

Permit #: 28.000253-01C

Effective Date: Draft



South Dakota
Department of Agriculture
And
Natural Resources
Air Quality Construction Permit

Hunter Roberts, Secretary
Department of Agriculture and Natural Resources

Under the South Dakota Air Pollution Control Regulations

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to construct and operate is hereby issued by the Secretary of the Department of Agriculture and Natural Resources. This permit authorizes such owner to construct and operate the permitted unit(s) at the location designated below and under the listed conditions.

A. Owner

1. Company Name and Mailing Address

Smithfield Packaged Meats Corp.
111 North Commerce Street
Smithfield, Virginia 23430

2. Actual Source Location if Different from Above

Lot 1 Block 5 Foundation Park North Addition to the City of Sioux Falls,
Minnehaha County, South Dakota

3. Permit Contact

Maria Butkovich, Senior EHS Manager
(816) 266-1619

4. Facility Contact

Charles Millard, Principal Engineer
(816) 266-1619

5. Responsible Official

Anthony Doss, SVP Engineering
(757) 356-6710

B. Permit Revisions

Not applicable

C. Description of Construction Activity

Pork processing facility.

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1.0 Standard Conditions

1.1 Construction and operation of source

In accordance with Administrative Rules of South Dakota (ARSD) 74:36:20:15(9), the owner or operator shall construct and operate the units, controls, and processes as described in Table 1-1 in accordance with the statements, representations, and supporting data contained in the complete permit application received May 5, 2026, unless modified by the conditions of this permit.

Except as otherwise provided herein, the control equipment in Table 1-1 shall be operated at all times in accordance with the manufacturer's specification and in a manner that achieves compliance with the conditions of this permit. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

Unit	Description	Maximum Operating Rate	Control Device
#1	2026 or newer Boiler #1, fueled with natural gas	60.243 million Btus per hour	Low NOx burner
#2	2026 or newer Boiler #2, fueled with natural gas	60.243 million Btus per hour	Low NOx burner
#3	2026 or newer Boiler #3, fueled with natural gas	60.243 million Btus per hour	Low NOx burner
#4	2026 or newer Boiler #4, fueled with natural gas	60.243 million Btus per hour	Low NOx burner
#5	2026 or newer Singer #1, fueled with natural gas	26 million Btus per hour	Not applicable
#6	2026 or newer Singer #2, fueled with natural gas	26 million Btus per hour	Not applicable
#7	2026 or newer Singer #3, fueled with natural gas	26 million Btus per hour	Not applicable
#8	2026 or new Singer #4, fueled with natural gas	26 million Btus per hour	Not applicable
#9	2026 or newer Smokehouse #1 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #1 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#10	2026 or newer Smokehouse #2 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #2 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#11	2026 or newer Smokehouse #3 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #3 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#12	2026 or newer Smokehouse #4 Electric	Not applicable	Wet scrubber

Unit	Description	Maximum Operating Rate	Control Device
	Smoke Generator, fueled with wood chips		
	2026 or newer Smokehouse #4 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#13	2026 or newer Smokehouse #5 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #5 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#14	2026 or newer Smokehouse #6 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #6 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#15	2026 or newer Smokehouse #7 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #7 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#16	2026 or newer Smokehouse #8 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #8 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#17	2026 or newer Smokehouse #9 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #9 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#18	2026 or newer Smokehouse #10 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #10 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#19	2026 or newer Smokehouse #11 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #11 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#20	2026 or newer Smokehouse #12 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #12 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#21	2026 or newer Smokehouse #13 Electric Smoke Generator, fueled with wood chips	Not applicable	Wet scrubber
	2026 or newer Smokehouse #13 Batch Oven, fueled with natural gas	3.85 million Btus per hour	
#22	2026 or newer Oven #1, fueled with natural gas	1 burner at 1.71 million Btus per hour 3 burners at 0.913 million Btus per	Wet scrubber

Unit	Description	Maximum Operating Rate	Control Device
		hour, each	
#23	2026 or newer Oven #2, fueled with natural gas	1 burner at 1.71 million Btus per hour 3 burners at 0.913 million Btus per hour, each	Wet scrubber
#24	2026 or newer Oven #3, fueled with natural gas	1 burner at 1.71 million Btus per hour 3 burners at 0.913 million Btus per hour, each	Wet scrubber
#25	2026 or newer Oven #4, fueled with natural gas	4 burners at 2.475 million Btus per hour, each	Wet scrubber
#26	2026 or newer Liquid Smoke Drenching	7 gallons per minute	Not applicable
#27	2026 or newer Rendering Cooker #1, steam heated	Not applicable	Room air scrubber #1 or Room air scrubber #2, and regenerative thermal oxidizer ¹
	2026 or newer Rendering Cooker #2, steam heated	Not applicable	
	Shell and tube condenser	Not applicable	
	2026 or newer Hair Hydrolyzer	Not applicable	
	2026 or newer Blood Dryer, fueled with natural gas	3.76 million Btus per hour	
	Thermal oxidizer	2.2 million Btus per hour	
#28	2026 or newer Emergency Generator #1, fueled with distillate oil	500 kilowatts	Not applicable
#29	2026 or newer Emergency Generator #2, fueled with distillate oil	500 kilowatts	Not applicable
#30	2026 or newer Air Makeup Unit #1, fueled with natural gas	10 million Btus per hour	Not applicable
#31	2026 or newer Air Makeup Unit #2, fueled with natural gas	10 million Btus per hour	Not applicable
#32	2026 or newer Air Makeup Unit #3, fueled with natural gas	10 million Btus per hour	Not applicable
#33	2026 or newer Air Makeup Unit #4, fueled with natural gas	10 million Btus per hour	Not applicable
#34	2026 or newer Air Makeup Unit #5, fueled with natural gas	10 million Btus per hour	Not applicable
#35	2026 or newer Air Makeup Unit #6, fueled with natural gas	10 million Btus per hour	Not applicable

Unit	Description	Maximum Operating Rate	Control Device
#36	2026 or newer Air Makeup Unit #7, fueled with natural gas	10 million Btus per hour	Not applicable
#37	2026 or newer Air Makeup Unit #8, fueled with natural gas	10 million Btus per hour	Not applicable
#38	2026 or newer Air Makeup Unit #9, fueled with natural gas	10 million Btus per hour	Not applicable
#39	2026 or newer Air Makeup Unit #10, fueled with natural gas	10 million Btus per hour	Not applicable
#40	2026 or newer Air Makeup Unit #11, fueled with natural gas	10 million Btus per hour	Not applicable
#41	2026 or newer Air Makeup Unit #12, fueled with natural gas	10 million Btus per hour	Not applicable
#42	2026 or newer Air Makeup Unit #13, fueled with natural gas	10 million Btus per hour	Not applicable
#43	2026 or newer Air Makeup Unit #14, fueled with natural gas	10 million Btus per hour	Not applicable
#44	2026 or newer Air Makeup Unit #15, fueled with natural gas	10 million Btus per hour	Not applicable
#45	2026 or newer Air Makeup Unit #16, fueled with natural gas	10 million Btus per hour	Not applicable
#46	2026 or newer Air Makeup Unit #17, fueled with natural gas	7.5 million Btus per hour	Not applicable
#47	2026 or newer Air Makeup Unit #18, fueled with natural gas	3.5 million Btus per hour	Not applicable
#48	Several miscellaneous natural gas-fired units	Not applicable	Not applicable

¹ – Emissions may be routed to Room Air Scrubber #1 or #2 only when the regenerative thermal oxidizer is down.

1.2 Duty to comply

In accordance with ARSD 74:36:20:15(12)(a) and (c), the owner or operator shall construct and operate in compliance with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of an application to operate. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit.

1.3 Property rights or exclusive privileges

In accordance with ARSD 74:36:20:15(12)(b), the issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort,

any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights, infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.

1.4 Penalty for violating a permit condition

In accordance with South Dakota Codified Laws (SDCL) 34A-1-39 and 34A-1-47, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than \$10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.

1.5 Inspection and entry

In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary to:

1. Enter the premises where a regulated activity is located or where pertinent records are stored;
2. Have access to and copy any records that are required under this permit;
3. Inspect the construction and operations regulated under this permit; and/or
4. Sample or monitor any substances or parameters for the purpose of assuring compliance.

1.6 Severability

In accordance with ARSD 74:36:20:15(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.

1.7 Credible evidence

In accordance with ARSD 74:36:13:07, credible evidence may be used for the purpose of establishing whether the owner or operator has violated or is in violation of this permit. Credible evidence is as follows:

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at the source:
 - a. A monitoring method approved for the source pursuant to 40 CFR § 70.6(a)(3) and incorporated in this permit; or
 - b. Compliance methods specified in an applicable plan;
2. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information-gathering methods:
 - a. Any monitoring or testing methods approved in this permit, including those in 40 CFR Parts 51, 60, 61, and 75; or
 - b. Other testing, monitoring, or information-gathering methods that produce information comparable to that produced by any method in section (1) or (2)(a).

2.0 Construction and Operating Permit Deadlines

2.1 Commence construction

In accordance with ARSD 74:36:20:21, this permit becomes invalid if the owner or operator has not commenced construction within 18 months of the effective date of this permit; discontinued construction for a period of 18 months or more; or construction is not completed within 10 years of the effective date of this permit.

2.2 Submit operating permit application

In accordance with ARSD 74:36:20:20, the owner or operator shall submit a complete permit application for an operating permit pursuant to ARSD 74:36:05. A complete permit application for a Title V air quality operating permit shall be submitted within 12 months after the initial startup of the pork processing facility. For the purpose of this permit condition, initial startup means the first time pork is processed.

3.0 Permit Revisions

3.1 Administrative permit amendment

In accordance with ARSD 74:36:20:16 and 74:36:20:17, the Secretary shall determine whether an administrative permit amendment is applicable to a proposed revision within 15 days from receiving a request for a permit revision. The Secretary shall issue an administrative permit amendment without the procedural requirements applicable to obtaining this construction permit. As provided in ASRD 74:36:01:03, the Secretary considers a proposed revision an administrative permit amendment if the proposed revision accomplishes one of the following:

1. Corrects typographical errors;
2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change at the source;
3. Requires more frequent monitoring or reporting by the source;
4. The ownership or operational control of a source changes and the Secretary determines that no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
5. Any other change that the Secretary determines to be similar to those requirements in this condition.

3.2 Reopening permit

In accordance with ARSD 74:36:20:18 and 74:36:20:19, the Secretary may reopen this permit for further review if the Secretary determines the permit contains a material mistake in establishing the emissions standard or limits or other requirements of the construction permit or the Secretary determines the construction permit must be revised to ensure compliance with the applicable requirements of ARSD 74:36 and the federal Clean Air Act. The Secretary shall notify the owner or operator 30 days prior to reopening a construction permit or in a shorter time period in an emergency. The reopening of this construction permit shall follow the same

procedural requirements to issue a construction permit and shall affect only those parts of the permit for which cause to reopen exist.

4.0 Recordkeeping and Reporting

4.1 Recordkeeping and reporting

In accordance with ARSD 74:36:20:15(10), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the date of sample, measurement, report, or application unless otherwise specified in this permit. The records shall be maintained on site for the first two years and may be maintained off site for the last three years. All records must be made available to the Secretary for inspection.

If the owner or operator chooses to submit the notification or report to the Secretary by mail, the owner or operator shall use the following mailing address, and the postmarked date is considered the date the notification or report was submitted:

Notification Method 1 – Mailing Address

South Dakota Department of Agriculture and Natural Resources
PMB 2020, Air Quality Program
523 E. Capitol, Joe Foss Building
Pierre, SD 57501-3182

Or

If the owner or operator chooses to submit the notification or report to the Secretary by email, the owner or operator shall use the following email address and the date the email is received is considered the date the notification or report was submitted:

Notification Method 2 – Email Address

AirQualityReporting@state.sd.us

Each notification and report shall contain the information required in this permit, the signature of the responsible official or duly authorized representative as outlined in permit condition 4.4 and the certification statement in permit condition 4.5. If the owner or operator chooses to submit the notification and reports via email, the email must contain an acrobat copy (PDF) of the notification or report. The acrobat copy must contain the required information, signature, and certification statement. If a notification or report is required to be notarized, the notification or report may not be submitted by email.

4.2 Construction date notification

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.7(a)(1), the owner or operator shall notify the Secretary of the date construction commenced on the pork processing facility. The notification shall be postmarked no later than 30 days after such date.

4.3 Initial startup notification

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.7(a)(3), the owner or operator shall notify the Secretary of the actual date of initial startup of the pork processing facility. The notification shall be postmarked no later than 15 days after such date. For the purpose of this permit condition, initial startup means the first time the pork is processed.

4.4 Signatory requirements

In accordance with ARSD 74:36:20:07 and 74:36:20:15, all applications, reports, or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A responsible official for a corporation is a responsible corporate officer and for a partnership or sole proprietorship is a general partner or the proprietor, respectively. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Secretary; and
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative. The responsible official shall notify the Secretary if an authorization is no longer accurate.

4.5 Certification statement

In accordance with ARSD 74:36:20:15(10), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

“I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete.”

4.6 Monthly records

In accordance with ARSD 74:36:20:15(10), the owner or operator shall calculate and record the following amounts each month:

1. The amount of natural gas burned, in million cubic feet, plant-wide during the month and during the 12-month rolling period for that month;
2. The amount of wood processed facility-wide, during the month and during the 12-month rolling period for that month; and
3. Hours of operation of the emergency generators, Units #28 and #29, during the month and the during the 12-month rolling period for the month.

4.7 Quarterly Reporting

In accordance with ARSD 74:36:20:15(10), the owner or operator shall submit the following information in the quarterly report required in Title V air quality operating permit #28.0201-01:

1. Name of facility, permit number, reference to this permit condition, identifying the submittal as a quarterly report, and calendar dates covered in the reporting period;
2. The amount of natural gas burned, in million cubic feet, plant wide in each month and the 12-month rolling total for each month in the reporting period;
3. The amount of wood processed plant-wide, during the month and during the 12-month rolling period for that month; and
4. Hours of operation of the emergency generators, Units #28 and #29, during the month and the during the 12-month rolling period for the month.

The quarterly reports must be postmarked no later than 30 days after the end of the reporting period (i.e., April 30th, July 30th, October 30th, and January 30th).

4.8 Reporting permit violations

In accordance with ARSD 74:36:20:15(10), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Agriculture and Natural Resources at (605) 773-3151 or by FAX at (605) 773-5286.

A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

1. A description of the permit violation and its cause(s);
2. The duration of the permit violation, including exact dates and times; and
3. The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

5.0 Control of Regulated Air Pollutants

5.1 Visibility limit

In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table 1-1, unless otherwise specified in this permit. This provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

5.2 Visibility exceedances

In accordance with ARSD 74:36:12:02, an exceedance of the opacity limit in permit condition 5.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. A malfunction is described as any sudden and unavoidable failure of air pollution

control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator of the source is not a malfunction and is considered a violation.

5.3 Total suspended particulate matter limits

In accordance with ARSD 74:36:06:02(1) and 74:36:06:03(1), the owner or operator shall not allow the emission of total suspended particulate matter in excess of the emission limit specified in Table 5-1 for the appropriate permitted unit, operations, and process.

Table 5-1 – Total Suspended Particulate Emission Limit

Unit	Description	Emission Limit
#1	Boiler #1	0.5 pounds per million Btu
#2	Boiler #2	0.5 pounds per million Btu
#3	Boiler #3	0.5 pounds per million Btu
#4	Boiler #4	0.5 pounds per million Btu
#5	Hog singer #1	0.5 pounds per million Btu
#6	Hog singer #2	0.5 pounds per million Btu
#7	Hog singer #3	0.5 pounds per million Btu
#8	Hog singer #4	0.5 pounds per million Btu
#9	Bacon Smokehouse #1	8 pounds per hour
#10	Bacon Smokehouse #2	8 pounds per hour
#11	Bacon Smokehouse #3	8 pounds per hour
#12	Bacon Smokehouse #4	8 pounds per hour
#13	Ham Smokehouse #1	8 pounds per hour
#14	Ham Smokehouse #2	8 pounds per hour
#15	Ham Smokehouse #3	8 pounds per hour
#16	Ham Smokehouse #4	8 pounds per hour
#17	Ham Smokehouse #5	8 pounds per hour
#18	Ham Smokehouse #6	8 pounds per hour
#19	Ham Smokehouse #7	8 pounds per hour
#20	Ham Smokehouse #8	8 pounds per hour
#21	Ham Smokehouse #9	8 pounds per hour
#22	Sausage oven #1	0.6 pounds per million Btu
#23	Sausage oven #2	0.6 pounds per million Btu
#24	Sausage oven #3	0.6 pounds per million Btu
#25	Hot dog oven	0.6 pounds per million Btu
#27	Blood dryer/thermal oxidizer	0.6 pounds per million Btu
#30	Air makeup unit #1	0.6 pounds per million Btu
#31	Air makeup unit #2	0.6 pounds per million Btu
#32	Air makeup unit #3	0.6 pounds per million Btu
#33	Air makeup unit #4	0.6 pounds per million Btu
#34	Air makeup unit #5	0.6 pounds per million Btu
#35	Air makeup unit #6	0.6 pounds per million Btu
#36	Air makeup unit #7	0.6 pounds per million Btu

Unit	Description	Emission Limit
#37	Air makeup unit #8	0.6 pounds per million Btu
#38	Air makeup unit #9	0.6 pounds per million Btu
#39	Air makeup unit #10	0.6 pounds per million Btu
#40	Air makeup unit #11	0.6 pounds per million Btu
#41	Air makeup unit #12	0.6 pounds per million Btu
#42	Air makeup unit #13	0.6 pounds per million Btu
#43	Air makeup unit #14	0.6 pounds per million Btu
#44	Air makeup unit #15	0.6 pounds per million Btu
#45	Air makeup unit #16	0.6 pounds per million Btu
#46	Air makeup unit #17	0.6 pounds per million Btu
#47	Air makeup unit #18	0.6 pounds per million Btu
#48	Miscellaneous units	0.6 pounds per million Btu

Compliance with the Total Suspended Particulate Matter Emission Limits is based on the average of three 1-hour test runs conducted by a stack test if required under Chapter 7.0. If a test is not required in Chapter 7.0, compliance is then based on operating and monitoring the units in accordance with permit conditions 1.1.

5.4 Sulfur dioxide limits

In accordance with ARSD 74:36:06:02(2), the owner or operator shall not allow the emission of sulfur dioxide in excess of the emission limit specified in Table 5-2 for the appropriate permitted unit, operations, and process.

Table 5-2 – Sulfur Dioxide Emission Limit

Unit	Description	Emission Limit
#1	Boiler #1	3.0 pounds per million Btu heat input
#2	Boiler #2	3.0 pounds per million Btu heat input
#3	Boiler #3	3.0 pounds per million Btu heat input
#4	Boiler #4	3.0 pounds per million Btu heat input
#5	Hog singer #1	3.0 pounds per million Btu heat input
#6	Hog singer #2	3.0 pounds per million Btu heat input
#7	Hog singer #3	3.0 pounds per million Btu heat input
#8	Hog singer #4	3.0 pounds per million Btu heat input
#22	Sausage oven #1	3.0 pounds per million Btu heat input
#23	Sausage oven #2	3.0 pounds per million Btu heat input
#24	Sausage oven #3	3.0 pounds per million Btu heat input
#25	Hot dog oven	3.0 pounds per million Btu heat input
#27	Blood dryer/thermal oxidizer	3.0 pounds per million Btu heat input
#30	Air makeup unit #1	3.0 pounds per million Btu heat input
#31	Air makeup unit #2	3.0 pounds per million Btu heat input
#32	Air makeup unit #3	3.0 pounds per million Btu heat input
#33	Air makeup unit #4	3.0 pounds per million Btu heat input
#34	Air makeup unit #5	3.0 pounds per million Btu heat input
#35	Air makeup unit #6	3.0 pounds per million Btu heat input

Unit	Description	Emission Limit
#36	Air makeup unit #7	3.0 pounds per million Btu heat input
#37	Air makeup unit #8	3.0 pounds per million Btu heat input
#38	Air makeup unit #9	3.0 pounds per million Btu heat input
#39	Air makeup unit #10	3.0 pounds per million Btu heat input
#40	Air makeup unit #11	3.0 pounds per million Btu heat input
#41	Air makeup unit #12	3.0 pounds per million Btu heat input
#42	Air makeup unit #13	3.0 pounds per million Btu heat input
#43	Air makeup unit #14	3.0 pounds per million Btu heat input
#44	Air makeup unit #15	3.0 pounds per million Btu heat input
#45	Air makeup unit #16	3.0 pounds per million Btu heat input
#46	Air makeup unit #17	3.0 pounds per million Btu heat input
#47	Air makeup unit #18	3.0 pounds per million Btu heat input
#48	Miscellaneous units	3.0 pounds per million Btu heat input

Compliance with the sulfur dioxide emission limit is based on a three-hour rolling average, which is the arithmetic average of three contiguous one-hour periods conducted by a stack test if required under Chapter 7.0. If a test is not required by Chapter 7.0, compliance is then based on burning natural gas in accordance with permit condition 1.1.

5.5 Circumvention not allowed

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.12, the owner or operator may not install, use a device, or use a means that conceals or dilutes an air emission that would otherwise violate this permit. This includes operating a unit or control device that emits air pollutants from an opening other than the designed stack, vent, or equivalent opening.

5.6 Minimizing emissions

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.6(e)(1)(i), the owner or operator shall at all times, including periods of startup, shutdown, and malfunction, operate and maintain any permitted unit, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires the owner or operator to reduce emissions from the permitted unit to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Secretary which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including a startup, shutdown, and malfunction plan, if required), review of operation and maintenance records, and inspection of the operation.

6.0 Prevention of Significant Deterioration Exemption

6.1 Operational limit for smoke generators

In accordance with ARSD 74:36:20:15(9), the owner or operator's plant-wide total wood usage shall not exceed 595 tons per rolling 12-month period.

6.2 Fuel use limits

In accordance with ARSD 74:36:20:15(9), the owner or operator's plant-wide natural gas usage shall not exceed 1,950 million cubic feet per 12-month rolling period.

7.0 Performance Tests

7.1 Performance test may be required

In accordance with ARSD 74:36:11:02, the Secretary may request a performance test during the term of this permit. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test conducted while operating less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.

7.2 Test methods and procedures

In accordance with ARSD 74:36:11:01, the owner or operator shall conduct the performance test in accordance with 40 CFR. § 60.17, 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an alternative method if a performance test specified in 40 CFR. § 60.17, 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not federally applicable or federally required.

7.3 Representative performance test

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.

7.4 Submittal of test plan

In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the

proposed test procedures are denied, the Secretary will provide written notification outlining what needs to be completed for approval.

7.5 Notification of test

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(d), the owner or operator shall notify the Secretary at least 30 days prior to the start of a performance test to afford the Secretary the opportunity to have an observer present. If there is a delay in conducting the scheduled performance test, the owner or operator shall notify the Secretary as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Secretary by mutual agreement.

7.6 Performance test report

In accordance with ARSD 74:36:04:15(10), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:

1. A brief description of the process and the air pollution control system being tested;
2. Sampling location description(s);
3. A description of sampling and analytical procedures and any modifications to standard procedures;
4. Test results represented in the same terminology as the permit limits;
5. Quality assurance procedures and results;
6. Records of operating conditions during the test necessary for demonstrating compliance with the permit limits, preparation of standards, and calibration procedures;
7. Raw data sheets for field sampling and field and laboratory analyses;
8. Documentation of calculations;
9. All data recorded and used to establish parameters for compliance monitoring; and
10. Any other information required by the test method.

7.7 Initial performance test of emissions

In accordance with ARSD 74:36:11:02, the owner or operator shall conduct a stack performance test on one of the smoke generators (Units #9 – #21) for particulate matter and carbon monoxide. The performance testing shall be conducted within 180 days of initial startup.

8.0 NSPS Subpart III – Units #28 and #29

8.1 Emergency engine limits

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR §§ 60.4202(a), 60.4205(b), and 60.4206, the owner or operator shall operate and maintain the emergency engine that achieves the emission limits in Table 8-1 over the entire life of the emergency engine.

Table 8-1 – Emission Limits for Emergency Engines (grams per kilowatt-hour)

Nonmethane Hydrocarbon + Nitrogen Oxide	Carbon Monoxide	Particulate Matter
4.0	3.5	0.20

8.2 Fuel requirements for emergency engines

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4207(b), the owner or operator shall only combust diesel fuel in Units #28 and #29 that meets the following per gallon standards:

1. Maximum sulfur content of 15 parts per million; and
2. Minimum cetane index of 40; or
3. Maximum aromatic content of 35 volume percent.

The owner or operator may use any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, until depleted.

8.3 Operating requirements for emergency engines

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4211(a), the owner or operator shall comply with the following, except as specified in permit condition 8.6:

1. Operate and maintain Units #28 and #29 according to the manufacturer's emission-related written instructions;
2. Change only those emission-related settings permitted by the manufacturer; and
3. Meet the applicable requirements in 40 CFR Part 89, 94, and/or 1068.

8.4 Compliance with emergency engine emission limits

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4211(c), the owner or operator shall demonstrate compliance with the emission limits in permit condition 8.1 by purchasing an engine certified to meet the emission limits in permit condition 8.1 and install and configure the engine according to the manufacturer's emission-related specifications, except as permitted in permit condition 8.6.

8.5 Annual operation of emergency engine

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4211(f), the owner or operator shall operate Units #28 and #29 as follows:

1. There is no time limit on the use of Units #28 and #29 in emergency situations;
2. Units #28 and #29 may be operated for up to 50 hours per calendar year in non-emergency situations. Except as provided in paragraph (3) of this permit condition, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for the owner or operator to an electric grid or otherwise supply power as part of a financial arrangement with another entity; and
3. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

- a. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
- b. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region;
- c. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines;
- d. The power is provided only to the owner or operator itself or to support the local transmission and distribution system; and
- e. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the owner or operator.

8.6 Alternative requirements for emergency engines

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4211(g), if the owner or operator does not install, configure, operate, and maintain Units #28 and #29 according to the manufacturer's emission-related written instructions or changes the emission-related settings in a way that is not permitted by the manufacturer, the owner or operator shall demonstrate compliance as follows:

1. Maintain a maintenance plan and records of conducted maintenance;
2. To the extent practicable, maintain and operate Units #28 and #29 in a manner consistent with good air pollution control practice for minimizing emissions;
3. Conduct an initial performance test to demonstrate compliance with the emission limits in Table 8-1 within 1 year of initial startup or within 1 year of such action; and
4. If Units #28 and #29 is greater than 500 horsepower, the owner or operator shall conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter, to demonstrate compliance with the applicable limits in Table 8-1.

8.7 Performance test requirements for emergency engines

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR §§ 60.4212(a) and (c), and 60.4214(f), if the owner or operator conducts a performance test to demonstrate compliance with Table 8-1, the following procedures shall be followed:

1. The performance test must be conducted according to the in-use testing procedures in 40 CFR Part 1039, Subpart F, for emergency engines with a displacement of less than 10 liters per cylinder, and according to 40 CFR Part 1042, Subpart F, for emergency engines with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in 40 CFR Part § 60.4213, as appropriate; and

2. Exhaust emissions from Units #28 and #29 shall not exceed the “NTE” numerical requirements, rounded to the same number of decimal places as the applicable emission limit in Table 8-1 and determined by Equation 8-1.

Equation 8-1 – NTE formula

$$NTE = 1.25 \times STD$$

Where:

- NTE = Numerical requirement for each pollutant identified in Table 8-1; and
- STD = Emission limit for each pollutant identified in Table 8-1.

The results of the performance test must be submitted within 60 days after the test has been completed. The test results shall be submitted in accordance to the following:

1. Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test. Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to Permit Condition 8.11 of this section. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website; and
2. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test. The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to Permit Condition 8.11 of this section.

8.8 Non-resettable hour meter

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4209(a), the owner or operator shall install, maintain, and operate a non-resettable hour meter on Units #28 and #29 prior to initial startup.

8.9 Recordkeeping for 2011 or later emergency engines

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4214(b), the owner or operator shall maintain records for 2011 or later emergency engines. The owner or operator shall record the date, start time, and end time of operation using the non-resettable hour meter and the reason Units #28 and #29 was in operation during that time.

8.10 Annual reporting for emergency engines greater than 100 horsepower

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4214(d), if the owner or operator operates Units #28 and #29 for the purposes specified in paragraph (3) of permit condition 8.5, the owner or operator shall submit an annual report. The annual report shall contain the following:

1. Company name and address where Units #28 and #29 are located;

2. Date of the report and beginning and ending dates of the reporting period;
3. Units #28 and #29's site rating and model year;
4. Latitude and longitude of Units #28 and #29 in decimal degrees reported to the fifth decimal place; and
5. Hours spent for operation for the purposes specified in paragraph (3) of permit condition 8.5, including the date, start time, and end time. The report must also identify the entity that dispatched Units #28 and #29 and the situation that necessitated the dispatch of Units #28 and #29.

If the annual report is required for a particular calendar year, it must be submitted no later than March 31 of the following calendar year. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time the report is due, the written report must be submitted to the Secretary.

8.11 Report Notification Submittal Procedures

In accordance with ARSD 74:36:07:88, as referenced to 40 CFR § 60.4214(g), if an owner or operator is required to submit notifications or reports following the procedure specified in this permit condition, the owner or operator must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the owner or operator. Do not use CEDRI to submit information the owner or operator claims as CBI. Although the EPA does not expect persons to assert a claim of CBI, if you an owner or operator wishes to assert a CBI claim for some of the information in the report or notification, the owner or operator must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in this permit condition. Clearly mark the part or all of the information claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The owner or operator must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this permit condition:

1. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the SOCMI NSPS Sector Lead. Owners and operators who do not have their own file sharing service and who require

assistance with submitting large electronic files that exceed the file size limit for email attachments should email oaqpscbi@epa.gov to request a file transfer link; and

2. If an owner or operator cannot transmit the file electronically, the owner or operator may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the SOCMI NSPS Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

8.12 Outage Notification Submittal Electronically

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.4214(h), owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, owners and operators must meet the requirements outlined in this permit condition:

1. The owner or operator must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems;
2. The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due;
3. The outage may be planned or unplanned;
4. The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting;
5. The owner or operator must provide to the Administrator a written description identifying:
 - a. The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - b. A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
 - c. A description of measures taken or to be taken to minimize the delay in reporting; and
 - d. The date by which the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted;
6. The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator; and
7. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

8.13 Notification Submittal for Force Majeure

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.4214(i), owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of *force majeure* for failure to timely comply with that reporting

requirement. To assert a claim of *force majeure*, owners and operators must meet the requirements outlined in this permit condition:

1. An owner or operator may submit a claim if a *force majeure* event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a *force majeure* event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.*, hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.*, large scale power outage);
2. The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting;
3. The owner or operator must provide to the Administrator:
 - a. A written description of the *force majeure* event;
 - b. A rationale for attributing the delay in reporting beyond the regulatory deadline to the *force majeure* event;
 - c. A description of measures taken or to be taken to minimize the delay in reporting; and
 - d. The date by which the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted; and
4. The decision to accept the claim of *force majeure* and allow an extension to the reporting deadline is solely within the discretion of the Administrator; and
5. In any circumstance, the reporting must occur as soon as possible after the *force majeure* event occurs.

9.0 NSPS Subpart Dc – Units #1, #2, #3, and #4

9.1 Initial startup notification

In accordance with ARSD 74:36:07:05, as referenced to 40 CFR § 60.48c(a), the owner or operator shall submit the date of initial startup for Units #1, #2, #3, and #4. The notifications shall include:

1. Name of facility, permit number, and reference to this permit condition;
2. The date of initial startup. Initial startup is defined as the first time fuel is combusted in Units #1, #2, #3, and #4; and
3. The maximum designed heat input capacity of the boiler and identification of fuels to be combusted in the unit.

The initial startup notification must be postmarked within 15 days after the date of actual startup.

9.2 Fuel records

In accordance with ARSD 74:36:07:05, as referenced to 40 CFR § 60.48c(g) and (i), the owner or operator shall record and maintain the amount of fuel combusted in Units #1, #2, #3, and #4 according to one of the following methods:

1. The amount and type of fuel combusted during each operating day;
2. The amount of each fuel combusted during each calendar month; or
3. The amount of each type of fuel delivered to the property during each calendar month.

All records shall be maintained for a period of two years following the date of such record.

9.3 Changing Unit # fuel

In accordance with ARSD 74:36:07:05, as referenced to 40 CFR § 60.40c, Units #1, #2, #3, and #4 shall be fired with natural gas. If Units #1, #2, #3, and #4 are fueled with other fuels such as coal, oil, or wood, additional standards and requirements in 40 CFR Part 60, Subpart Dc may apply. The owner or operator shall apply for and obtain approval from the Secretary before other fuels can be used as a fuel in Units #1, #2, #3, and #4.

10.0 Recommendation

A review of this facility indicates it can construct and operate in compliance with South Dakota's Air Pollution Control rules and the federal Clean Air Act. The Secretary, therefore, recommends the Board of Minerals and Environment issue this air quality construction permit with conditions to ensure compliance with SDCL 34A-1 and the federal Clean Air Act. Any questions pertaining to the Secretary's recommendation should be directed to Samantha Olmstead, Engineer III, at (605) 773-3151.