AIR POLLUTION CONTROL PERMIT TO CONSTRUCT

Permittee: **Name:** CNH Industrial America LLC **Address:** 3401 First Avenue N Fargo, ND 58102	**Permit Number:** ACP-18214 v 1.0 **Permit Description:** Synthetic Minor
Source Name & Location: Fargo Facility 3401 First Avenue N Fargo, North Dakota Cass County	**Source Type:** Manufacturing; Equip. Const/Coating
Date of Application: May 22, 2023	

Pursuant to Chapter 23.1-06 of the North Dakota Century Code, and the Air Pollution Control Rules of the State of North Dakota (Article 33.1-15 of the North Dakota Administrative Code), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Permit to Construct is hereby issued authorizing such permittee to construct and initially operate the source unit(s) at the location designated above. This Permit to Construct is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified below:

_____ Date: _____

James L. Semerad
Director
Division of Air Quality

1. **Facility Emissions Units:**

Emission Unit Description	Emission Unit (EU) / Asset #	Emission Point (EP)	Air Pollution Control Equipment
Final paint booth #1	13 / PL043-1	13	2 Stage Dry Filter Collection
Final paint booth #2	14 / PL043-2	14	2 Stage Dry Filter Collection
Approximately 16 natural gas-fired space heaters with a combined nominal rating of 30 x 10^6 Btu/hr. Individual unit ratings are less than 10 x 10^6 Btu/hr.	15-5 through 15-20 [A]	15-5 through 15-20	None
Haden Schweitzer large parts paint booth	19-A / PL041	19A, 19B	2 Stage Dry Filter Collection
Air make-up unit with a 11 x 10^6 Btu/hr natural gas-fired burner for the Haden Schweitzer large parts paint booth	19-B / PL033		
Haden Schweitzer large parts bake oven	20-A / PL008	20A, 20B	None
Natural gas-fired burner rated at 5.0 x 10^6 Btu/hr in the Haden Schweitzer large parts bake oven	20-B1 / PL59 [A]		
Natural gas-fired burner rated at 5.0 x 10^6 Btu/hr in the Haden Schweitzer large parts bake oven	20-B2 / PL60		
Natural gas-fired burner rated at 5.8 x 10^6 Btu/hr in the Haden Schweitzer large parts bake oven extension	20-B3 / PL126		
Three glass primers	24 [A]	24	None
Large parts paint system shot-blaster	26 / PL013 [A]	26	Cartridge Filter
Welding	29 [A]	29	Dust Collectors
Above ground fuel storage tanks	30 [A]	30	None
Approximately 25 safety-kleen degreasers	31 [A]	31	None
Air make-up unit with a 0.94 x 10^6 Btu/hr natural gas-fired burner	33 / R31 [A]	33	None
Air make-up unit with a 3.37 x 10^6 Btu/hr natural gas-fired burner	34 [A]	34	None
Wheelabrator-Frye Model 170 Tumbleblaster	35 / F145 [A]	35	Cartridge Filter
Blastec plate steel shot blast unit	36 / F112 [A]	36	Cartridge Filter
Ernst EG 3M II deslagging machine	37-A / F131 [A]	37	Farr GS10 Dust Collector
Ernst EG 3M II deslagging machine	37-B / F131 [A]		
Koch prime booth	38-A / PL153	38A, 38B, 38C, 38D	3 Stage Dry Filter Collection

Emission Unit Description	Emission Unit (EU) / Asset #	Emission Point (EP)	Air Pollution Control Equipment
Air makeup unit for the with an 8.5 x 10^6 Btu/hr natural gas-fired burner for the Koch prime booth	38-B / PL120		
Koch prime booth radiant zone extension	39-A / PL153A [A]	20A, 20B	None
Natural gas-fired burner rated at 1.0 x 10^6 Btu/hr in the Koch prime booth radiant zone	39-B / PL122 [A]		
Koch wash system boiler #1 with a 5.25 x 10^6 Btu/hr natural gas-fired burner (mfd 2008)	41 / PL147	41	None
Koch wash system boiler #2 with a 5.25 x 10^6 Btu/hr natural gas-fired burner (mfd 2008)	42 / PL148	42	None
Koch wash system stage 3 mist eliminator	43 / PL103 [A]	43	2 Stage Mist Eliminator
Koch prime washer dryoff oven	44 / PL107 [A]	44	None
Final parts paint booth #3	45 / PL191	45	2 Stage Dry Filter Collection
Cummins Power Generation model C70 N6, 164 bhp natural gas-fired emergency generator (4SRB, mfd 11/08/16) (NSPS JJJJ, MACT ZZZZ)	46 [A, B]	46	None
Ace Equipment Company model 3512-RT incinerator rated at 80 lb./hr. The primary chamber is equipped with two natural gas-fired burners rated at 1.2 x 10^6 and 0.8 X 10^6 Btu/hr.	47	47	Secondary chamber / afterburner equipped with a natural gas-fired burner rated at 1.2 x 10^6 Btu/hr.
Approximately 17 natural gas/propane-fired space heaters nominally rated at greater than 1.0 x 10^6 Btu/hr and less than 4.3 x 10^6 Btu/hr each	Various [A]	Various	None
Approximately 7 natural gas/propane-fired space heaters nominally rated at greater than 0.5 x 10^6 Btu/hr and less than 1.0 x 10^6 Btu/hr each	Various [A]	Various	None
Approximately 20 natural gas/propane-fired space heaters nominally rated at less than 0.5 x 10^6 Btu/hr each; combined total rating of approximately 3.6 x 10^6 Btu/hr	Various [A]	Various	None

[A] Insignificant or fugitive emission sources with no specific emission limit.

[B] The potential to emit for an emergency stationary reciprocating internal combustion engine (RICE) is based on operating no more hours per year than is allowed by the applicable subpart (40 CFR 63, Subpart ZZZZ) for other than emergency situations. For engines to be considered emergency stationary RICE under the RICE rules, engine operations must comply with the operating hour limits as specified in the applicable subpart. There is no limit on the use of emergency stationary RICE in emergency situations [40 CFR 60, Subpart ZZZZ, §63.6640(f)].

2. **Applicable Standards, Restrictions and Miscellaneous Conditions**:

A. Rescinded Permit to Constructs (PTC):

Upon the issuance date of this permit, the 12/20/95 PTC, ACP-17625 v1.0 (PTC14035), and ACP-17156 v1.0 (PTC08001) are rescinded in their entirety and replaced with the conditions of this permit.

B. New Source Performance Standards (NSPS):

The permittee shall comply with all applicable requirements of the following NSPS subparts, in addition to Subpart A, as referenced in Chapter 33.1-15-12 of the North Dakota Air Pollution Control Rules and 40 CFR 60.

1) 40 CFR 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (EU 46).

C. National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories/Maximum Achievable Control Technology (MACT):

The permittee shall comply with all applicable requirements of the following MACT subparts, in addition to Subpart A, as referenced in Chapter 33.1-15-22-03 of the North Dakota Air Pollution Control Rules and 40 CFR 63.

1) 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EU 46). The North Dakota Department of Environmental Quality has not adopted the area source provisions of this subpart. Please send all documentation to EPA at the following address:

U.S. EPA Region 8
1595 Wynkoop Street
Mail Code 8ENF-AT
Denver, CO 80202-1129

D. Fuel Restrictions:

All fuel burning emission units listed on the permit are restricted to combusting only pipeline quality natural gas containing no more than 2 grains of sulfur per 100 standard cubic feet or commercial propane as defined by the Gas Processors Association.

E. Incinerator Operations:

1) Burning Restrictions: Waste burned in the incinerator (EU 47) is restricted to dried paint.

2) Auxiliary Fuel Burners: The burners and other accessories on the incinerator shall be fully functional and capable of proper operation at all times the incinerator is in use.

3) Secondary Chamber: The secondary chamber shall be equipped with a temperature monitor and operated at a minimum temperature of 1,500°F. The permittee shall observe and record the temperature in the secondary chamber for at least 50% of the cycles.

4) Operator Training: The operator shall be thoroughly instructed in the proper method of operation of the incinerator. A written copy of the instructions shall be available so that the operator can refer to the instructions, if needed.

5) Operations and Maintenance: The incinerator shall be properly operated and maintained in accordance with the manufacturer's recommendations.

6) Recordkeeping:

a) The permittee shall observe and record the temperature in the secondary chamber for at least 50% of the cycles.

b) When EU 47 is incinerating dried paint, the permittee shall calculate and record the charge rate per hour. The permittee shall determine the average weight of the dried paint once every reporting period (six months).

7) Malfunctions: Waste may not be charged (loaded) when malfunctions occur unless specifically approved by the Department. A log must be maintained indicating any operational error or equipment malfunctions.

3. **Emission Unit Limits**:

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit
Facility wide	All	All	PM	95 tons per year (tpy)
			VOC	95 tpy
			Total HAP	24 tpy
			Single HAP	9 tpy
Final paint booth #1	13 / PL043-1	13	Opacity	20% [A]
Final paint booth #2	14 / PL043-2	14	Opacity	20% [A]
Haden Schweitzer large parts paint booth	19-A / PL041	19A, 19B	Opacity	20% [A]
Haden Schweitzer large parts air make-up unit (11 x 10^6 Btu/hr)	19-B / PL033			

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit
Haden Schweitzer large parts bake oven	20-A / PL008	20A, 20B	Opacity	20% [A]
Haden Schweitzer large parts burner (5.0 x 10^6 Btu/hr)	20-B1 / PL59			
Haden Schweitzer large parts burner (5.0 x 10^6 Btu/hr)	20-B2 / PL60			
Haden Schweitzer large parts burner (5.8 x 10^6 Btu/hr)	20-B3 / PL126			
Koch prime booth	38-A / PL153	38A, 38B, 38C, 38D	Opacity	20% [A]
Koch prime booth air make-up unit (8.5 x 10^6 Btu/hr)	38-B / PL120			
Koch wash system boiler #1 (5.25 x 10^6 Btu/hr)	41 / PL147	41	Opacity	20% [A]
Koch wash system boiler #2 (5.25 x 10^6 Btu/hr)	42 / PL148	42	Opacity	20% [A]
Final parts paint booth #3	45 / PL191	45	Opacity	20% [A]
Cummins emergency generator	46	46	Hours of Operation Opacity	Operating Hours 20% [A]
Ace Equipment Company model 3512-RT incinerator	47	47	Max Charge Rate Min. Temp. in Secondary Chamber Opacity	80 lb/hr 1500°F 20% [A]

[A] 40% opacity is permissible for not more than one six-minute period per hour.

A. **Particulate Matter (PM) Emission Limit**: PM emissions are limited to a total of 95.0 tons per rolling 12-month period.

B. **Volatile Organic Compound (VOC) Emission Limit**: VOC emissions are limited to a total of 95.0 tons per rolling 12-month period.

C. **Hazardous Air Pollutant (HAP) Emission Limit**: HAP emissions are limited to a total of 9.5 tons of any single HAP and 24.0 tons for all HAPs per rolling 12-month period.

D. The permittee shall calculate for the previous month the PM, VOC, single HAP and total HAP emissions from the facility by the 15th day of each month.

E. In the event that the PM exceed 95 tons, VOC exceed 95 tons and/or HAP emissions exceed 9.5 tons of any one HAP and/or 24.0 tons for all HAPs in a 12-month period,

the permittee shall notify the Department by the 25th day of the month in which the calculation was made.

4. **General Conditions (Equipment)**:

A. Best Management Practices:

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

B. Operation of Air Pollution Control Equipment:

The permittee shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

C. Stack Heights:

Emissions shall be vented through stacks that meet the following height requirements. Stack heights may be no less than those listed in the table below without prior approval from the Department.

Emission Point Description	EP	Minimum Stack Height (feet)
Final parts paint booth #3	45	33

D. Like-Kind Engine Replacement:

This permit allows the permittee to replace an existing engine with a like-kind unit. Replacement is subject to the following conditions:

1) The Department must be notified within 10 days after change-out of the unit.

2) The replacement unit shall operate in the same manner, provide no increase in throughput and have equal or less emissions than the unit it is replacing.

3) The date of manufacture of the replacement unit must be included in the notification. The facility must comply with any applicable federal standards (e.g. NSPS, MACT) triggered by the replacement.

4) The replacement unit is subject to the same state emission limits as the existing unit in addition to any NSPS or MACT emission limit that is applicable. Testing shall be conducted to confirm compliance with the emission limits within 180 days after start-up of the unit.

E. Organic Compound Emissions:

The permittee shall comply with all applicable requirements of NDAC 33.1-15-07 – Control of Organic Compounds Emissions.

F. Air Pollution from Internal Combustion Engines

The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.

G. Fugitive Emissions:

The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

5. **General Conditions (Procedural):**

A. Source Operations:

Operations at the installation shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air* Pollution Control Rules.

B. Alterations, Modifications, or Changes

Any alteration, repairing, expansion, or change in the method of operation of the source which results in the emission of an additional type or greater amount of air contaminants or which results in an increase in the ambient concentration of any air contaminant, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.

C. Recordkeeping:

The permittee shall maintain any compliance monitoring records required by this permit or applicable requirements. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records and all original strip-chart recordings/computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.

D. Annual Emission Inventory/Annual Production Reports:

The permittee shall submit an annual emission inventory report and/or an annual production report upon Department request, on forms supplied or approved by the Department.

E. Malfunction notification:

The permittee shall notify the Department of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations.

F. Nuisance or Danger:

This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.

G. Transfer of Permit to Construct:

The holder of a permit to construct may not transfer such permit without prior approval from the Department.

H. Right of Entry:

Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place at which the source listed in this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.

I. Other Regulations:

The permittee of the source unit(s) described in this permit shall comply with all State and Federal environmental laws and rules. In addition, the permittee shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.

J. Permit Issuance:

This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. Notwithstanding the tentative nature of this information, the conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23.1-06.

6. **State Enforceable Only Conditions (not Federally enforceable)**

A. Odor Restrictions:

The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33.1-15-16.