



# San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

JUN 07 2011

Ed Anker  
Shady Acres Dairy #2  
P O Box 153  
Helm, CA 93627

**RE: Notice of Final Action - Authority to Construct  
Project Number: C-1103183**

Dear Mr. Anker:

The Air Pollution Control Officer has issued Authority to Construct permits to Shady Acres Dairy #2 for one 1,250 horsepower diesel-fired emergency standby engine powering an electrical generator and one 500 gallon aboveground gasoline storage tank, at 15391 W. Elkhorn Ave in Helm.

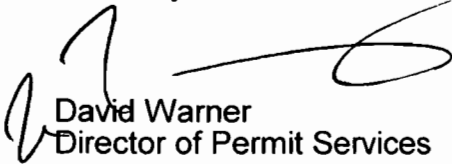
Enclosed are copies of the Authority to Construct permits and a copy of the notice of final action to be published approximately three days from the date of this letter.

Notice of the District's preliminary decision to issue this Authority to Construct was published on December 30, 2010. The District's analysis of the proposal was also sent to CARB on December 23, 2010. No comments were received following the District's preliminary decision on this project.

Also enclosed is an invoice for the engineering evaluation fees pursuant to District Rule 3010. Please remit the amount owed, along with a copy of the attached invoice, within 60 days.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney at (559) 230-5900.

Sincerely,



David Warner  
Director of Permit Services

DW:jka

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  
[www.valleyair.org](http://www.valleyair.org)

**Southern Region**  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2373  
Tel: (661) 326-6900 FAX: (661) 326-6985



# San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

JUN 07 2011

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

**RE: Notice of Final Action - Authority to Construct**  
**Project Number: C-1103183**

Dear Mr. Tollstrup:

The Air Pollution Control Officer has issued Authority to Construct permits to Shady Acres Dairy #2 for one 1,250 horsepower diesel-fired emergency standby engine powering an electrical generator and one 500 gallon aboveground gasoline storage tank, at 15391 W. Elkhorn Ave in Helm.

Enclosed are copies of the Authority to Construct permits and a copy of the notice of final action to be published approximately three days from the date of this letter.

Notice of the District's preliminary decision to issue this Authority to Construct was published on December 30, 2010. The District's analysis of the proposal was also sent to CARB on December 23, 2010. No comments were received following the District's preliminary decision on this project.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney at (559) 230-5900.

Sincerely,

David Warner  
Director of Permit Services

DW:jka

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  
[www.valleyair.org](http://www.valleyair.org)

**Southern Region**  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2373  
Tel: (661) 326-6900 FAX: (661) 326-6985

Fresno Bee

**NOTICE OF FINAL ACTION  
FOR THE ISSUANCE OF AUTHORITY  
TO CONSTRUCT PERMITS**

NOTICE IS HEREBY GIVEN that the Air Pollution Control Officer has issued Authority to Construct permits to Shady Acres Dairy #2 for one 1,250 horsepower diesel-fired emergency standby engine powering an electrical generator and one 500 gallon aboveground gasoline storage tank, at 15391 W. Elkhorn Ave in Helm.

No comments were received following the District's preliminary decision on this project.

The application review for Project #C-1103183 is available for public inspection at [http://www.valleyair.org/notices/public\\_notices\\_idx.htm](http://www.valleyair.org/notices/public_notices_idx.htm) and the **SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, 1990 EAST GETTYSBURG AVENUE, FRESNO, CA 93726 .**



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** C-6651-7-0

**ISSUANCE DATE:** 05/31/2011

**LEGAL OWNER OR OPERATOR:** SHADY ACRES DAIRY #2

**MAILING ADDRESS:** PO BOX 153  
HELM, CA 93627

**LOCATION:** 15391 W ELKHORN AVE  
HELM, CA 93687

**EQUIPMENT DESCRIPTION:**

1,250 BHP CATERPILLAR MODEL 3412 (S/N: BLG00319) DIESEL-FIRED TIER 1 CERTIFIED EMERGENCY STANDBY IC ENGINE POWERING AN ELECTRICAL GENERATOR.

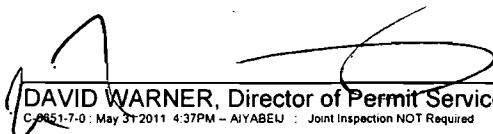
### CONDITIONS

1. This engine shall be equipped with either a positive crankcase ventilation (PCV) system that recirculates crankcase emissions into the air intake system for combustion, or a crankcase emissions control device of at least 90% control efficiency. [District Rule 2201]
2. The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction. [District Rule 4102]
3. Emissions from this engine shall not exceed 0.14 g-PM10/bhp-hr based on USEPA certification using ISO 8178 test procedure. [District Rules 2201 and 4102]
4. Emissions from this engine shall not exceed any of the following limits: 5.75 g-NOx/bhp-hr, 0.97 g-CO/bhp-hr, or 0.07 g-VOC/bhp-hr. [District Rule 2201]
5. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
6. 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. [District Rule 4101]
7. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
8. Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801]
9. The permittee shall maintain monthly records of the type of fuel purchased. [District Rule 4702 and 17 CCR 93115]

CONDITIONS CONTINUE ON NEXT PAGE

YOU **MUST** NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (559) 230-5950 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  
C-6651-7-0 : May 31 2011 4:37PM - AIYABEU : Joint Inspection NOT Required

10. The engine shall be operated only for testing and maintenance, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year. [District Rules 2201, 4102 and 4702]
11. This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rule 4702 and 17 CCR 93115]
12. This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702]
13. During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702]
14. An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702]
15. This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702]
16. This IC engine shall only be used for the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. [District Rule 4701]
17. The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.) and records of operational characteristics monitoring. For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115]
18. All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115]



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** C-6651-8-0

**ISSUANCE DATE:** 05/31/2011

**LEGAL OWNER OR OPERATOR:** SHADY ACRES DAIRY #2

**MAILING ADDRESS:** PO BOX 153  
HELM, CA 93627

**LOCATION:** 15391 W ELKHORN AVE  
HELM, CA 93687

**EQUIPMENT DESCRIPTION:**

AGRICULTURAL GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON ABOVEGROUND STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-102-A); AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE; USED PRIMARILY FOR FUELING IMPLEMENTS OF HUSBANDRY.


### CONDITIONS

1. The fuel dispensing throughput shall not exceed 226 gallons per day. [District Rule 2201]
2. The fuel loading equipment and vapor collection equipment shall be installed, maintained and operated such that it is leak-free, with no excess organic liquid drainage at disconnect. [District Rule 4621]
3. The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621]
4. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621]
5. The Phase I vapor recovery system shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Order specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621]

CONDITIONS CONTINUE ON NEXT PAGE

**YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (559) 230-5950 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.

Sayed Sadredin, Executive Director / APCO

  
DAVID WARNER, Director of Permit Services

6. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621]
7. The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 within 60 days after initial start-up and at least once every 36 months thereafter. [District Rule 4621]
8. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621]
9. The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621]
10. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621]
11. The permittee shall maintain monthly and annual gasoline throughput records. [District Rule 4621]
12. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4621]
13. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621]
14. A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621]
15. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621]
16. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621]