



**JUN 29 2017**

Tony Meirinho  
Tony Meirinho & Sons Dairy #2  
5418 Woodland Ave  
Modesto, CA 95358

**RE: Notice of Final Action - Authority to Construct**  
**Facility Number: N-6951**  
**Project Number: N-1140282**

Dear Mr. Meirinho:

The Air Pollution Control Officer has issued the Authority to Construct permits to Tony Meirinho & Sons Dairy #2 for a herd profile expansion and facility upgrades, at 4890 Healy Rd, Merced. Enclosed are 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 the Authority to Construct permits was published on May 25, 2017. The District's analysis of the proposal was also sent to CARB on May 22, 2017. 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.

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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**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

Mr. Tony Meirinho  
Page 2

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Errol Villegas at (559) 230-6000.

Sincerely,

  
Arnaud Marjollet  
Director of Permit Services

AM:ao

Enclosures

cc: Tung Le, CARB (w/enclosure) via email

Facility # N-6951  
TONY MEIRINHO & SONS DAIRY #2  
5418 WOODLAND  
MODESTO, CA 95358

## **AUTHORITY TO CONSTRUCT (ATC)**

### **QUICK START GUIDE**

1. **Pay Invoice:** Please pay enclosed invoice before due date.
2. **Fully Understand ATC:** Make sure you understand ALL conditions in the ATC prior to construction, modification and/or operation.
3. **Follow ATC:** You must construct, modify and/or operate your equipment as specified on the ATC. Any unspecified changes may require a new ATC.
4. **Notify District:** You must notify the District's Compliance Department, at the telephone numbers below, upon start-up and/or operation under the ATC. Please record the date construction or modification commenced and the date the equipment began operation under the ATC. You may NOT operate your equipment until you have notified the District's Compliance Department. A startup inspection may be required prior to receiving your Permit to Operate.
5. **Source Test:** Schedule and perform any required source testing. See [http://www.valleyair.org/busind/comply/source\\_testing.htm](http://www.valleyair.org/busind/comply/source_testing.htm) for source testing resources.
6. **Maintain Records:** Maintain all records required by ATC. Records are reviewed during every inspection (or upon request) and must be retained for at least 5 years. Sample record keeping forms can be found at [http://www.valleyair.org/busind/comply/compliance\\_forms.htm](http://www.valleyair.org/busind/comply/compliance_forms.htm).

By operating in compliance, you are doing your part to improve air quality for all Valley residents.

**For assistance, please contact District Compliance staff at any of the telephone numbers listed below.**

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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

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

## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6951-1-2

**ISSUANCE DATE:** 06/26/2017

**LEGAL OWNER OR OPERATOR:** TONY MEIRINHO & SONS DAIRY #2

**MAILING ADDRESS:** 5418 WOODLAND  
MODESTO, CA 95358

**LOCATION:** 4890 HEALY RD  
MERCED, CA 95341

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF 1,040 COW MILKING OPERATION WITH ONE 80 STALL ROTARY MILKING PARLOR AND ONE 30 STALL FLAT BARN MILKING PARLOR: INCREASE NUMBER OF MILK COWS TO 4,800

## CONDITIONS

1. Authority to Construct (ATC) N-6951-1-3 shall be implemented concurrently, or prior to the modification and startup of the equipment authorized by this Authority to Construct. [District Rule 2201]
2. 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]
3. 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]
4. This permit does not authorize the violation of any conditions established for this facility 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. [Public Resources Code 21000-21177: California Environmental Quality Act]
5. 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 or necessary for the animal to molt, 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]

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.

Sayed Sadredin, Executive Director / APCO



Arnaud Marjollet, Director of Permit Services  
N-6951-1-2: Jun 26 2017 1:37PM - OGDENA - Joint Inspection NOT Required

6. Permittee shall flush or hose milk parlor immediately prior to, immediately after, or during each milking. [District Rules 2201 and 4570]
7. Permittee shall provide verification that milk parlors are flushed or hosed prior to, immediately after, or during each milking. [District Rules 2201 and 4570]
8. Permittee shall maintain daily records of the number of cows milked in the milking parlor. [District Rules 1070 and 2201]
9. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]



# AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6951-2-2

**ISSUANCE DATE:** 06/26/2017

**LEGAL OWNER OR OPERATOR:** TONY MEIRINHO & SONS DAIRY #2

**MAILING ADDRESS:** 5418 WOODLAND  
MODESTO, CA 95358

**LOCATION:** 4890 HEALY RD  
MERCED, CA 95341

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF COW HOUSING - 1,250 MATURE COWS (MILK COWS AND DRY COWS), 545 LARGE HEIFERS (15-24 MONTHS), 852 MEDIUM HEIFERS (7-14 MONTHS), 500 SMALL HEIFERS (3-6 MONTHS), AND 60 MATURE BULLS HOUSED IN FREESTALL WITH FLUSH SYSTEM; 400 CALVES (UNDER 3 MONTHS) HOUSED IN ABOVEGROUND CALF HUTCHES WITH FLUSH SYSTEM; INCREASE NUMBER OF COWS TO 4,800 MILK COWS, NOT TO EXCEED A COMBINED TOTAL OF 5,800 MATURE COWS, 4,402 SUPPORT STOCK (HEIFERS AND BULLS), AND 900 CALVES; CONSTRUCT TWO 1,200-COW FREESTALL BARN AND ONE 520 COW SPECIAL NEEDS FREESTALL BARN WITH FLUSH SYSTEM; CONSTRUCT EIGHT LARGE HEIFER CORRALS, FOUR DRY COW CORRALS AND ONE SAUDI STYLE AND ONE LOAFING BARN FOR HEIFERS; AND INSTALL WINDBREAKS

## CONDITIONS

1. 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. 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. This permit does not authorize the violation of any conditions established for this facility 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. [Public Resources Code 21000-21177: California Environmental Quality Act]

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

Arnaud Marjollet, Director of Permit Services  
N-6951-2-2 - Jun 28 2017 1:37PM - OGDENA - Joint Inspection NOT Required



4. 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 2201]
5. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]
6. 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 Rules 2201 and 4570]
7. Permittee shall pave feedlanes, where present, for a width of at least 8 feet along the corral side of the feedlane fence for milk and dry cows and at least 6 feet along the corral side of the feedlane for heifers. [District Rules 2201 and 4570]
8. Permittee shall flush, scrape or vacuum freestall lanes immediately prior to, immediately after or during each milking. [District Rules 2201 and 4570]
9. Permittee shall maintain records sufficient to demonstrate that freestall lanes are flushed, scraped or vacuumed immediately prior to, immediately after or during each milking. [District Rules 2201 and 4570]
10. Permittee shall remove manure that is not dry from individual cow freestall beds or shall rake, harrow, scrape, or grade freestall bedding at least once every seven (7) days. [District Rules 2201 and 4570]
11. Permittee shall record either of the following: 1) the dates when manure that is not dry is removed from individual cow freestall beds or 2) the dates when the freestall bedding is raked, harrowed, scraped, or graded. [District Rules 2201 and 4570]
12. Permittee shall keep records or maintain an operating plan that requires freestall flush lanes to be flushed or scraped at least four (4) times per day. [District Rules 2201 and 4570]
13. Open corrals and exercise pens shall be scraped every other week using a pull-type scraper in the morning hours, except when this is prevented by wet conditions. [District Rules 2201 and 4570]
14. Permittee shall establish windbreaks along the direction of the prevailing wind for the upwind and downwind sides of the cow housing at the dairy. Windbreaks shall consist of the following rows with the first row closest to the dairy: the first row shall consist of Leland Cypress, planted 10 feet apart and the second row shall consist of Aptos Blue Redwood, planted 14 feet apart. Each row should be offset from the adjacent row. Spacing between rows shall be sufficient to accommodate cultivation equipment. This spacing shall not exceed 20 feet. An alternative windbreak proposal must be approved by the District. [District Rule 2201]
15. Trees/shrubs that are initially planted as part of the windbreak shall have a minimum container size of five gallons. [District Rule 2201]
16. Windbreaks shall be irrigated and maintained for survivability and rapid growth. Dead trees and shrubs shall be replaced as necessary to maintain a windbreak density of 65%. [District Rule 2201]
17. Density is the percentage of the background view that is obscured or hidden when viewing through the windbreak from 60 ft to 100 ft upwind of the rows. [District Rule 2201]
18. The open corrals shall be equipped with shade structures for the all cows. [District Rule 2201]
19. At least one of the feedings of the heifers at this dairy shall be near (within one hour of) dusk. [District Rule 2201]
20. Permittee shall inspect water pipes and troughs and repair leaks at least once every seven (7) days. [District Rules 2201 and 4570]
21. Permittee shall maintain records demonstrating that water pipes and troughs are inspected and leaks are repaired at least once every seven (7) days. [District Rules 2201 and 4570]

CONDITIONS CONTINUE ON NEXT PAGE

22. Permittee shall clean manure from corrals at least four (4) times per year with at least sixty (60) days between each cleaning, or permittee shall clean corrals at least once between April and July and at least once between September and December. [District Rules 2201 and 4570]
23. Permittee shall demonstrate that manure from corrals are cleaned at least four (4) times per year with at least sixty (60) days between each cleaning or demonstrate that corrals are cleaned at least once between April and July and at least once between September and December. [District Rules 2201 and 4570]
24. Permittee shall implement at least one of the following corral mitigation measures: 1) slope the surface of the corrals at least 3% where the available space for each animal is 400 square feet or less and shall slope the surface of the corrals at least 1.5% where the available space for each animal is more than 400 square feet per animal; 2) maintain corrals to ensure proper drainage preventing water from standing more than forty-eight hours; or 3) harrow, rake, or scrape pens sufficiently to maintain a dry surface except during periods of rainy weather. [District Rules 2201 and 4570]
25. Permittee shall either 1) maintain sufficient records to demonstrate that corrals are maintained to ensure proper drainage preventing water from standing for more than forty-eight hours or 2) maintain records of dates pens are groomed (i.e., harrowed, raked, or scraped, etc.). [District Rules 2201 and 4570]
26. Permittee shall scrape, vacuum or flush concrete lanes in corrals at least four (4) times every day for mature cows and twice a day for heifers and once a week for calves. [District Rules 2201 and 4570]
27. Permittee shall maintain records demonstrating that concrete lanes in corrals are scraped, vacuumed, or flushed at least four (4) times every day for mature cows and at least twice every day for support stock and once a week for calves. [District Rules 2201 and 4570]
28. Shade structures shall be installed in any of the following ways: 1) constructed with a light permeable roofing material; 2) uphill of any slope in the corral; 3) installed so that the structure has a North/South orientation. OR Permittee shall clean manure from under corral shades at least once every fourteen (14) days, when weather permits access into the corral. [District Rules 2201 and 4570]
29. If permittee has selected to comply using shades constructed with a light permeable roofing material, then permittee shall maintain records, such as design specifications, demonstrating that the shade structures are equipped with such roofing material or if permittee has selected to comply by cleaning the manure from under the corral shades, then permittee shall maintain records demonstrating that manure is cleaned from under the shades at least once every fourteen (14) days, as long as weather permits access to corrals. [District Rules 2201 and 4570]
30. Permittee shall manage corrals such that the manure depth in the corral does not exceed twelve (12) inches at any time or point, except for in-corral mounding. Manure depth may exceed 12 inches when corrals become inaccessible due to rain events. However, permittee must resume management of the manure depth of 12 inches or lower immediately upon the corral becoming accessible. [District Rules 2201 and 4570]
31. Permittee shall measure and document the depth of manure in the corrals at least once every ninety (90) days. [District Rules 2201 and 4570]
32. Permittee 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]
33. The total number of cattle housed at this dairy at any one time shall not exceed any of the following: 5,800 mature cows (milk cows and dry cows); 1,600 large heifers (15-24 months); 1,400 medium heifers (7-14 months); 1,752 small heifers (3-6 months); 900 calves (under 3 months); and 150 mature bulls. [District Rule 2201]
34. Permittee shall maintain daily records of the number of milk cows, dry cows, large heifers (15-24 months), medium heifers (7-14 months), small heifers (3-6 months), small calves (under 3 months), and mature bulls at this dairy. [District Rule 2201]
35. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6951-3-1

**ISSUANCE DATE:** 06/26/2017

**LEGAL OWNER OR OPERATOR:** TONY MEIRINHO & SONS DAIRY #2

**MAILING ADDRESS:** 5418 WOODLAND  
MODESTO, CA 95358

**LOCATION:** 4890 HEALY RD  
MERCED, CA 95341

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF LIQUID MANURE HANDLING SYSTEM CONSISTING OF SETTLING BASIN(S); ONE STORAGE POND; ONE LAGOON; MANURE LAND APPLIED THROUGH FLOOD IRRIGATION AND FURROW IRRIGATION; ALLOW INCREASE IN THROUGHPUT DUE TO HERD INCREASE AUTHORIZED BY ATC -2-2; CONSTRUCT A PROCESSING PIT AND MECHANICAL SEPARATOR; AND CONVERT A STORAGE POND TO AN ANAEROBIC TREATMENT LAGOON

## CONDITIONS

1. 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. 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. This permit does not authorize the violation of any conditions established for this facility 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. [Public Resources Code 21000-21177: California Environmental Quality Act]
4. 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 or necessary for the animal to molt, 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]

### 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



Arnaud Marjollet, Director of Permit Services  
N-6951-3-1 Jun 26 2017 1:37PM -- OGDENA : Joint Inspection NOT Required

5. The liquid manure handling system shall handle flush manure from no more than 5,800 mature cows (milk and dry); 1,600 heifers (15-24 months); 1,400 heifers (7-14 months); 1,252 heifers (4-6 months), 900 calves and 150 bulls. [District Rule 2201]
6. Permittee shall operate the lagoon (900' x 300') as an anaerobic treatment lagoon designed according to NRCS Guideline No. 359. [District Rule 2201]
7. Permittee shall only apply liquid manure that has been treated with an anaerobic treatment lagoon, an aerobic lagoon or a digester system. [District Rule 2201]
8. Permittee shall remove solids with a solid separator system, prior to the manure entering the lagoon. [District Rules 2201 and 4570]
9. Permittee shall not allow liquid manure to stand in the fields for more than twenty-four (24) hours after irrigation. [District Rules 2201 and 4570]
10. The quarterly H<sub>2</sub>S concentration shall not exceed 5.0 mg/L. [District Rule 4102]
11. Permittee shall maintain records of design specifications and calculations for the Anaerobic Treatment Lagoon system in order to demonstrate that the system has been designed and is operating in accordance with the applicable National Resource Conservation Service (NRCS) technical guide. [District Rule 2201]
12. Permittee shall maintain records that only liquid animal waste treated with an anaerobic treatment lagoon is applied to fields. [District Rules 2201 and 4570]
13. Permittee shall maintain records to demonstrate liquid manure did not stand in the fields for more than twenty-four (24) hours after irrigation. [District Rules 2201 and 4570]
14. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6951-4-1

**ISSUANCE DATE:** 06/26/2017

**LEGAL OWNER OR OPERATOR:** TONY MEIRINHO & SONS DAIRY #2

**MAILING ADDRESS:** 5418 WOODLAND  
MODESTO, CA 95358

**LOCATION:** 4890 HEALY RD  
MERCED, CA 95341

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF SOLID MANURE HANDLING CONSISTING OF OPEN AND COVERED MANURE STOCK PILES; WINDROW COMPOSTING; SOLID MANURE APPLICATION TO LAND AND HAULED OFFSITE: ALLOW INCREASE IN THROUGHPUT DUE TO HERD EXPANSION AUTHORIZED BY ATC -2-2

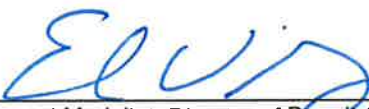
## CONDITIONS

1. 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. 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. This permit does not authorize the violation of any conditions established for this facility 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. [Public Resources Code 21000-21177: California Environmental Quality Act]
4. 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 or necessary for the animal to molt, 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]

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

  
Arnaud Marjollet, Director of Permit Services

N-6951-4-1 Jun 26 2017 1:38PM -- OGDENA : Joint Inspection NOT Required

5. Within seventy two (72) hours of removal of solid manure from housing, permittee shall either 1) remove dry manure from the facility, or 2) cover dry manure outside the housing with a weatherproof covering from October through May, except for times when wind events remove the covering, not to exceed twenty-four (24) hours per event. [District Rules 2201 and 4570]
6. Permittee shall keep records of dates when manure is removed from the facility or permittee shall maintain records to demonstrate that dry manure piles outside the pens are covered with a weatherproof covering from October through May. [District Rules 2201 and 4570]
7. If weatherproof coverings are used, permittee shall maintain records, such as manufacturer warranties or other documentation, demonstrating that the weatherproof covering over dry manure are installed, used, and maintained in accordance with manufacturer recommendations and applicable standards listed in NRCS Field Office Technical Guide Code 313 or 367, or any other applicable standard approved by the APCO, ARB, and EPA. [District Rules 2201 and 4570]
8. Remove separated solids from the facility within seventy-two (72) hours of removal from the drying process. Within seventy two (72) hours of removal from the drying process, cover separated solids outside the housing with a weatherproof covering from October through May, except for times when wind events remove the covering, not to exceed 24 hours per event. [District Rules 2201 and 4570]
9. Within seventy two (72) hours of removal of separated solids from the drying process, permittee shall either 1) remove separated solids from the facility, or 2) cover separated solids outside the housing with a weatherproof covering from October through May, except for times when wind events remove the covering, not to exceed twenty-four (24) hours per event. [District Rules 2201 and 4570]
10. Permittee shall keep records of dates when separated solids are removed from the facility or permittee shall maintain records to demonstrate that separated solids piles outside the pens are covered with a weatherproof covering from October through May. [District Rules 2201 and 4570]
11. Permittee shall maintain records, such as manufacturer warranties or other documentation, demonstrating that the weatherproof covering over separated solids are installed, used, and maintained in accordance with manufacturer recommendations and applicable standards listed in NRCS Field Office Technical Guide Code 313 or 367, or any other applicable standard approved by the APCO, ARB, and EPA. [District Rules 2201 and 4570]
12. Permittee shall incorporate all solid manure within two (2) hours of land application. [District Rules 2201 and 4570]
13. Permittee shall maintain records to demonstrate that all solid manure has been incorporated within two (2) hours of land application. [District Rules 2201 and 4570]
14. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]

## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6951-5-1

**ISSUANCE DATE:** 06/26/2017

**LEGAL OWNER OR OPERATOR:** TONY MEIRINHO & SONS DAIRY #2

**MAILING ADDRESS:** 5418 WOODLAND  
MODESTO, CA 95358

**LOCATION:** 4890 HEALY RD  
MERCED, CA 95341

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF FEED STORAGE AND HANDLING CONSISTING OF COVERED FEED STORAGE OR COMMODITY BARN, SILAGE PILES, AG BAGS, DRY GRAIN TANKS AND SILOS AND TMR: ALLOW INCREASE IN THROUGHPUT DUE TO HERD EXPANSION AUTHORIZED BY ATC -2-2

## CONDITIONS

1. 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. 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. This permit does not authorize the violation of any conditions established for this facility 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. [Public Resources Code 21000-21177: California Environmental Quality Act]
4. 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 or necessary for the animal to molt, 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]

### 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



Arnaud Marjollet, Director of Permit Services  
N-6951-5-1 : Jun 26 2017 1:38PM - OGDENA : Joint Inspection NOT Required



5. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]
6. 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 Rules 2201 and 4570]
7. Permittee shall push feed so that it is within three feet of feedlane fence within two hours of putting out the feed or use a feed trough or other feeding structure designed to maintain feed within reach of the animals. [District Rules 2201 and 4570]
8. Permittee shall maintain an operating plan or record that requires feed to be pushed within three feet of feedlane fence within two hours of putting out the feed, or use of a feed trough or other structure designed to maintain feed within reach of the animals. [District Rules 2201 and 4570]
9. Permittee shall begin feeding total mixed rations within two hours of grinding and mixing rations. [District Rules 2201 and 4570]
10. Permittee shall maintain an operating plan or record of when feeding of total mixed rations began within two hours of grinding and mixing rations. [District Rules 2201 and 4570]
11. Permittee shall store grain in a weatherproof storage structure or under a weatherproof covering from October through May. [District Rules 2201 and 4570]
12. Permittee shall maintain records demonstrating grain is/was stored in a weatherproof storage structure or under a weatherproof covering from October through May. [District Rules 2201 and 4570]
13. Permittee shall remove uneaten wet feed from feed bunks within twenty-four (24) hours after the end of a rain event. [District Rules 2201 and 4570]
14. Permittee shall maintain records demonstrating that uneaten wet feed was removed from feed bunks within twenty-four (24) hours after the end of a rain event. [District Rules 2201 and 4570]
15. For bagged silage/feedstuff, permittee shall utilize a sealed feed storage system (e.g., ag bag). [District Rules 2201 and 4570]
16. Permittee shall cover all silage piles, except for the area where feed is being removed from the pile, with a plastic tarp that is at least five (5) mils (0.005 inches) thick, multiple plastic tarps with a cumulative thickness of at least 5 mils (0.005 inches), or an oxygen barrier film covered with a UV resistant material. Silage piles shall be covered within seventy-two (72) hours of last delivery of material to the pile. Sheets of material used to cover silage shall overlap so that silage is not exposed where the sheets meet. [District Rules 2201 and 4570]
17. Permittee shall maintain records of the thickness and type of cover used to cover each silage pile. Permittee shall also maintain records of the date of the last delivery of material to each silage pile and the date each pile is covered. [District Rules 2201 and 4570]
18. Permittee shall select and implement one of the following mitigation measures for building each silage pile at the facility: Option 1) build the silage pile such that the average bulk density is at least 44 lb/cu ft for corn silage and 40 lb/cu ft for other silage types, as measured in accordance with Section 7.11 of District Rule 4570; Option 2) Adjust filling parameters when creating the silage pile to achieve an average bulk density of at least 44 lb/cu ft for corn silage and at least 40 lb/cu ft for other silage types as determined using a District-approved spreadsheet; or Option 3) build silage piles using crops harvested with the applicable minimum moisture content, maximum Theoretical Length of Chop (TLC), and roller opening identified in District Rule 4570, Table 4.1, 1.d and manage silage material delivery such that the thickness of the layer of un-compacted material delivered on top of the pile is no more than six (6) inches. Records of the option chosen as a mitigation measure for building each silage pile shall be maintained. [District Rules 2201 and 4570]
19. For each silage pile that Option 1 (Measured Bulk Density) is chosen as a mitigation measure for building the pile, records of the measured bulk density shall be maintained. [District Rules 2201 and 4570]



20. For each silage pile that Option 2 (Bulk Density Determined by Spreadsheet) is chosen as a mitigation measure for building the pile, records of the filling parameters entered into the District-approved spreadsheet to determine the bulk density shall be maintained. [District Rules 2201 and 4570]
21. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, the permittee shall harvest corn used for the pile at an average moisture content of at least 65% and harvest other silage crops for the pile at an average moisture content of at least 60%. [District Rules 2201 and 4570]
22. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, records of the average percent moisture of crops harvested for silage shall be maintained. [District Rules 2201 and 4570]
23. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, the permittee shall adjust setting of equipment used to harvest crops for the pile to incorporate the following parameters for Theoretical Length of Chop (TLC) and roller opening, as applicable: 1) Corn with no processing: TLC not exceeding 1/2 inch, 2) Processed Corn: TLC not exceeding 3/4 inch and roller opening of 1-4 mm, 3) Alfalfa/Grass: TLC not exceeding 1.0 inch, 4) Other silage crops: TLC not exceeding 1/2 inch. [District Rules 2201 and 4570]
24. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, records that equipment used to harvest crops for the pile was set to the required TLC and roller opening for the type of crop harvested shall be maintained. [District Rules 2201 and 4570]
25. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, the permittee shall manage silage material delivery such that the thickness of the layer of un-compacted material delivered on top of the pile is no more than six (6) inches. [District Rules 2201 and 4570]
26. For each silage pile that Option 3 (Moisture, TLC, Roller Opening, & Material Delivery) is chosen as a mitigation measure for building the pile, the permittee shall maintain a plan that requires that the thickness of the layer of un-compacted material delivered on top of the pile is no more than six (6) inches. [District Rules 2201 and 4570]
27. Permittee shall select and implement at least two of the following mitigation measures for management of silage piles at the facility: Option 1) manage silage piles such that only one silage pile has an uncovered face and the total exposed surface area is less than 2,150 square feet, or manage multiple uncovered silage piles such that the total exposed surface area of all uncovered silage piles is less than 4,300 square feet; Option 2) use a shaver/facer to remove silage from the silage pile, or shall use another method to maintain a smooth vertical surface on the working face of the silage pile; or Option 3) inoculate silage with homolactic lactic acid bacteria in accordance with manufacturer recommendations to achieve a concentration of at least 100,000 colony forming units per gram of wet forage, apply propionic acid, benzoic acid, sorbic acid, sodium benzoate, or potassium sorbate at the rate specified by the manufacturer to reduce yeast counts when forming silage piles, or apply other additives at rates that have been demonstrated to reduce alcohol concentrations in silage and/or VOC emissions from silage and have been approved by the District and EPA. Records of the options chosen for managing each silage pile shall be maintained. [District Rules 2201 and 4570]
28. If Option 1 (Limiting Exposed Area of Silage) is chosen as a mitigation measure for managing silage piles, the permittee shall calculate and record the maximum (largest part of pile) total exposed area of each silage pile. Records of the maximum calculated area shall be maintained. [District Rules 2201 and 4570]
29. For each silage pile that Option 2 (Shaver/Facer or Smooth Face) is chosen as a mitigation measure for managing the pile, the permittee shall maintain records that a shaver/facer was used to remove silage from the pile or shall visually inspect the pile at least daily to verify that the working face was smooth and maintain records of the visual inspections. [District Rules 2201 and 4570]
30. For each silage pile that Option 3 (Silage Additives) is chosen as a mitigation measure for managing the pile, records shall be maintained of the type additive (e.g. inoculants, preservative, other District & EPA-approved additive), the quantity of the additive applied to the pile, and a copy of the manufacturers instructions for application of the additive. [District Rules 2201 and 4570]
31. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]