



August 3rd, 2020

Manuel Oliveira
Manuel Oliveira Dairy
4235 Oak Avenue
Merced, CA 95340

RE: Notice of Final Action - Authority to Construct
Facility Number: N-8441
Project Number: N-1183853

Dear Mr. Oliveira:

The Air Pollution Control Officer has issued the Authority to Construct permits to Manuel Oliveira Dairy for modification of the dairy to install two freestall barns, two shade barns over existing corrals, calf hutches, windbreaks, mechanically aerated treatment lagoons, replace the existing milk parlor, and increase the quantity of milk and dry cows by 1,860 heads and support stock by 599 heads, at 4235 Oak Avenue in Merced, CA. Enclosed are the Authority to Construct permits and a copy of the notice of final action that has been posted on the District's website (www.valleyair.org).

Notice of the District's preliminary decision to issue the Authority to Construct permits was posted on June 18, 2020. The District's analysis of the proposal was also sent to CARB on June 22, 2020. 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.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

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

Mr. Manuel Oliveira
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Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Nick Peirce at (209) 557-6400.

Sincerely,



Arnaud Marjollet
Director of Permit Services

AM:kc

Enclosures

cc: Courtney Graham, CARB (w/ enclosure) via email



Facility # N-8441
MANUEL OLIVEIRA DAIRY
4235 OAK AVE
MERCED, CA 95340

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 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.

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.**

Samir Sheikh
Executive Director/Air Pollution Control Officer

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Tel: (661) 392-5500 FAX: (661) 392-5585



AUTHORITY TO CONSTRUCT

PERMIT NO: N-8441-1-1

ISSUANCE DATE: 07/29/2020

LEGAL OWNER OR OPERATOR: MANUEL OLIVEIRA DAIRY

MAILING ADDRESS: 4235 OAK AVE
MERCED, CA 95340

LOCATION: 4235 OAK AVE
MERCED, CA 95340

EQUIPMENT DESCRIPTION:

MODIFICATION OF 910 COW MILKING OPERATION WITH ONE 30 STALL HERRINGBONE MILKING PARLOR TO INCREASE THE NUMBER OF MILK COWS TO 2,500 HEADS AND REPLACE THE EXISTING MILKING PARLOR WITH A 60 STALL PARALLEL MILKING PARLOR.

CONDITIONS

1. This Authority to Construct (ATC) permit shall be implemented concurrently with ATC permit N-8441-2-1. [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]

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.

Samir Sheikh, Executive Director / APCO

Arnaud Marjollet, Director of Permit Services

N-8441-1-1 : Jul 29 2020 3:50PM -- CHANK : Joint Inspection NOT Required

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]
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 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-8441-2-1

ISSUANCE DATE: 07/29/2020

LEGAL OWNER OR OPERATOR: MANUEL OLIVEIRA DAIRY

MAILING ADDRESS: 4235 OAK AVE
MERCED, CA 95340

LOCATION: 4235 OAK AVE
MERCED, CA 95340

EQUIPMENT DESCRIPTION:

MODIFICATION OF COW HOUSING - 910 MILK COWS NOT TO EXCEED A COMBINED TOTAL OF 1,040 MATURE COWS (MILK AND DRY); 901 SUPPORT STOCK (HEIFERS, CALVES AND BULLS); AND 2 FREESTALLS WITH FLUSH SYSTEM: INCREASE THE MAXIMUM NUMBER OF COWS TO 2,500 MILK COWS NOT TO EXCEED A COMBINED TOTAL OF 2,900 MATURE COWS (MILK AND DRY) AND 1,500 SUPPORT STOCK (HEIFERS AND CALVES) AND INSTALL TWO NEW FREESTALL BARNS (5 & 6), TWO SHADE BARNS (1 & 2) OVER EXISTING CORRALS, CALF HUTCHES, AND UPWIND/DOWNWIND 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.

Samir Sheikh, Executive Director / APCO

Arnaud Marjollet, Director of Permit Services

N-8441-2-1 : Jul 29 2020 3:50PM -- CHANK : Joint Inspection NOT Required

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]
5. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201, 4102, 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, 4102, and 4570]
7. For Freestall Barns 3, 5, and 6, and Shade Barns 1 and 2 the feedlanes and walkways shall be constructed of concrete. [District Rules 2201, 4102, and 4570]
8. Permittee shall flush, scrape or vacuum freestall lanes immediately prior to, immediately after or during each milking. [District Rules 2201, 4102, 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, 4102, and 4570]
10. For Freestall Barns 3, 5, and 6, and Shade Barns 1 and 2, the permittee shall flush the feed lanes and walkways for the mature cows (milk and dry cows) at least four times per day and for the support stock (heifers) at least once per day, or scrape feed lanes and walkways for the mature cows with an automatic scraper (or equivalent) four times per day and for the support stock at least once per day. [District Rules 2201, 4102, and 4570]
11. For Freestall Barns 3, 5, and 6, and Shade Barns 1 and 2, the permittee shall keep records or maintain an operating plan that requires the feed lanes and walkways for mature cows to be flushed or scraped at least four times per day and for support stock to be flushed or scraped at least once per day. [District Rules 2201, 4102, and 4570]
12. For the new calf hutches and new calf housing areas, the permittee shall flush or scrape these housing areas at least once per week. [District Rules 2201 and 4570]
13. For the new calf hutches and new calf housing areas, the permittee shall keep records or maintain an operating plan that requires the new calf hutches and new calf housing areas to be flushed or scraped at least once per week. [District Rules 2201 and 4570]
14. Permittee shall scrape exercise pen and corral surfaces every two weeks using a pull-type scraper during morning hours, except when prevented by wet conditions. [District Rules 2201 and 4102]
15. Permittee shall pave feedlanes for a width of at least 8 feet along the housing side of the feedlane fence for mature cows and at least 6 feet along the housing side of the feedlane fence for heifers. [District Rules 2201, 4102, and 4570]
16. 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]
17. 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]
18. Permittee shall inspect water pipes and troughs and repair leaks at least once every seven (7) days. [District Rules 2201 and 4570]
19. 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]
20. 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]

CONDITIONS CONTINUE ON NEXT PAGE

21. 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]
22. 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]
23. 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]
24. Permittee shall scrape, vacuum or flush concrete lanes in corrals at least once every day for mature cows and every seven (7) days for support stock. [District Rules 2201 and 4570]
25. Permittee shall maintain records demonstrating that concrete lanes in corrals are scraped, vacuumed, or flushed at least once every day for mature cows and at least once every seven (7) days for support stock. [District Rules 2201 and 4570]
26. 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]
27. 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]
28. 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]
29. Permittee shall measure and document the depth of manure in the corrals at least once every ninety (90) days. [District Rules 2201 and 4570]
30. Permittee shall establish a continuous line of windbreaks stretching at least 600 feet along the eastern boundary of Shade Barn 1 housing area and at least 600 feet along the western boundary of Freestall Barn 6 housing area. The eastern boundary windbreaks shall consist of one row of Mule-Fat shrubs spaced 8 feet apart, one row of Fremont Cottonwood trees spaced 10 feet apart, and one row of California Sycamore trees spaced 14 feet apart. The western boundary windbreaks shall consist of one row of Mule-Fat shrubs spaced 8 feet apart and one row of Fremont Cottonwood trees spaced 10 feet apart. Each row should be offset from the adjacent row. Spacing between rows shall be sufficient to accommodate cultivation equipment, but shall not exceed 24 feet. Any alternative windbreak proposal must be approved by the District. [District Rule 2201]
31. Shrubs/trees that are initially planted as part of the windbreak shall have a minimum container size of five gallons. [District Rule 2201]
32. 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 at least 65% for downwind windbreaks and at least 50% for upwind windbreaks. Windbreak density is the percentage of the background view that is obscured or hidden when viewing through the windbreak from 60 feet to 100 feet upwind of the rows. [District Rule 2201]
33. 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 Rules 2201 and 4570]
34. 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, 4102, and 4570]



AUTHORITY TO CONSTRUCT

PERMIT NO: N-8441-3-2

ISSUANCE DATE: 07/29/2020

LEGAL OWNER OR OPERATOR: MANUEL OLIVEIRA DAIRY

MAILING ADDRESS: 4235 OAK AVE
MERCED, CA 95340

LOCATION: 4235 OAK AVE
MERCED, CA 95340

EQUIPMENT DESCRIPTION:

MODIFICATION OF LIQUID MANURE HANDLING SYSTEM CONSISTING OF ONE SETTLING BASIN; TWO STORAGE PONDS; MECHANICAL SEPARATOR(S); MANURE IS LAND APPLIED THROUGH FURROW IRRIGATION TO INSTALL THREE MECHANICALLY AERATED LAGOONS (391' X 200' X 10', 284' X 203' X 7', AND 345' X 200' X 7') AND INCREASE LIQUID MANURE PROCESSING DUE TO A CHANGE IN HERD PROFILE AS AUTHORIZED BY ATC PERMIT N-8441-2-1.

CONDITIONS

1. This Authority to Construct (ATC) permit shall be implemented concurrently with ATC permit N-8441-2-1. [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]

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.

Samir Sheikh, Executive Director / APCO

Arnaud Marjollet, Director of Permit Services

N-8441-3-2 : Jul 29 2020 3:50PM -- CHANK : Joint Inspection NOT Required

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]
6. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4102]
7. 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 4102]
8. Permittee shall remove solids with a solid separator system, prior to the manure entering the lagoon. [District Rules 4102 and 4570]
9. All liquid manure shall be treated in mechanically aerated treatment lagoons that is designed and operated according to the Natural Resources Conservative Service (NRCS) Field Office Technical Guide No. 359. [District Rules 2201, 4102, and 4570]
10. Any liquid manure applied to land shall have been treated in mechanically aerated treatment lagoons that is designed and operated according to the NRCS Field Office Technical Guide No. 359. [District Rules 2201, 4102, and 4570]
11. Permittee shall maintain records to demonstrate that liquid manure applied to land has been treated in mechanically aerated treatment lagoons. [District Rules 2201, 4102, and 4570]
12. Permittee shall not allow liquid manure to stand in the fields for more than twenty-four (24) hours after irrigation. [District Rule 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 Rule 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 4102 and 4570]



AUTHORITY TO CONSTRUCT

PERMIT NO: N-8441-4-1

ISSUANCE DATE: 07/29/2020

LEGAL OWNER OR OPERATOR: MANUEL OLIVEIRA DAIRY

MAILING ADDRESS: 4235 OAK AVE
MERCED, CA 95340

LOCATION: 4235 OAK AVE
MERCED, CA 95340

EQUIPMENT DESCRIPTION:

MODIFICATION OF SOLID MANURE HANDLING CONSISTING OF MANURE STOCK PILES; SOLID MANURE APPLICATION TO LAND FOR AN INCREASE IN SOLID MANURE PROCESSING DUE TO A CHANGE IN HERD PROFILE AS AUTHORIZED BY ATC PERMIT N-8441-2-1.

CONDITIONS

1. This Authority to Construct (ATC) permit shall be implemented concurrently with ATC permit N-8441-2-1. [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]

CONDITIONS CONTINUE ON NEXT PAGE

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Samir Sheikh, Executive Director / APCO

Arnaud Marjollet, Director of Permit Services

N-8441-4-1 : Jul 29 2020 3:50PM -- CHANK : Joint Inspection NOT Required

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]
6. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]
7. 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]
8. Solid manure shall be incorporated into the soil within two hours of land application. [District Rules 2201 and 4570]
9. Permittee shall maintain records to demonstrate that solid manure has been incorporated into the soil within two hours of land application. [District Rules 2201 and 4570]
10. 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 Rule 4570]
11. 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 Rule 4570]
12. 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 Rule 4570]
13. 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-8441-5-1

ISSUANCE DATE: 07/29/2020

LEGAL OWNER OR OPERATOR: MANUEL OLIVEIRA DAIRY

MAILING ADDRESS: 4235 OAK AVE
MERCED, CA 95340

LOCATION: 4235 OAK AVE
MERCED, CA 95340

EQUIPMENT DESCRIPTION:

MODIFICATION OF FEED STORAGE AND HANDLING CONSISTING OF COVERED FEED STORAGE OR COMMODITY BARN(S) AND SILAGE PILE(S) FOR AN INCREASE IN TOTAL MIXED RATIONS DUE TO A CHANGE IN HERD PROFILE AS AUTHORIZED BY ATC PERMIT N-8441-2-1.

CONDITIONS

1. This Authority to Construct (ATC) permit shall be implemented concurrently with ATC permit N-8441-2-1. [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]

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.

Samir Sheikh, Executive Director / APCO

Arnaud Marjollet, Director of Permit Services

N-8441-5-1 : Jul 29 2020 3:50PM -- CHANK : Joint Inspection NOT Required

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]
6. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]
7. 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]
8. 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]
9. 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]
10. Permittee shall begin feeding total mixed rations within two hours of grinding and mixing rations. [District Rules 2201 and 4570]
11. Permittee shall maintain an operating plan or record of when feeding of total mixed rations began within two hours of grinding and mixing rations. [Districts Rule 2201 and 4570]
12. Permittee shall store grain in a weatherproof storage structure or under a weatherproof covering from October through May. [District Rules 2201 and 4570]
13. 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]
14. Permittee shall feed steam-flaked, dry rolled, cracked or ground corn or other steam-flaked, dry rolled, cracked or ground cereal grains. [District Rules 2201 and 4570]
15. Permittee shall maintain records to demonstrate animals are fed steam-flaked, dry rolled, cracked or ground corn or other steam-flaked, dry rolled, cracked or ground cereal grains. 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]
16. For bagged silage/feedstuff, permittee shall utilize a sealed feed storage system (e.g., ag bag). [District Rules 2201 and 4570]
17. 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]
18. 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]

19. 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]
20. 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]
21. 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]
22. 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]
23. 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]
24. 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]
25. 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]
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 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]
27. 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]
28. 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]

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29. 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]
30. 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]
31. 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]
32. 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]