



# San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



## HEALTHY AIR LIVING™

AUG 05 2013

Dave Duke  
Foster Food Products  
P.O. Box 831  
Livingston, CA 95334

**RE: Notice of Final Action - Authority to Construct**  
**Facility Number: N-1252**  
**Project Number: N-1131534**

Dear Mr. Duke:

The Air Pollution Control Officer has issued the Authority to Construct permit to Foster Food Products for the installation of a new 547 bhp Tier 3 certified diesel-fired emergency standby IC engine powering an electrical generator, the new unit will replace the existing 449 bhp diesel-fired emergency standby IC engine under permit unit N-1252-16, at 843 Davis Street in Livingston, California. Enclosed are the Authority to Construct permit 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 the Authority to Construct permit was published on July 2, 2013. The District's analysis of the proposal was also sent to CARB on June 27, 2013. 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. Rupi Gill at (209) 557-6400.

Sincerely,

David Warner  
Director of Permit Services

DW: WMS/bmw

Enclosures

cc: Mike Tollstrup, CARB (w/enclosure) via email

**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

Merced Sun-Star

Newspaper notice for publication in Merced Sun-Star and for posting on valleyair.org

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

NOTICE IS HEREBY GIVEN that the Air Pollution Control Officer has issued the Authority to Construct permit to Foster Food Products for the installation of a new 547 bhp Tier 3 certified diesel-fired emergency standby IC engine powering an electrical generator, the new unit will replace the existing 449 bhp diesel-fired emergency standby IC engine under permit unit N-1252-16, at 843 Davis Street in Livingston, California.

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

The application review for Project #1131534 is available for public inspection at [http://www.valleyair.org/notices/public\\_notices\\_idx.htm](http://www.valleyair.org/notices/public_notices_idx.htm), the SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, 4800 ENTERPRISE WAY, MODESTO, CA 95356, and at any other District office. For additional information, please contact the District at (209) 557-6400.



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-1252-38-0

**ISSUANCE DATE:** 08/01/2013

**LEGAL OWNER OR OPERATOR:** FOSTER FOOD PRODUCTS

**MAILING ADDRESS:** P O BOX 831  
LIVINGSTON, CA 95334

**LOCATION:** 843 DAVIS ST  
LIVINGSTON, CA

**EQUIPMENT DESCRIPTION:**

547 BHP (INTERMITTENT) MTU DETROIT DIESEL MODEL 8V1600G70S TIER 3 CERTIFIED DIESEL-FIRED EMERGENCY STANDBY IC ENGINE POWERING AN ELECTRICAL GENERATOR

### CONDITIONS

1. Upon implementation of this Authority to Construct, Permit to Operate N-1252-16-0 shall be cancelled. [District Rule 2201]
2. 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]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
5. 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]
6. This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rules 4701 and 4702 and 17 CCR 93115]
7. Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801, and 17 CCR 93115]
8. Emissions from this IC engine shall not exceed any of the following limits: 3.86 g-NOx/bhp-hr, 0.52 g-CO/bhp-hr, or 0.2 g-VOC/bhp-hr. [District Rule 2201 and 17 CCR 93115]
9. Emissions from this IC engine shall not exceed 0.05 g-PM10/bhp-hr based on USEPA certification using ISO 8178 test procedure. [District Rules 2201 and 4102 and 17 CCR 93115]

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-1252-38-0 : Aug 1 2013 8:23AM - SOW : Joint Inspection NOT Required

10. 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]
11. 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]
12. 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 Rules 4701 and 4702]
13. 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 Rules 4701 and 4702]
14. This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year. [District Rules 4701 and 4702 and 17 CCR 93115]
15. 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 Rules 4701 and 4702 and 17 CCR 93115]
16. The permittee shall maintain monthly records of the type of fuel purchased. [District Rules 4701 and 4702 and 17 CCR 93115]
17. All records shall be maintained and retained on-site for a minimum of five years, and shall be made available for District inspection upon request. [District Rules 4701 and 4702 and 17 CCR 93115]
18. U.S. EPA administers the requirements of 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ. The owner or operator shall comply with the emission and operating limitations, testing requirements, initial and continuous compliance requirements as specified in these subparts. The owner or operator shall submit all applicable notifications, reports, and records to the administrator by the required compliance dates. [District Rules 4001 and 4002]