



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant
DATE: August 30, 2005
RE: Bay Valley Foods, LLC / 099-21355-00082
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER-AM.dot 1/10/05



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

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Mr. Dave Williams
Bay Valley Foods, LLC
1430 Western Avenue
Plymouth, Indiana 46563

Re: 099-21355-00082
First Notice-only change to
Registered Construction and Operation Status
099-8771-00082

Dear Mr. Williams:

Dean Pickle & Specialty Products was issued a permit on September 24, 1997 for a one (1) 14.645 MMBtu/hr boiler and two (2) 5.025 MMBtu/hr boilers. A letter notifying the Office of Air Quality of a transfer of ownership and operating name change was received on May 31, 2005 with additional information received July 6, 2005. Pursuant to the provisions of 326 2-5.5 the permit is hereby revised as follows:

Dean Pickle & Specialty Products transferred ownership of the source at 1430 Western Avenue, Plymouth, Indiana plant to TreeHouse Foods, Inc. effective June 27, 2005. The source will operate under the name of Bay Valley Foods, LLC, a wholly owned subsidiary of TreeHouse Foods, Inc. All operations and methods of reporting remain unchanged.

All other conditions of the permit shall remain unchanged and in effect. A copy of the revised registration is attached.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Gary Freeman, at (800) 451-6027, press 0 and ask for Gary Freeman or extension 3-5334, or dial (317) 233-5334.

Sincerely,

Original signed by
Nysa L. James, Section Chief
Permits Branch
Office of Air Quality

Attachment: Revised Registration

NLJ/gkf

cc: File - Marshall County
Marshall County Health Department
Air Compliance Section Inspector: Rick Reynolds
Permit Review Section 1- Gary Freeman
Billing, Licensing and Training Section - Chet Bohannon
IDEM Northern Regional Office



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Mr. Dave Williams
Bay Valley Foods, LLC
1430 Western Avenue
Plymouth, Indiana 46563

RE: First Notice Only Change 099-21355-00082
Registered Construction and Operation Status,
CP099-8771-00082

Dear Mr. Williams:

The application from Bay Valley Foods, LLC, received on July 6, 2005, has been reviewed and the transfer of ownership and facility operating name is changed. Based on the data submitted and the provisions in Sections 1 and 2 of 326 IAC 2-5.5, it has been determined that the following, to be located at 1430 Western Avenue, Plymouth, Indiana, remains classified as registered:

- (a) One (1) natural gas fired boiler identified as Boiler #3, Cleaver Brooks (model 786350) rated at 14,645,000 Btu/hr.
- (b) One (1) natural gas fired boiler identified as Yorkshire, is rated at 5,025,000 Btu/hr and was installed in 1960.
- (c) One (1) natural gas fired boiler identified as Highlander, is rated at 5,025,000 Btu/hr and was installed in 1974.

The following conditions shall be applicable:

(1) 326 IAC 5-1-2 (Opacity Limitations):

Pursuant to 326 IAC 5-1-2 (Opacity Limitations) except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of 15 minutes (60 readings in a 6-hour period as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

(2) Pursuant to 326 IAC 12, (40CFR Part, 60.40 Subpart Dc) 60.48c (g) and (i), records of the amounts of each fuel combusted during each day shall be maintained by the owner or operator for a period of two (2) years following the date of such record.

- (3) The natural gas certification form shall be submitted semi-annually, using the form enclosed, shall be submitted no later than July 1 of each year.
- (4) An authorized individual shall provide:
 - (a) An annual notice to the Office of Air Quality that the source is in operation and in compliance with this registration pursuant to 326 IAC 2-5.5 using the Annual Notification Form located at the end of this registration, or its equivalent, and
 - (b) The annual notice shall be submitted no later than March 1 of each year.

An application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

Sincerely,

Original signed by
Nysa L. James, Section Chief
Permits Branch
Office of Air Quality

Enclosures: Annual Notification
Natural Gas-Fire Boiler Certification

NLJ/gkf

cc: File – Marshall County
Marshall County Health Department
Air Compliance – Rick Reynolds
Billing, Licensing and Training Section – Chet Bohannon
Permit Review Section 1 – Gary Freeman
IDEM Northern Regional Office

Registration Annual Notification

This form should be used to comply with the notification requirements under 326 IAC 2-5.5-4(a)(3).

Company Name:	Bay Valley Foods, LLC
Address:	1430 Western Avenue
City:	Plymouth, Indiana
Authorized individual:	Tony Lenne
Phone #:	(
Registration #:	CP-099-8771-00082

I hereby certify that Bay Valley Foods, LLC is still in operation and is in compliance with the requirements of Registration CP-099-8771-00082.

Name (typed):
Title:
Signature:
Date:

**OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

NATURAL GAS FIRED BOILER CERTIFICATION

Source Name: Bay Valley Foods, LLC
Source Address: 1430 Western Avenue, Plymouth, Indiana 46563
Mailing Address: 1430 Western Avenue, Plymouth, Indiana 46563
Registration No.: CP-099-8771-00082

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Reporting Period

Beginning:

Ending:

Boiler Affected:

Alternative Fuel:

Days Burning Alternate Fuel
From: _____ To:

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

Signature:

Printed Name:

Title/Position:

Date: