



MAY - 4 2010

Edward Olivera
Olivera Egg Ranch
PO Box 32126
Sna Jose, CA 95152

Re: Notice of Preliminary Decision - Authority to Construct
Project Number: N-1093652

Dear Mr. Olivera:

Enclosed for your review and comment is the District's analysis of Olivera Egg Ranch's application for an Authority to Construct for adding Rule 4570 mitigation measures to an egg laying ranch, at 952 W Bowman Road in French Camp, CA.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day public comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Ms. Andrea Ogden of Permit Services at (559) 230-5886.

Sincerely,

David Warner
Director of Permit Services

DW:ao

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585



MAY - 4 2010

Mike Tollstrup, Chief
Project Assessment Branch
Stationary Source Division
California Air Resources Board
PO Box 2815
Sacramento, CA 95812-2815

Re: Notice of Preliminary Decision - Authority to Construct
Project Number: N-1093652

Dear Mr. Tollstrup:

Enclosed for your review and comment is the District's analysis of Olivera Egg Ranch's application for an Authority to Construct for adding Rule 4570 mitigation measures to an egg laying ranch, at 952 W Bowman Road in French Camp, CA.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day public comment period which begins on the date of publication of the public notice.

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Stockton Record
Stockton Record

**NOTICE OF PRELIMINARY DECISION
FOR THE PROPOSED ISSUANCE OF
AN AUTHORITY TO CONSTRUCT**

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Unified Air Pollution Control District solicits public comment on the proposed issuance of Authority to Construct to Olivera Egg Ranch for adding Rule 4570 mitigation measures to an egg laying ranch, at 952 W Bowman Road in French Camp, CA.

The analysis of the regulatory basis for this proposed action, Project #N-1093652, is available for public inspection at http://www.valleyair.org/notices/public_notices_idx.htm and the District office at the address below. Written comments on this project must be submitted within 30 days of the publication date of this notice to **DAVID WARNER, DIRECTOR OF PERMIT SERVICES, SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, 1990 EAST GETTYSBURG AVENUE, FRESNO, CA 93726.**

San Joaquin Valley Air Pollution Control District Authority to Construct Poultry Operation for Rule 4570 Compliance

Facility Name: Olivera Egg Ranch
Mailing Address: PO Box 32126
San Jose, CA 95152
Location: 952 W Bowman Road
French Camp, CA 95231
Contact Person: Edward Olivera
Telephone: (408) 258-8074
Facility ID: N-7652
Project #: N-1093652
Deemed Complete: October 19, 2009

Date: March 30, 2010
Engineer: Andrea Ogden
Lead Engineer: Martin Keast

I. Proposal

Olivera Egg Ranch requests Authority to Construct (ATC) permits for the modification of their 680,000 laying hen ranch which includes 12 laying hen houses, solid manure handling system, and liquid manure handling system to comply with District Rule 4570 requirements. An ATC for feed mitigation measures is also being issued as a result of this project.

These modifications are proposed solely to comply with District Rule 4570 requirements. Since there is a change to the method of operation of the Poultry facility, these changes are modifications pursuant to District Rule 2201, *New and Modified Stationary Source Review Rule*.

II. Applicable Rules

Rule 2201 New and Modified Stationary Source Review Rule (9/21/06)
Rule 2520 Federally Mandated Operating Permits (6/21/01)
Rule 4101 Visible Emissions (2/17/05)
Rule 4102 Nuisance (12/17/92)
Rule 4550 Conservation Management Practices (8/19/04)
Rule 4570 Confined Animal Facilities (6/15/06)
CH&SC 41700 Health Risk Assessment
CH&SC 42301.6 School Notice

III. Project Location

This facility is located at 952 W Bowman Road in French Camp, CA. There is no increase in emissions including Hazardous Air Pollutants (HAPs) for this project. Therefore, the public notification requirement of California Health and Safety Code 42301.6 is not applicable to this project.

IV. Process Description

The primary function of a laying hen ranch is the production of eggs for human consumption. These eggs may be sold as shell eggs (table eggs), or may be used in the production of liquid, frozen, or dehydrated eggs.

Layer Production Cycles

Laying hens reach sexual maturity and begin laying eggs between 16 and 20 weeks of age, depending on breed. Before the onset of egg production, these birds are referred to as pullets. Pullets that are about to start egg production are known as starter pullets. Some table egg producers raise their own starter pullets and others purchase birds from starter pullet operations. Starter pullet operations may raise birds in facilities like those used for broiler production or in cages like those used for egg producing hens.

Usually laying hens are replaced after about 12 months of egg production when the natural decreasing rate of egg production becomes inadequate to cover feed costs. At this point, laying hens become spent hens and may be slaughtered or rendered to recover any remaining value. Although a second egg production cycle can be obtained from a flock of laying hens following a resting period, this practice is rarely used.

Layer Confinement Practices

Laying hens maintained for table egg production are almost exclusively confined in cages, which allow automation of feed distribution and egg collection. Most confinement facilities for laying hens are mechanically ventilated to remove moisture and carbon dioxide produced by respiration. Exhaust fans draw air into the building through slots located along the perimeter of the roof under the eaves. There are several types of cage systems including full and modified stair-step systems. With modified stair-step cage systems, upper cages are partially offset with a baffle diverting manure from upper cages away from lower cages. There are also cage systems that stack cages without any offset to maximize the number of birds per unit floor area.

Both one and two story buildings are used to house laying hens. Two story buildings are known as high-rise houses. In a high-rise house, full or modified stair-step cage systems are located in the upper story with manure collected and stored in the lower story of the building.

Ventilation fans are located in a sidewall of the manure collection and storage area with air flow passing down through the cages and over the accumulated manure to remove moisture evaporating from the manure. With proper design and management, including prevention of watering system leakage, laying hen manure moisture content can be reduced from 75 percent to as low as 25 to 30 percent.

In single story buildings, full or modified stair systems are located over shallow manure collection pits that may be cleaned either by scraping or flushing. With stacked cage systems, a belt system under the cages collects and removes manure.

When high-rise houses are designed and operated properly, emissions of particulate matter will be higher than from single story houses due to manure drying. Emissions of ammonia

also will be higher due to an increased rate of volatilization as moisture evaporates. However, emissions of hydrogen sulfide, VOC, and methane will be lower due to the predominately aerobic microbial environment created by drying.

Layer Manure Management

Accumulated manure in high-rise houses normally is removed annually during the period between flocks of birds when the house is cleaned and disinfected in preparation for new birds. However, manure can be stored for two or possibly three years. Manure removed from high-rise type houses is directly applied to cropland for disposal.

Scraped pits typically are cleaned at least weekly with the manure either directly applied to cropland or stored in a tank or earthen pond. With belt systems, manure may be removed as frequently as daily and applied directly to cropland or stored for application later. However, removal may be less frequent if partial drying is desired.

The solid manure at this layer ranch is stored in open stockpiles

This poultry facility consists of the following permits: 1) Housing 2) Solid Manure Handling and 3) Liquid Manure Handling

V. Equipment Listing

Pre-Project Equipment Description:

- N-7652-1-0: 680,000 LAYING HEN RANCH CONSISTING OF TWELVE MECHANICALLY VENTILATED LAYER HOUSES
- N-7652-2-0: SOLID MANURE HANDLING SYSTEM CONSISTING OF SOLID MANURE APPLICATION TO LAND AND MANURE HAULED OFFSITE
- N-7652-9-0 LIQUID MANURE HANDLING SYSTEM CONSISTING OF ONE LAGOON AND TWO OVERFLOW TREATMENT STORAGE PONDS

ATC Equipment Description:

- N-7652-1-1: 680,000 LAYING HEN RANCH CONSISTING OF TWELVE MECHANICALLY VENTILATED LAYER HOUSES: ADD MITIGATION MEASURES TO COMPLY WITH RULE 4570
- N-7652-2-1: SOLID MANURE HANDLING SYSTEM CONSISTING OF SOLID MANURE APPLICATION TO LAND AND MANURE HAULED OFFSITE: ADD MITIGATION MEASURES TO COMPLY WITH RULE 4570
- N-7652-8-0 FEED STORAGE AND HANDLING

N-7652-9-1 LIQUID MANURE HANDLING SYSTEM CONSISTING OF ONE LAGOON AND TWO OVERFLOW TREATMENT STORAGE PONDS: ADD MITIGATION MEASURES TO COMPLY WITH RULE 4570

VI. Emission Control Technology Evaluation

The facility will be feeding their poultry according to National Research Council (NRC) guidelines. Feeding according to the NRC guidelines is a feed formulation practice used to improve animal health and productivity. This typically limits the overfeeding of certain feed that has the potential of increasing emissions.

All mitigation measures chosen by the applicant are expected to result in VOC emission reductions, however, lacking emissions reductions data, they will not be discussed any further in this section.

VII. General Calculations

A. Assumptions

- Potential to Emit and Actual emissions will be calculated similarly based on the maximum number of laying hens at the ranch.
- Emissions from solid manure handling outside of the housing will not be included in the Major Source determination calculation because these emissions are considered fugitive.
- Feeding animals in accordance with the National Research Council (NRC) guidelines is a feed formulation practice used to improve animal health and productivity. This typically limits the overfeeding of certain feed that have the potential of increasing emissions. This mitigation measure has the potential of reducing a significant amount of emissions, however, since there is not much data available, a conservative control efficiency of 5% will be applied to the overall Poultry Facility EF.
- All mitigation measures chosen by the applicant are expected to result in VOC emission reductions, however, lacking emissions reductions data, the emissions reductions will not be quantified in this evaluation.
- The mitigation measures chosen will also have a reduction in ammonia emissions, however, due to limited data, these reductions will not be quantified in this evaluation.

B. Emission Factors

Emission Factors			
	(lbs-VOC/hd-yr)	(lbs-NH₃/hd-yr)	Source
Laying Hens	0.05	0.0958	CARB

PM₁₀ Emission Factor		
	(lbs- PM₁₀/head-yr)	Source
Poultry	0.0213	R.E. Lacey ¹

Solid Manure Handling

Emissions from the storage of solid manure outside of the housing have not yet been fully established and will not be calculated in this evaluation. Subsequently, although emissions reductions from the proposed mitigation measures are expected, they will not be quantified at this time.

C. Calculations

1. Pre Project Potential to Emit (PE1)

Total Poultry Ranch Daily PE₁ PM₁₀ Emissions				
Type of Poultry	# of Poultry	lb-PM₁₀/yr	days/yr	lbs-PM₁₀/day
Laying Hens	680,000	x 0.0213	÷ 365	39.7
Total				39.7

Total Poultry Ranch Annual PE₁ PM₁₀ Emissions			
Type of Poultry	# of Poultry	lb-PM₁₀/yr	lbs-PM₁₀/year
Laying Hens	680,000	x 0.0213	14,484
Total			14,484

N-7652-1-0 – Poultry Housing

Daily and Annual Poultry Ranch PE₁ VOC Emissions				
Daily Potential to Emit				
Type of Poultry	# of Poultry	lb-VOC/yr	days/yr	lbs-VOC/day
Laying Hens	680,000	x 0.05	÷ 365	93.2
Total				93.2
Annual Potential to Emit				
Type of Poultry	# of Poultry	lb-VOC/yr	lbs-VOC/yr	
Laying Hens	680,000	x 0.05	34,000	
Total			34,000	

¹ "Particulate Matter and Ammonia Emission Factors for tunnel-Ventilated broiler houses in the Southern US", R.E. Lacey, J.S. Redwine, C.B Parnell, Jr.

Daily and Annual Poultry Ranch PE ₁ NH ₃ Emissions				
Daily Potential to Emit				
Type of Poultry	# of Poultry	lb-NH ₃ /yr	days/yr	lbs- NH ₃ /day
Laying Hens	680,000	x 0.0958	÷ 365	178.5
Total				179
Annual Potential to Emit				
Type of Poultry	# of Poultry	lb-NH ₃ /yr	lbs- NH ₃ /yr	
Laying Hens	680,000	x 0.0958	65,144	
Total			65,144	

2. Post Project Potential to Emit (PE2)

As stated earlier, even though ammonia emission reductions are expected, they will not be quantified at this time due to limited data. Since emission reductions are not being quantified for NH₃, PE₁ = PE₂. Some of the mitigation measures may also reduce PM₁₀ emissions, however, these reductions will not be quantified in this evaluation. Therefore, PE₁ = PE₂ for PM₁₀

Emission reductions for VOC are calculated in the tables below:

N-7652-1-1 – Poultry Housing

Daily and Poultry Ranch PE ₂ VOC Emissions					
Daily PE					
Type of Poultry	# of Poultry	lb-VOC/yr	CE	days/yr	lbs-VOC/day
Laying Hens	680,000	x 0.05	5%	÷ 365	88.5
Total					453.5
Annual PE					
Type of Poultry	lbs-VOC/day	days/yr	CE	lbs-VOC/yr	
Laying Hens	143.2	x 365	5%	32,300	
Total				32,300	

3. Pre-Project Stationary Source Potential to Emit (SSPE1)

Pursuant to Section 4.9 of District Rule 2201, the Pre-Project Stationary Source Potential to Emit (SSPE1) is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

The SSPE1 is shown in the table below:

Stationary Source Potential to Emit [SSPE1] (lb/year)						
Permit Unit	NO _x	SO _x	PM ₁₀	CO	VOC	NH ₃
N-7652-1-0, -2-0 & -9-0	0	0	14,484	0	34,000	65,144
N-7652-3-0	750	71	37	228	85	0
N-7652-4-0	590	56	29	179	67	0
N-7652-5-0	832	79	42	253	95	0
N-7652-6-0	44	36	51	146	44	0
N-7652-7-0	44	36	51	146	44	0
Stationary Source Potential to Emit	2,260	278	14,694	952	34,335	65,144

4. Post Project Stationary Source Potential to Emit (SSPE2)

Pursuant to Section 4.10 of District Rule 2201, the Post Project Stationary Source Potential to Emit (SSPE2) is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

Stationary Source Potential to Emit [SSPE2] (lb/year)						
Permit Unit	NO _x	SO _x	PM ₁₀	CO	VOC	NH ₃
N-7652-1-1	0	0	23,433	0	32,300	65,144
N-7652-2-1	0	0	0	0	0	0
N-7652-3-0	750	71	37	228	85	0
N-7652-4-0	590	56	29	179	67	0
N-7652-5-0	832	79	42	253	95	0
N-7652-6-0	44	36	51	146	44	0
N-7652-7-0	44	36	51	146	44	0
N-7652-8-0	0	0	0	0	0	0
N-7652-9-1	0	0	0	0	0	0
Stationary Source Potential to Emit	2,130	202	23,539	648	32,635	65,144

5. Major Source Determination

Pursuant to Section 3.25 of District Rule 2201, a major source is a stationary source with post-project emissions or a Stationary Source Potential to Emit (SSPE), equal to or exceeding one or more of the following threshold values.

Major Source Determination (lb/year)					
	NO_x	SO_x	PM₁₀	CO	VOC
N-7652-1-1	0	0	23,433	0	32,300
N-7652-2-1	0	0	0	0	0
N-7652-3-0	750	71	37	228	85
N-7652-4-0	590	56	29	179	67
N-7652-5-0	832	79	42	253	95
N-7652-6-0	44	36	51	146	44
N-7652-7-0	44	36	51	146	44
N-7652-8-0	0	0	0	0	0
N-7652-9-1	0	0	0	0	0
Stationary Source Potential to Emit	2,260	278	23,643	952	32,635
Major Source Threshold	50,000	140,000	140,000	200,000	50,000
Major Source?	No	No	No	No	No

As seen in the table above, the facility is not a Major Source.

6. Baseline Emissions (BE)

The BE calculation (in lb/year) is performed on a pollutant-by-pollutant basis to determine the amount of offsets required, where necessary, when the SSPE1 is greater than the offset threshold. This project is exempt from offsets pursuant to Rule 2201, Section 4.6.9. Therefore, BE calculations are not required.

7. Major Modification

Section 3.23 of District Rule 2201 defines a Major Modification as *"any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act."*

The modifications to comply with Rule 4570 do not result in emission increases.

8. Federal Major Modification

This project does not result in emission increases. Therefore, in accordance with District Rule 2201, Section 3.17, this project does not constitute a Federal Major Modification and no further discussion is required.

9. Quarterly Net Emissions Change (QNEC)

The QNEC will be calculated for VOC, for each unit, as the difference between the quarterly PE2 and the quarterly PE1. The QNEC for each pollutant is shown in the table(s) below:

QNEC - VOC			
Permit Unit	PE₂ (lb/yr)	PE₁ (lb/yr)	QNEC (lb/qtr)
N-7652-1-1 Poultry Housing	32,300	34,000	- 425.0
N-7652-2-1 Solid Manure Handling	0	0	0.0
N-7652-8-0 Feed Storage & Handling	0	0	0
N-7652-9-1 Liquid Manure Handling	0	0	0
Stationary Source Potential to Emit	32,300	34,000	- 425

VIII. Compliance

District Rule 2201 New and Modified Stationary Source Review Rule

A. Best Available Control Technology (BACT)

1. BACT Applicability

BACT requirements are triggered on a pollutant-by-pollutant basis and on an emissions unit-by-emissions unit basis for the following*:

- a. Any new emissions unit with a potential to emit exceeding two pounds per day,
- b. The relocation from one Stationary Source to another of an existing emissions unit with a potential to emit exceeding two pounds per day,
- c. Modifications to an existing emissions unit with a valid Permit to Operate resulting in an AIPE exceeding two pounds per day, and/or
- d. Any new or modified emissions unit, in a stationary source project, which results in a Major Modification.

*Except for CO emissions from a new or modified emissions unit at a Stationary Source with an SSPE2 of less than 200,000 pounds per year of CO.

However, BACT shall not be required for the following:

- 4.2.3 For existing facilities, the installation or modification of an emission control technique performed solely for the purpose of compliance with the requirements of District, State or Federal air pollution control laws, regulations, or orders, as approved by the APCO, shall be exempt from Best Available Control Technology for all air pollutants, provided all of the following conditions are met:

- 4.2.3.1 There shall be no increase in the physical or operational design of the existing facility, except for those changes to the design needed for the installation or modification of the emission control technique itself;
- 4.2.3.2 There shall be no increase in the permitted rating or permitted operating schedule of the permitted unit;
- 4.2.3.3 There shall be no increase in emissions from the stationary source that will cause or contribute to any violation of a National Ambient Air Quality Standard, Prevention of Significant Deterioration increment, or Air Quality Related Value in Class I areas; and
- 4.2.3.4 The project shall not result in an increase in permitted emissions or potential to emit of more than 25 tons per year of NO_x, or 25 tons per year of VOC, or 15 tons per year of SO_x, or 15 tons per year of PM10, or 50 tons per year of CO.

Since each of the above-listed criteria are met, BACT is not triggered for any pollutant.

2. BACT Guideline

Since BACT is not triggered, the proposed operation is not subject to any BACT guideline. No further discussion is required.

3. Top-Down BACT Analysis

Since BACT is not triggered, the proposed operation is not subject to a top-down BACT analysis. No further discussion is required.

B. Offsets

Pursuant to Section 4.6.9 of District Rule 2201, agricultural sources, to the extent provided by California Health and Safety Code, section 42301.18(c) are exempt from offsets as long as nothing in this Health and Safety Code section circumvents the requirements of section 42301.16(a). Therefore, offsets are not required for this project.

C. Public Notification

1. Applicability

Public noticing is required for:

- a. Any new Major Source, which is a new facility that is also a Major Source,
- b. Major Modifications,
- c. Any new emissions unit with a Potential to Emit greater than 100 pounds during any one day for any one pollutant,
- d. Any project which results in the offset thresholds being surpassed, and/or
- e. Any project with an SSIPE of greater than 20,000 lb/year for any pollutant.

a. New Major Source

As demonstrated in section VII.C.5 above, the facility is not becoming a Major Source as a result of this project.

b. Major Modification

As demonstrated in VII.C.7, this project does not constitute a Major Modification; therefore, public noticing for Major Modification purposes is not required.

c. PE > 100 lb/day

Applications which include a new emissions unit with a PE greater than 100 pounds during any one day for any pollutant will trigger public noticing requirements. There are no new emissions units that exceed 100 lbs/day, therefore, public noticing is not required for this project for Potential to Emit exceeding the 100 lb/day limit.

d. Offset Threshold

Public notification is required if the Pre-Project Stationary Source Potential to Emit (SSPE1) is increased from a level below the offset threshold to a level exceeding the emissions offset threshold, for any pollutant.

There is no increase in permitted emissions as a result of this project. Therefore, the SSPE is not increasing with this project and an offset threshold cannot be surpassed as a result of this project. A public notice will not be required for offset threshold purposes.

e. SSIPE > 20,000 lb/year

An SSIPE exceeding 20,000 pounds per year for any one pollutant triggers public notice, where $SSIPE = SSPE2 - SSPE1$.

2. Public Notice Action

As discussed above, the public notice requirements of District Rule 2201 are not required.

D. Daily Emission Limits (DELs)

Daily Emissions Limitations (DELs) and other enforceable conditions are required by Section 3.17 to restrict a unit's maximum daily emissions, to a level at or below the emissions associated with the maximum design capacity. Per Sections 3.17.1 and 3.17.2, the DEL must be contained in the latest ATC and contained in or enforced by the latest PTO and enforceable, in a practicable manner, on a daily basis. DELs are also required to enforce the applicability of BACT.

For poultry operations, the DEL is satisfied based on the number of head and the mitigation measures utilized on the poultry ranch. The number and types of poultry are

listed in the permit equipment description for the housing permit. Additionally, the proposed mitigation measures will be included on the permits as enforceable conditions.

E. Compliance Assurance

1. Source Testing

These units are subject to District Rule 4570, *Confined Animal Facilities* source testing requirements, in accordance with Section 7.2 of District Rule 4570. Testing requirements, if any, will be discussed under the *Rule 4570 Confined Animal Facility* section below.

2. Monitoring

These units are subject to District Rule 4570, *Confined Animal Facilities* monitoring requirements, in accordance with Section 7.2 of District Rule 4570. Monitoring requirements, if any, will be discussed under the *Rule 4570 Confined Animal Facility* section below.

3. Recordkeeping

These units are subject to District Rule 4570, *Confined Animal Facilities* recordkeeping requirements, in accordance with Section 7.2 of District Rule 4570. Recordkeeping requirements will be discussed under the *Rule 4570 Confined Animal Facility* section below.

4. Reporting

No reporting is required to demonstrate compliance with Rule 2201.

Rule 4101 Visible Emissions

Rule 4101 states that no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity.

Pursuant to Section 4.12, emissions subject to or specifically exempt from Regulation VIII (Fugitive PM10 Prohibitions) are considered to be exempt.

Pursuant to District Rule Section 4.1, on-field agricultural sources are exempt from the requirements of Regulation VIII.

An on-field agricultural source is defined in Rule 8011, Section 3.35 as the following:

- Activities conducted solely for the purpose of preparing land for the growing of crops or ***the raising of fowl or animals***, such as brush or timber clearing, grubbing, scraping, ground excavation, land leveling, grading, turning under stalks, disking, or tilling;

Therefore, activities conducted solely for the purpose of raising fowl or animals are exempt from the requirements of Regulation VIII and Rule 4101.

Rule 4102 Nuisance

Rule 4102 states that no air contaminant shall be released into the atmosphere which causes a public nuisance.

This project involves proposed mitigation measures that are expected to reduce overall emissions at the Poultry Ranch. Therefore, this poultry ranch is expected to comply with this rule.

California Health & Safety Code 41700 (Health Risk Analysis)

Pursuant to the District's Risk Management Policy for Permitting New and Modified Sources (APR 1905, 3/2/01), for any sources with increases in toxic air emissions, the health risks resulting from such projects must be evaluated. This application is to comply with Rule 4570 with no increase in toxic air emissions; therefore, a health risk analysis is not required.

Rule 4550 Conservation Management Practices (CMP)

This rule applies to agricultural operation sites located within the San Joaquin Valley Air Basin. The purpose of this rule is to limit fugitive dust emissions from agricultural operation sites.

Pursuant to Section 5.1, effective on and after July 1, 2004, an owner/operator shall implement the applicable CMPs selected pursuant to Section 6.2 for each agricultural operation site.

Pursuant to Section 5.2, an owner/operator shall prepare and submit a CMP application for each agricultural operation site to the APCO for approval.

The facility received District approval for its CMP plan on February 23, 2010. Continued compliance with the requirements of District Rule 4550 is expected.

Rule 4570 Confined Animal Facilities (CAF)

This rule applies to Confined Animal Facilities (CAF) located within the San Joaquin Valley Air Basin. The purpose of this rule is to limit emissions of Volatile Organic Compounds (VOC) from Confined Animal Facilities (CAF).

Section 5.0 Requirements

Pursuant to Section 5.1, owners/operators of any CAF shall submit, for approval by the APCO, a permit application for each Confined Animal Facility.

Pursuant to Section 5.2, owners/operators of any CAF shall include an emission mitigation plan within the permit application that lists the VOC mitigation measures that the facility will use to comply with all applicable requirements of Sections 5.6 through 5.13.

Pursuant to Section 5.3, owners/operators of any CAF shall implement all VOC emission mitigation measures, as contained in the permit application, on and after 365 days from the permit issuance date.

Pursuant to Section 5.4, notwithstanding Section 5.3, an owner/operator may temporarily suspend use of mitigation measure(s) provided all of the following requirements are met:

- It is determined by a licensed veterinarian, certified nutritionist, CDFA, or USDA that any mitigation measure being suspended is detrimental to animal health,
- The owner/operator notifies the District, within forty-eight (48) hours of the determination that the mitigation measure is being temporarily suspended; the specific health condition requiring the mitigation measure to be suspended; and the duration that the measure must be suspended for animal health reasons,
- The emission mitigation measure is not suspended for longer than recommended by the licensed veterinarian or certified nutritionist for animal health reasons,
- If such a situation exists, or is expected to exist for longer than thirty (30) days, the owners/operators shall, within that thirty (30) day period, submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the mitigation measure that was suspended, and
- The APCO, ARB, and EPA approve the temporary suspension of the mitigation measure for the time period requested by the owner/operator.

The following condition will be placed on each permit.

{3508} If a licensed veterinarian or a certified nutritionist determines that any VOC mitigation measure will be required to be suspended as a detriment to animal health, the owners/operators must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570] N

Section 6.0 Requirements

Pursuant to Section 6.1, owners/operators of any facility shall submit an Authority to Construct or Permit to Operate application by December 15, 2006 that includes the following:

- The name, business address, and phone number of the owners/operators responsible for the preparation and the implementation of the mitigation measures listed in the permit.
- The signature of the owners/operators attesting to the accuracy of the information provided and adherence to implementing the activities specified in the CAF Plan at all times and the date that the application was signed.
- An emission mitigation plan including a list of all mitigation measures chosen to comply with Rule 4570 requirements and the location of these mitigation measures.
- The number of animals at the facility in each production stage.
- A thirty-day public noticing and commenting period on the permit application.

The applicant has submitted an application containing all the requirements above. Since public noticing is required for this project, a public notice will be published in a local newspaper of general circulation prior to the issuance of these ATCs.

Pursuant to Section 6.2, owners/operators shall submit an update of the permit application to the District for review at least once every three (3) years. The update shall reflect changes in the operation and feasibility of mitigation measures.

The basis of this requirement comes from Senate Bill 700, which actually requires the District to review permits and update them to reflect changes in the operation, or to include or remove mitigation measures based on changes in the feasibility of such measures. Therefore, since this requirement was intended for the District, no update from the applicant will be required.

Pursuant to Section 6.3, the District shall act upon the Authority to Construct application or Permit to Operate application within six (6) months of receiving a complete application.

Section 7.0 Requirements

Pursuant to Section 7.1.1, all records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. Therefore, the following condition will be placed on the permit:

{3657} Owners/Operators shall keep and maintain all records for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570] N

7.1.1.2 Owners/operators subject to the requirements of Section 5.0 shall maintain:

- Copies of all of the facility's permits
- Copies of all laboratory tests, calculations, logs, records, and other information required to demonstrate compliance with all applicable requirements of this rule, as determined by the APCO, ARB, EPA.
- Records of the number of animals of each species and production group at the facility on the permit issuance date. Quarterly records of any changes to this information shall also be maintained.

The following condition will be placed on the Poultry Ranch permit:

{3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570] N

Specific recordkeeping and monitoring conditions are shown below under the appropriate mitigation measures.

Sections 7.1.1.2.4 through 7.1.12.21 require specific record keeping conditions for each mitigation measure. These conditions are shown below with each mitigation measure.

Sections 7.2 requires specific monitoring or source testing conditions for each mitigation measure. These conditions are shown below with each mitigation measure.

The Poultry Facility has chosen the following mitigation measures. All conditions required for compliance with Rule 4570 for the mitigation measures selected by the applicant are shown below. These conditions will be placed on the appropriate permits.

General Conditions (Poultry housing & manure handling permit units)

{3215} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070] N

{3216} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070] N

{3507} Permittee shall implement and maintain all the VOC Mitigation Measures contained in this permit, on and after 365 days of issuance of this ATC. [District Rule 4570] N

{3508} If a licensed veterinarian or a certified nutritionist determines that any VOC mitigation measure will be required to be suspended as a detriment to animal health, the Permittee must notify the District in writing within forth-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570] N

{3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570] N

{3657} All records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570] N

{3658} This permit does not authorize the violation of any conditions established for this facility (e.g. maximum number of animals or animal units, construction requirements, etc.) in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state, or federal agency. [District Rules 2070 and 2080] N

Mitigation Measures and associated conditions for Poultry facilities –

POULTRY HOUSING PERMIT FEED

- Feed according to National Research Council (NRC) guidelines.
 - **{3511}** Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rule 4570] N
 - **{3512}** Permittee shall maintain records of feed content, formulation, and quantity of feed additive utilized, to demonstrate compliance with National Research Council (NRC) guidelines. Records such as feed company guaranteed analyses (feed tags), ration sheets) . [District Rule 4570] N
- Feed animals an amino acid supplemented diet to meet their nutrient requirements
 - **{3661}** Permittee shall feed animals an amino acid supplemented diet. [District Rule 4570] N
 - **{3662}** Permittee shall maintain records to demonstrate animals are fed an amino acid supplemented diet. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this. [District Rule 4570] N
- Remove spilled feed from housing at least once every 7 days
 - **{3665}** Permittee shall remove spilled feed from housing at least once every seven (7) days. [District Rule 4570] N
 - **{3666}** Permittee shall maintain records of when spilled feed was removed from housing. [District Rule 4570] N
- Enclose grain in a weatherproof storage structure from October through May
 - **{3523}** Permittee shall store grain in a weatherproof storage structure from October through May. [District Rule 4570] N
 - **{3524}** Permittee shall maintain records when grain is stored in a weatherproof storage structure from October through May. [District Rule 4570] N
- Use feed additives designed to reduce feed decomposition or oxidation
 - **{3667}** Permittee shall use feed additives designed to reduce feed decomposition or oxidization (the process where one or more electrons are removed from a molecule). [District Rule 4570] N
 - **{3668}** Permittee shall maintain records to demonstrate feed additives, which reduce feed decomposition or oxidization, are used. [District Rule 4570] N
- Remove uneaten wet feed from feed bunks within twenty-four hours of a rain event
 - **{3519}** Permittee shall remove uneaten wet feed from feed bunks within 24 hours of a rain event. [District Rule 4570] N
 - **{3520}** Permittee shall maintain records of when uneaten wet feed was removed from feed bunks. [District Rule 4570] N

HOUSING

- Remove caked animal waste at least once every 14 days

- **{3669}** Permittee shall remove caked animal waste at least once every 14 days. [District Rule 4570] N
- **{3670}** Permittee shall record the date that caked animal waste is removed. [District Rule 4570] N
- Clean under poultry cages at least once every 14 days
 - **{3671}** Permittee shall clean under poultry cages at least once every 14 days. [District Rule 4570] N
 - **{3672}** Permittee shall record the dates cleaning is done under poultry cages. [District Rule 4570] N
- Use a dry housing cleaning method at all times, except when a wet cleaning method is required for animal health or biosecurity issues
 - **{3675}** Permittee shall use a dry housing cleaning method at all times, except when a wet cleaning method is required for animal health or biosecurity issues. [District Rule 4570] N
 - **{3676}** Permittee shall maintain records to demonstrate that a dry housing cleaning method is maintained. For times when a wet cleaning method is required, the reason should be included as part of the records. [District Rule 4570] N
- Use drinkers that do not drip
 - **{3677}** Permittee shall use drinkers that do not drip. [District Rule 4570] N
- Use no foggers in the house
 - **{3680}** Permittee shall use no foggers in the house. [District Rule 4570] N
- Inspect water pipes and drinkers and repair leaks at least once every 14 days
 - **{3685}** Permittee shall inspect water pipes and drinkers and repair leaks at least once every fourteen (14) days. [District Rule 4570] N
 - **{3686}** Permittee shall record the date that water pipes and drinkers are inspected and leaks are repaired. [District Rule 4570] N
- Maintain the roof structure and manage roof runoff in accordance with the applicable standards in NRCS Field Office Technical Guide Code 558 or other applicable standards approved by the APCO, ARB and EPA
 - **{3687}** Permittee shall maintain the roof structure and manage roof runoff in accordance with the applicable standards in NRCS Field Office Technical Guide Code 558 or other applicable standards approved by the APCO, ARB, and EPA. [District Rule 4570] N
- House animals in tunnel ventilated houses with mechanical ventilation
 - **{3689}** Permittee shall house animals in tunnel-ventilated houses with mechanical ventilation. [District Rule 4570] N

SOLID MANURE HANDLING PERMIT

- Use a solid animal waste handling system in housing, such as stockpiles, solid land application, or a thin bed of animal waste drying system, instead of a liquid system such as flushing, animal waste storage ponds, or animal waste treatment lagoons.
 - **{3697}** Permittee shall use a solid animal waste handling system in housing (such as stockpiles, solid land application, or a thin bed animal waste drying system, etc.), instead of a liquid system (such as flushing, animal waste storage ponds, or animal waste treatment lagoons, etc.). [District Rule 4570] N

LIQUID MANURE HANDLING PERMIT

- Use an anerobic treatment lagoon designed in accordance with NRCS Guideline No. 359. (Testing per Section 7.2 of Rule 4570 will be required.)
 - **{3620}** Permittee shall use an anaerobic treatment lagoon designed according to NCRCS Guideline No. 359. [District Rule 4570] N
 - **{3621}** Permittee shall maintain design specifications, calculations, including Minimum Treatment Volume (MTV), Hydraulic Retention Time (HRT) demonstrating that the anaerobic treatment lagoon meets the requirements listed in the NRCS Field Office Technical Guide. [District Rule 4570] N
 - **{3622}** Permittee shall test any other parameters determined necessary by the APCO, ARB, and EPA to demonstrate compliance with rule requirements as frequently as determined necessary by the APCO, ARB, and EPA. [District Rule 4570] N

In order to show compliance with this rule, the facility must select at least 11 mitigation measures.

Category	Requirement	# of Measures Selected
Feed	5	6
Housing	4	8
Solid Waste	1	1
Liquid Waste	1	1
Total Measures	11	16

Therefore this facility is in compliance with this Rule.

California Health & Safety Code 42301.6 (School Notice)

California Health & Safety Code 42301.6 requires that the District prepare a school notice prior to approving an application for a permit to construct or modify a source that emits toxic air emissions which is located within 1,000 feet from the outer boundary of a K-12 school site. There is no increase in emissions of any hazardous air pollutants as a result of this project. Therefore, the public notification requirement of California Health and Safety Code 42301.6 is not applicable to this project.

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The San Joaquin Valley Unified Air Pollution Control District (District) adopted its *Environmental Review Guidelines* (ERG) in 2001. The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Greenhouse Gas (GHG) Significance Determination

It is determined that no other agency has or will prepare an environmental review document for the project. Thus the District is the Lead Agency for this project. The District's engineering evaluation demonstrates that the project would not result in an increase in project specific greenhouse gas emissions. The District therefore concludes that the project would have a less than cumulatively significant impact on global climate change.

District CEQA Findings

The District is the Lead Agency for this project because there is no other agency with broader statutory authority over this project. The District performed an Engineering Evaluation (this document) for the proposed project and determined that the activity will occur at an existing facility and the project involves negligible expansion of the existing use. Furthermore, the District determined that the activity will not have a significant effect on the environment. The District finds that the activity is categorically exempt from the provisions of CEQA pursuant to CEQA Guideline § 15031 (Existing Facilities), and finds that the project is exempt per the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines §15061(b)(3)).

IX. Recommendation

Compliance with all applicable rules and regulations is expected.

Issue Authority to Construct -1-1, -2-1, -8-0 and -9-1 subject to the permit conditions listed on the attached drafts.

X. Billing Information

Annual Permit Fees			
Permit Number	Fee Schedule	Fee Description	Fee
N-7652-1-1	3020-01-E	Housing – Electric Motor 222 HP	\$412.00
N-7652-2-1	3020-06	Solid Manure Handling - Miscellaneous	\$106.00
N-7652-8-0	3020-06	Feed Storage - Miscellaneous	\$106.00
N-7652-9-1	3020-06	Liquid Manure Handling - Miscellaneous	\$106.00

Attachments:

A: Draft Authorities to Construct

Appendix A
Draft ATCs

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: N-7652-1-1

LEGAL OWNER OR OPERATOR: OLIVERA EGG RANCH LLC
MAILING ADDRESS: 3315 SIERRA RD
SAN JOSE, CA 95132

LOCATION: 952 W BOWMAN RD
FRENCH CAMP, CA

EQUIPMENT DESCRIPTION:
MODIFICATION OF 680,000 LAYING HEN RANCH CONSISTING OF TWELVE MECHANICALLY VENTILATED LAYER HOUSES: RULE 4570 MITIGATION MEASURES

CONDITIONS

1. {3215} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
2. {3216} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]
3. {3508} If a licensed veterinarian, a certified nutritionist, the California Department of Food and Agriculture (CDFA), or the United States Department of Agriculture (USDA) determines that any VOC mitigation measure (with a Rule 4570 reference) is detrimental to animal health and needs to be suspended, the Permittee must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570]
4. {3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570]
5. {3657} All records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director APCO

DRAFT

DAVID WARNER, Director of Permit Services

N-7652-1-1: Apr 7 2010 11:09AM - OGDENA : Joint Inspection NOT Required

6. {3658} This permit does not authorize the violation of any conditions established for this facility (e.g. maximum number of animals or animal units, construction requirements, etc.) in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state, or federal agency. [District Rules 2070 and 2080]
7. {3669} Permittee shall remove caked animal waste at least once every 14 days. [District Rule 4570]
8. {3670} Permittee shall record the date that caked animal waste is removed. [District Rule 4570]
9. {3671} Permittee shall clean under poultry cages at least once every 14 days. [District Rule 4570]
10. {3672} Permittee shall record the dates cleaning is done under poultry cages. [District Rule 4570]
11. {3675} Permittee shall use a dry housing cleaning method at all times, except when a wet cleaning method is required for animal health or biosecurity issues. [District Rule 4570]
12. {3676} Permittee shall maintain records to demonstrate that a dry housing cleaning method is maintained. For times when a wet cleaning method is required, the reason should be included as part of the records. [District Rule 4570]
13. {3677} Permittee shall use drinkers that do not drip. [District Rule 4570]
14. {3680} Permittee shall use no foggers in the house. [District Rule 4570]
15. {3685} Permittee shall inspect water pipes and drinkers and repair leaks at least once every fourteen (14) days. [District Rule 4570]
16. {3686} Permittee shall record the date that water pipes and drinkers are inspected and leaks are repaired. [District Rule 4570]
17. {3687} Permittee shall maintain the roof structure and manage roof runoff in accordance with the applicable standards in NRCS Field Office Technical Guide Code 558 or other applicable standards approved by the APCO, ARB, and EPA. [District Rule 4570]
18. {3689} Permittee shall house animals in tunnel-ventilated houses with mechanical ventilation. [District Rule 4570]

DRAFT

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: N-7652-2-1

LEGAL OWNER OR OPERATOR: OLIVERA EGG RANCH LLC
MAILING ADDRESS: 3315 SIERRA RD
SAN JOSE, CA 95132

LOCATION: 952 W BOWMAN RD
FRENCH CAMP, CA

EQUIPMENT DESCRIPTION:
MODIFICATION OF MANURE HANDLING INCLUDING LIQUID MANURE STORAGE AND SOLID MANURE HAULED OFF-SITE:ADD RULE 4570 MITIGATION MEASURES

CONDITIONS

1. {3215} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
2. {3216} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]
3. {3508} If a licensed veterinarian, a certified nutritionist, the California Department of Food and Agriculture (CDFA), or the United States Department of Agriculture (USDA) determines that any VOC mitigation measure (with a Rule 4570 reference) is detrimental to animal health and needs to be suspended, the Permittee must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570]
4. {3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570]
5. {3657} All records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director, APCO

DAVID WARNER, Director of Permit Services

N-7652-2-1 : Apr 7 2010 11:09AM - OGDENA : Joint Inspection NOT Required

6. {3658} This permit does not authorize the violation of any conditions established for this facility (e.g. maximum number of animals or animal units, construction requirements, etc.) in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state, or federal agency. [District Rules 2070 and 2080]
7. {3697} Permittee shall use a solid animal waste handling system in housing (such as stockpiles, solid land application, or a thin bed animal waste drying system, etc.), instead of a liquid system (such as flushing, animal waste storage ponds, or animal waste treatment lagoons, etc.). [District Rule 4570]

DRAFT

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

DRAFT
ISSUANCE DATE: DRAFT

PERMIT NO: N-7652-8-0

LEGAL OWNER OR OPERATOR: OLIVERA EGG RANCH LLC

MAILING ADDRESS: 3315 SIERRA RD
SAN JOSE, CA 95132

LOCATION: 952 W BOWMAN RD
FRENCH CAMP, CA

EQUIPMENT DESCRIPTION:
FEED STORAGE AND HANDLING

CONDITIONS

1. {3215} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
2. {3216} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]
3. {3508} If a licensed veterinarian, a certified nutritionist, the California Department of Food and Agriculture (CDFA), or the United States Department of Agriculture (USDA) determines that any VOC mitigation measure (with a Rule 4570 reference) is detrimental to animal health and needs to be suspended, the Permittee must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570]
4. {3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570]
5. {3657} All records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director, APCO

DRAFT

DAVID WARNER, Director of Permit Services

N-7652-8-0 : Apr 7 2010 11:09AM - OGDENA : Joint Inspection NOT Required

6. {3658} This permit does not authorize the violation of any conditions established for this facility (e.g. maximum number of animals or animal units, construction requirements, etc.) in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state, or federal agency. [District Rules 2070 and 2080]
7. {3511} Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rule 4570]
8. {3512} Permittee shall maintain records of feed content, formulation, and quantity of feed additive utilized, to demonstrate compliance with National Research Council (NRC) guidelines. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this requirement. [District Rule 4570]
9. {3661} Permittee shall feed animals an amino acid supplemented diet. [District Rule 4570]
10. {3662} Permittee shall maintain records to demonstrate animals are fed an amino acid supplemented diet. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this. [District Rule 4570]
11. {3665} Permittee shall remove spilled feed from housing at least once every seven (7) days. [District Rule 4570]
12. {3666} Permittee shall maintain records of when spilled feed was removed from housing. [District Rule 4570]
13. {3523} Permittee shall store grain in a weatherproof storage structure from October through May. [District Rule 4570]
14. {3524} Permittee shall maintain records when grain is stored in a weatherproof storage structure from October through May. [District Rule 4570]
15. {3667} Permittee shall use feed additives designed to reduce feed decomposition or oxidization (the process where one or more electrons are removed from a molecule). [District Rule 4570]
16. {3668} Permittee shall maintain records to demonstrate feed additives, which reduce feed decomposition or oxidization, are used. [District Rule 4570]
17. {3519} Permittee shall remove uneaten wet feed from feed bunks within twenty-four (24) hours of a rain event. [District Rule 4570]
18. {3520} Permittee shall maintain records of when uneaten wet feed was removed from feed bunks. [District Rule 4570]

DRAFT

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: N-7652-9-1

LEGAL OWNER OR OPERATOR: OLIVERA EGG RANCH LLC

MAILING ADDRESS: 3315 SIERRA RD
SAN JOSE, CA 95132

LOCATION: 952 W BOWMAN RD
FRENCH CAMP, CA

EQUIPMENT DESCRIPTION:

MODIFICATION OF LIQUID MANURE HANDLING SYSTEM CONSISTING OF ONE LAGOON AND TWO OVERFLOW TREATMENT STORAGE PONDS:ADD MITIGATION MEASURES FOR RULE 4750

CONDITIONS

1. {3215} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
2. {3216} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]
3. {3508} If a licensed veterinarian, a certified nutritionist, the California Department of Food and Agriculture (CDFA), or the United States Department of Agriculture (USDA) determines that any VOC mitigation measure (with a Rule 4570 reference) is detrimental to animal health and needs to be suspended, the Permittee must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rule 4570]
4. {3704} Owners/Operators shall maintain a record of the number of animals of each species and production group at the facility and shall maintain quarterly records of any changes to this information. [District Rule 4570]
5. {3657} All records shall be kept and maintained for a minimum of five (5) years and shall be made available to the APCO, ARB and EPA upon request. [District Rule 4570]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director APCO

DAVID WARNER, Director of Permit Services
N-7652-9-1 : Apr 7 2010 11:08AM - OGDENA : Joint Inspection NOT Required

6. {3658} This permit does not authorize the violation of any conditions established for this facility (e.g. maximum number of animals or animal units, construction requirements, etc.) in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state, or federal agency. [District Rules 2070 and 2080]
7. {3620} Permittee shall use an anaerobic treatment lagoon designed according to NCRCS Guideline No. 359. [District Rule 4570]
8. {3621} Permittee shall maintain design specifications, calculations, including Minimum Treatment Volume (MTV), Hydraulic Retention Time (HRT) demonstrating that the anaerobic treatment lagoon meets the requirements listed in the NRCS Field Office Technical Guide Code 359. [District Rule 4570]
9. {3622} Permittee shall test any other parameters determined necessary by the APCO, ARB, and EPA to demonstrate compliance with rule requirements as frequently as determined necessary by the APCO, ARB, and EPA. [District Rule 4570]

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