petitioner reserves the right to review the permit record and verify that all materials sent to the IEPA and which should appear in the record do in fact appear in the record, including but not limited to file comments, notes of meetings and telephone conversations.

14. For the above referenced reasons, the contested permit conditions are not necessary to accomplish the purposes of the Act or Regulations, are arbitrary, capricious, and unnecessary, are beyond the Agency's authority, and/or render certain permit sections ambiguous or internally inconsistent.

WHEREFORE, Petitioner requests that the Board remand this permit to the IEPA and order that it make the changes described above.

Respectfully submitted.

Dated: November 5, 2009


Heidi E. Hanson,
PODLEWSKI & HANSON P.C.
on behalf of Highland Baking Company.

Joseph R. Podlewski
Heidi E. Hanson
Podlewski & Hanson P. C.
4721 Franklin Ave, Suite 1500
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2009

File copy



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506 - (217) 782-2113

DOUGLAS P. SCOTT, DIRECTOR

217/782-2113

CONSTRUCTION PERMIT

PERMITTEE

Highland Baking Company
Attn: Jim Rosen
2301 Shermer Road
Northbrook, Illinois 60062

Application No.: 09050073
Applicant's Designation:
Subject: Bread & Roll Bakery
Date Issued: October 2, 2009
Location: 2301 Shermer Road, Northbrook, Cook County, 60062

I.D. No.: 031207AED
Date Received: May 26, 2009

This permit is hereby granted to the above-designated Permittee to CONSTRUCT emission unit(s) and/or air pollution control equipment consisting of:

- Two (2) Natural Gas-Fired Baking Ovens (one Deck Oven (0.475 mmBtu/hour) and one Rack Oven (0.375 mmBtu/hour))
- One (1) 3.0 mmBtu/hour Natural Gas-Fired Tunnel Oven (Tunnel Oven 4) controlled by Catalytic Oxidizer
- One (1) Catalytic Oxidizer to control three (3) existing Natural Gas Tunnel Ovens (Tunnel Ovens 1, 2, and 3) and new Tunnel Oven 4

pursuant to the above-referenced application. This permit is subject to standard conditions attached hereto and the following special condition(s):

- 1a. This permit is issued based on the construction of the Bread & Roll Bakery not constituting a new major source or major modification pursuant to Title I of the Clean Air Act, specifically the Illinois EPA rules for Major Stationary Sources Construction and Modification, 35 Ill. Adm. Code Part 203. The source has requested that the Illinois EPA establish emission limitations and other appropriate terms and conditions in this permit that limit the volatile organic material (VOM) emissions from the above-listed equipment below the levels that would trigger the applicability of these rules.
- b. Operation of the equipment listed above is allowed under this permit until final action is taken on the Federally Enforceable State Operating Permit (FESOP) application for this source.
- c. The operation of Tunnel Oven 4 under this construction permit shall not begin until construction of any air pollution control equipment is complete and reasonable measures short of actual operation have been taken to verify proper operation.
- 3a. Pursuant to 35 Ill. Adm. Code 212.123(a), no person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to 35 Ill. Adm. Code 212.122.

- b. Pursuant to 35 Ill. Adm. Code 212.123(b), the emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 305 meter (1000 foot) radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.
- c. Pursuant to 35 Ill. Adm. Code 212.321(a), no person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in 35 Ill. Adm. Code 212.321(c).
- 4. Pursuant to 35 Ill. Adm. Code 214.301, no person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission source to excess 2000 ppm.
- 5a. Pursuant to 35 Ill. Adm. Code 218.301, no person shall cause or allow the discharge of more than 3.6 kg/hour (8 lbs/hour) of organic material into the atmosphere from any emission unit, except as provided in 35 Ill. Adm. Code 218.302, 218.303, 218.304 and the following exception: If no odor nuisance exists the limitation of 35 Ill. Adm. Code 218 Subpart G shall apply only to photochemically reactive material.
- b. Pursuant to 35 Ill. Adm. Code 218.302(a), emissions of organic material in excess of those permitted by 35 Ill. Adm. Code 218.301 are allowable if such emissions are controlled by flame, thermal or catalytic incineration so as either to reduce such emissions to 10 ppm equivalent methane (molecular weight 16) or less, or to convert 85 percent of the hydrocarbons to carbon dioxide and water.
- 6. Pursuant to 35 Ill. Adm. Code 218.980(f), the control requirements in 35 Ill. Adm. Code 218 Subpart TT shall not apply to bakeries.
- 7a. In the event that the operation of this source results in an odor nuisance, the Permittee shall take appropriate and necessary actions to minimize odors, including but not limited to, changes in raw material or installation of controls, in order to eliminate the odor nuisance.
- b. The Permittee shall, in accordance with the manufacturer(s) and/or vendor(s) recommendations, perform periodic maintenance on the catalytic oxidizer such that the catalytic oxidizer is kept in proper working condition and not cause a violation of the Illinois Environmental Protection Act or regulations promulgated therein.

- c. The catalytic oxidizer's combustion chamber shall be preheated to at least the manufacturer's recommended temperature but no less than the temperature at which compliance was demonstrated in the most recent compliance test, or 1400°F in the absence of a compliance test. This temperature shall be maintained during operation.
- d. The baking ovens (Deck Oven, Rack Oven, and Tunnel Oven 4) shall only be operated with natural gas as the fuel. The use of any other fuel in the baking ovens requires that the Permittee first obtain a construction permit from the Illinois EPA and then perform stack testing to verify compliance with all applicable requirements.
- 8a. Emissions and operation of the Deck Oven, Rack Oven, and Tunnel Oven 4 shall not exceed the following limits

<u>Emission Unit</u>	<u>(Lbs/Hour)</u>	<u>VOM Emissions (Tons/Month)</u>	<u>(Tons/Year)</u>
Deck Oven	0.21	0.09	0.89
Rack Oven	0.41	0.18	1.78
Tunnel Oven 4	0.63	0.28	<u>2.75</u>
		Total:	5.42

These limits are based on the maximum production rates, 8,760 hours/year of operation, 90% overall control efficiency for the catalytic oxidizer on Tunnel Oven 4, and maximum actual VOM emissions calculated from the following equation:

$$E = \sum (P_i \times EF_i) / 2,000$$

Where:

- E - VOM emissions (tons);
- P_i - Product i production rate (tons); and
- EF_i - Product i Emission Factor (lbs/ton).

Where:

Emissions Factor EF_i shall be calculated using the formula given by AP-42, Fifth Edition, Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources (Section 9.9.6, Supplement C, February 1997):

$$EF = 0.95Y_1 + 0.19t_1 - 0.51Y_2 - 0.86t_2 + 1.90,$$

Where:

EF = Emission Factor (pounds of VOM emissions per ton of baked product);

Y_1 = Initial baker's percent of yeast (yeast percentage with a reference to flour in the dough);

t_1 = Total fermentation time (hours);

Y_2 = Second baker's percent of yeast (if applicable); and

t_2 = Fermentation Time for Second Yeast Percentage (if applicable).

b. Emissions and operation from combustion of natural gas in the Deck Oven, Rack Oven, and Tunnel Oven 4 shall not exceed the following limits:

- i. Deck Oven Firing Rate: 0.475 mmBtu/hour;
- ii. Rack Oven Firing Rate: 0.375 mmBtu/hour;
- iii. Tunnel Oven 4 Firing Rate: 3.0 mmBtu/hour;
- iv. Catalytic Oxidizer Firing Rate: 1.0 mmBtu/hour;
- v. Emissions from the combustion of natural gas:

<u>Pollutant</u>	<u>Emission Factor</u>		<u>Emissions</u>	
	<u>(Lb/mmascf)</u>	<u>(Lb/Hr)</u>	<u>(Ton/Mo)</u>	<u>(Ton/Yr)</u>
Carbon Monoxide (CO)	84	0.41	0.18	1.78
Nitrogen Oxide (NO _x)	100	0.49	0.21	2.12
Particulate Matter (PM)	7.6	0.04	0.02	0.16
Sulfur Dioxide (SO ₂)	0.6	0.01	0.01	0.01
Volatile Organic Material (VOM)	5.5	0.03	0.01	0.12

These limits are based on the maximum firing rate, 8,760 hours/year of operation and standard emission factors (Tables 1.4-1, 1.4-2, AP-42, Fifth Edition, Volume I, Supplement D, July 1998).

- c. Compliance with the annual limits of this permit shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total).
- d. The above limitations are being established in this permit pursuant to Title I of the Clean Air Act, specifically 35 Ill. Adm. Code Part 203, Major Stationary Sources Construction and Modification. The source has requested that the Illinois EPA establish emission limitations and other appropriate terms and conditions in this permit that limit the VOM emissions from the Bread and Roll Bakery below the levels that would trigger the applicability of these rules, consistent with the information provided in the above-referenced construction permit application.

- 9a. Pursuant to 35 Ill. Adm. Code 201.282, every emission source or air pollution control equipment shall be subject to the following testing requirements for the purpose of determining the nature and quantities of specified air contaminant emissions and for the purpose of determining ground level and ambient air concentrations of such air contaminants:
- i. Testing by Owner or Operator. The Illinois EPA may require the owner or operator of the emission source or air pollution control equipment to conduct such tests in accordance with procedures adopted by the Illinois EPA, at such reasonable times as may be specified by the Illinois EPA and at the expense of the owner or operator of the emission source or air pollution control equipment. The Illinois EPA may adopt procedures detailing methods of testing and formats for reporting results of testing. Such procedures and revisions thereto, shall not become effective until filed with the Secretary of State, as required by the APA Act. All such tests shall be made by or under the direction of a person qualified by training and/or experience in the field of air pollution testing. The Illinois EPA shall have the right to observe all aspects of such tests.
 - ii. Testing by the Illinois EPA. The Illinois EPA shall have the right to conduct such tests at any time at its own expense. Upon request of the Illinois EPA, the owner or operator of the emission source or air pollution control equipment shall provide, without charge to the Illinois EPA, necessary holes in stacks or ducts and other safe and proper testing facilities, including scaffolding, but excluding instruments and sensing devices, as may be necessary.
- b. Testing required by Conditions 10, 11, and 12 shall be performed upon a written request from the Illinois EPA by a qualified independent testing service.
10. Pursuant to 35 Ill. Adm. Code 212.110(c), upon a written notification by the Illinois EPA, the owner or operator of a particulate matter emission unit subject to 35 Ill. Adm. Code Part 212 shall conduct the applicable testing for particulate matter emissions, opacity, or visible emissions at such person's own expense, to demonstrate compliance. Such test results shall be submitted to the Illinois EPA within thirty (30) days after conducting the test unless an alternative time for submittal is agreed to by the Illinois EPA.
- 11a. Pursuant to 35 Ill. Adm. Code 218.105(d)(1), the control device efficiency shall be determined by simultaneously measuring the inlet and outlet gas phase VOM concentrations and gas volumetric flow rates in accordance with the gas phase test methods specified in 35 Ill. Adm. Code 218.105(f).

- b. Pursuant to 35 Ill. Adm. Code 218.105(e)(1), the overall efficiency of the emission control system shall be determined as the product of the capture system efficiency and the control device efficiency or by the liquid/liquid test protocol as specified in 40 CFR 60.433, for each solvent recovery system. In those cases in which the overall efficiency is being determined for an entire line, the capture efficiency used to calculate the product of the capture and control efficiency is the total capture efficiency over the entire line.
- c. Pursuant to 35 Ill. Adm. Code 218.105(f), the methods in 40 CFR Part 60, Appendix A, delineated below shall be used to determine control device efficiencies.
 - i. 40 CFR Part 60, Appendix A, Method 1 or 1A, shall be used for sample and velocity traverses.
 - ii. 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D, shall be used for velocity and volumetric flow rates.
 - iii. 40 CFR Part 60, Appendix A, Method 3, shall be used for gas analysis.
 - iv. 40 CFR Part 60, Appendix A, Method 4, shall be used for stack gas moisture.
 - v. 40 CFR Part 60, Appendix A, Methods 2, 2A, 2C, 2D, 3 and 4, shall be performed, as applicable, at least twice during each test run.
 - vi. Use of an adaptation to any of the test methods specified in 35 Ill. Adm. Code 218.105(f)(1), (2), (3), (4), (5) and (6) may not be used unless approved by the Illinois EPA and the USEPA on a case by case basis. An owner or operator must submit sufficient documentation for the Illinois EPA and the USEPA to find that the test methods specified in 35 Ill. Adm. Code 218.105(f)(1), (2), (3), (4), (5) and (6) will yield inaccurate results and that the proposed adaptation is appropriate.
- 12a. Within 90 days of startup of the catalytic oxidizer associated with the Tunnel Ovens, the VOM emissions from the tunnel ovens shall be measured by an approved testing service during conditions which are representative of maximum emissions. These tests shall determine the VOM emissions destruction, capture and overall control efficiency to demonstrate compliance with Condition 8(a) of this permit.
- b. The following methods and procedures shall be used for testing of emissions, unless another method is approved by the Illinois EPA: Refer to 40 CFR Part 60, Appendix A and 40 CFR Part 61, Appendix B for USEPA test methods.

Location of Sample Points	USEPA Method 1
Gas Flow and Velocity	USEPA Method 2
Flue Gas Weight	USEPA Method 3

Moisture	USEPA Method 4
Volatile Organic Material	USEPA Method 25, 25A if outlet VOM cont. <50 ppmv as C Non CH ₄

- c. At least 30 days prior to the actual date of testing, the Permittee shall submit a written test plan to the Illinois EPA, Compliance Section. This plan shall include as a minimum:
- i. The name (or other identification) of the emission unit(s) to be tested and the name and address of the facility at which they are located;
 - ii. The name and address of the independent testing service(s) performing the tests, with the names of the individuals who may be performing sampling and analysis and their experience with similar tests;
 - iii. The specific determinations of emissions and/or performance which are intended to be made, including the site(s) in the ductwork or stack at which sampling will occur;
 - iv. The specific conditions under which testing will be performed, including a discussion of why these conditions will be representative of the maximum emissions, minimum control performance, the levels of operating parameters for the emission unit, including associated control equipment, at or within which compliance is intended to be shown, and the means by which the operating parameters will be determined;
 - v. The test method(s) which will be used, with the specific analysis method, if the method can be used with different analysis methods. The specific sampling, analytical and quality control procedures which will be used with an identification of the standard methods upon which they are based;
 - vi. Any minor changes in standard methodology proposed to accommodate the specific circumstances of testing, with justification;
 - vii. Any proposed use of an alternative test method, with detailed justification; and
 - viii. The format and content of the Source Test Report.
- d. The Permittee shall provide the Illinois EPA with written notification of testing at least thirty (30) days prior to testing to enable the Illinois EPA to have an observer present. This notification shall include the name of emission unit(s) to be tested, scheduled date and time, and contact person with telephone number.
- e. If testing is delayed, the Permittee shall promptly notify the Illinois EPA by facsimile, at least 5 days prior to the scheduled date of testing or immediately, if the delay occurs in the 5 days prior to the

scheduled date. This notification shall also include the new date and time for testing, if set, or a separate notification shall be sent with this information when it is set.

- f. The Permittee shall submit the Final Test Report(s) for these tests accompanied by a cover letter stating whether or not compliance was shown, to the Illinois EPA without delay, within 30 days after the test results are compiled, but no later than 60 days after the date of testing or sampling. The Final Test Report shall include as a minimum:
- i. General information describing the test, including the name and identification of the emission source which was tested, date of testing, names of personnel performing the tests, and Illinois EPA observers, if any;
 - ii. A summary of results;
 - iii. Description of test procedures and method(s), including description and map of emission units and sampling points, sampling train, testing and analysis equipment, and test schedule;
 - iv. Detailed description of test conditions, including:
 - A. List and description of the equipment (including serial numbers or other equipment specific identifiers) tested and process information (i.e., mode(s) of operation, process rate/throughput, fuel or raw material consumption rate, and heat content of the fuels);
 - B. Control equipment information (i.e., equipment condition and operating parameters) during testing; and
 - C. A discussion of any preparatory actions taken (i.e., inspections, maintenance and repair).
 - v. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration. Identification of the applicable regulatory standards that the testing was performed to demonstrate compliance with, a comparison of the test results to the applicable regulatory standards, and a statement whether the test(s) demonstrated compliance with the applicable standards;
 - vi. An explanation of any discrepancies among individual tests, failed tests or anomalous data;
 - vii. The results and discussion of all quality control evaluation data, including a copy of all quality control data; and

- viii. The applicable operating parameters of the pollution control device(s) during testing (temperature, pressure drop, scrubbant flow rate, etc.), if any.
- g. Satisfactory completion of this test so as to demonstrate compliance with applicable emission standards is a prerequisite to issuance of an operating permit, pursuant to 35 Ill. Adm. Code 201.160(a), (b) and (c).
- 13a. Pursuant to 35 Ill. Adm. Code 218.105(d)(2)(A)(ii), an owner or operator that uses an afterburner or carbon adsorber to comply with any Section of 35 Ill. Adm. Code Part 218 shall use Illinois EPA and USEPA approved continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the control device is in use except as provided in 35 Ill. Adm. Code 218.105(d)(3). The continuous monitoring equipment must monitor for each afterburner which has a catalyst bed, commonly known as a catalytic afterburner, the temperature rise across each catalytic afterburner bed or VOM concentration of exhaust.
- b. Pursuant to 35 Ill. Adm. Code 218.105(d)(2)(B), an owner or operator must install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring device, such as a strip chart, recorder or computer, having an accuracy of ± 1 percent of the temperature measured in degrees Celsius or $\pm 0.5^\circ$ C, whichever is greater.
- 14. Pursuant to 35 Ill. Adm. Code 212.110(e), the owner or operator of an emission unit subject to 35 Ill. Adm. Code Part 212 shall retain records of all tests which are performed. These records shall be retained for at least three (3) years after the date a test is performed.
- 16a. The Permittee shall maintain records of the following items so as to demonstrate compliance with the conditions of this permit:
 - i. Records addressing use of good operating practices for the catalytic oxidizer associated with the Tunnel Ovens:
 - A. Records for periodic inspection of the catalytic oxidizer, individual performing the inspection, and nature of inspection;
 - B. Records for prompt repair of defects, with identification and description of defect, effect on emissions, date identified, date repaired, and nature of repair;
 - C. Catalytic oxidizer combustion chamber monitoring data;
 - D. A log of operating time for the catalytic oxidizer, monitoring device, and the associated emission unit(s); and

- E. A maintenance log for the catalytic oxidizer and monitoring device detailing all routine and non-routine maintenance performed including dates and duration of any outages.
 - ii. Batch size of yeast-containing pastries produced (tons/batch);
 - iii. Number of batches of yeast-containing pastries produced on each baking line (batches/day, batches/month and batches/year);
 - iv. Baker's yeast content for each batch of dough (% by weight);
 - v. Fermentation time for each batch of dough (hours/batch);
 - vi. VOM emission factor for each type of yeast-containing product (lbs/ton);
 - vii. VOM emission factor for each product (lbs/ton);
 - viii. Natural gas usage (mmscf/month and mmscf/year); and
 - ix. Monthly and aggregate annual CO, NO_x, PM, SO₂, and VOM emissions from the Deck Oven, Rack Oven, and Tunnel Oven 4 with supporting calculations (tons/month and tons/year).
- b. All records and logs required by this permit shall be retained at a readily accessible location at the source for at least five (5) years from the date of entry and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request. Any records retained in an electronic format (e.g., computer storage device) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to an Illinois EPA or USEPA request for records during the course of a source inspection.
17. Pursuant to 35 Ill. Adm. Code 212.110(d), a person planning to conduct testing for particulate matter emissions to demonstrate compliance shall give written notice to the Illinois EPA of that intent. Such notification shall be given at least thirty (30) days prior to the initiation of the test unless a shorter period is agreed to by the Illinois EPA. Such notification shall state the specific test methods from 35 Ill. Adm. Code 212.110 that will be used.
- 18a. If there is an exceedance of or a deviation from the requirements of this permit as determined by the records required by this permit, the Permittee shall submit a report to the Illinois EPA's Compliance Section in Springfield, Illinois within 30 days after the exceedance or deviation. The report shall include the emissions released in accordance with the recordkeeping requirements, a copy of the relevant records, and a description of the exceedance or deviation and efforts to reduce emissions and future occurrences.

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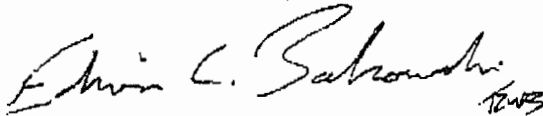
b. Two (2) copies of required reports and notifications shall be sent to:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

and one (1) copy shall be sent to the Illinois EPA's regional office at the following address unless otherwise indicated:

Illinois Environmental Protection Agency
Division of Air Pollution Control
9511 West Harrison
Des Plaines, Illinois 60016

If you have any questions on this permit, please contact Jocelyn Stakely at 217/782-2113.



Edwin C. Bakowski, P.E.
Manager, Permit Section
Division of Air Pollution Control

Date Signed: 10/2/2009

ECB:JRS:psj

cc: Region 1



STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL
P. O. BOX 19508
SPRINGFIELD, ILLINOIS 62794-9506

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

July 1, 1985

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) authorizes the Environmental Protection Agency to impose conditions on permits which it issues.

The following conditions are applicable unless superseded by special condition(s).

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire one year from the date of issuance, unless a continuous program of construction or development on this project has started by such time.
2. The construction or development covered by this permit shall be done in compliance with applicable provisions of the Illinois Environmental Protection Act and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any duly authorized agent of the Agency upon the presentation of credentials, at reasonable times:
 - a. to enter the permittee's property where actual or potential effluent, emission or noise sources are located or where any activity is to be conducted pursuant to this permit,
 - b. to have access to and to copy any records required to be kept under the terms and conditions of this permit,
 - c. to inspect, including during any hours of operation of equipment constructed or operated under this permit, such equipment and any equipment required to be kept, used, operated, calibrated and maintained under this permit,
 - d. to obtain and remove samples of any discharge or emissions of pollutants, and
 - e. to enter and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.
5. The issuance of this permit:
 - a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located,
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities,
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations,
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project, and

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- e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
6. a. Unless a joint construction/operation permit has been issued, a permit for operation shall be obtained from the Agency before the equipment covered by this permit is placed into operation.
- b. For purposes of shakedown and testing, unless otherwise specified by a special permit condition, the equipment covered under this permit may be operated for a period not to exceed thirty (30) days.
7. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:
- a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed, or
 - b. upon finding that any standard or special conditions have been violated, or
 - c. upon any violations of the Environmental Protection Act or any regulation effective thereunder as a result of the construction or development authorized by this permit.

CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that I have served the attached PETITION FOR REVIEW OF CONSTRUCTION PERMIT CONDITIONS FOR HIGHLAND BAKING COMPANY, APPEARANCE OF JOSEPH R. PODLEWSKI JR., and APPEARANCE OF HEIDI E. HANSON, by depositing same in the U. S. Mail at Western Springs, Illinois before 4:30 this day, November 5, 2009 postage prepaid, upon the following persons:

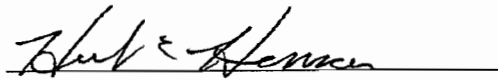
Original including check for filing fee, and nine (9) copies:

Illinois Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

One copy to:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. 19276
Springfield, IL 62794-9276

Dated November 5, 2009



Joseph R. Podlewski Jr.
Heidi E. Hanson
Podlewski & Hanson P.C.
4721 Franklin Ave, Suite 1500
Western Springs, IL 60558-1720
(708) 784-0624

This filing is submitted on recycled paper.