



State of

Maryland

Lawrence J. Hogan, Jr.  
Governor

Ben Grumbles  
Secretary

Boyd K. Rutherford  
Lt. Governor

DEPARTMENT OF THE ENVIRONMENT

Air and Radiation Administration  
1800 Washington Boulevard, Suite 720  
Baltimore, MD 21230

Construction Permit

Part 70 Operating Permit

PERMIT NO. 24-005-0146

DATE ISSUED November 1, 2017

PERMIT FEE To be paid in accordance with COMAR 26.11.02.19B

EXPIRATION DATE October 31, 2022

LEGAL OWNER & ADDRESS

Diageo North America, Inc.  
5001 Washington Blvd  
Halethorpe, Maryland 21227

Attention: Ms. Erin Lauer, Plant Manager

SITE

Diageo North America  
5001 Washington Blvd  
Halethorpe, MD 21227  
AI # 2797

SOURCE DESCRIPTION

One (1) distilled spirits aging, blending and packaging facility

This source is subject to the conditions described on the attached pages.

*Karen NY*

Program Manager

*Angel Branno*

Director, Air and Radiation Administration

**DIAGEO NORTH AMERICA GLOBAL SUPPLY  
 RELAY PLANT  
 5001 WASHINGTON BLVD.  
 BALTIMORE, MARYLAND 21227  
 PART 70 OPERATING PERMIT NO. 24-005-0146**

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**SECTION I SOURCE IDENTIFICATION**

**1. DESCRIPTION OF FACILITY**

The Diageo North America, Inc. (Diageo) facility, located in Relay, Baltimore County, blends, brews, and packages distilled spirits, Progressive Adult Beverages (PABs), and beer for consumer use. A variety of beverage materials are processed including grain neutral spirits, rums, whiskeys, and beer. Materials are received by truck and rail and stored in tanks. Processing steps include filtration, blending with other ingredients, and cutting with de-mineralized water. Finished product streams are packaged into bottles, cans, and other containers for distribution in commerce. Some products are shipped in bulk form to other sites using barrels, totes, railcars, and tank trucks. Most processing activities occur inside one of several buildings. The facility also has aging operations. Outside activities include temporary storage of empty oak barrels used in aging and several larger product storage tanks.

Diageo Global Supply has operated the Relay plant since December 21, 2001. The primary SIC code for this facility is 2085, with a secondary SIC code of 2082.

**2. FACILITY INVENTORY LIST**

| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>   | <b>Date of Installation</b> |
|------------------------------|---------------------------------|--|-----------------------------|
| <b>010</b>                   | 005-0146-5-1740                 | <b>Boiler No. 1</b> – 25.1 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b>  | 1986                        |
| <b>011</b>                   | 005-0146-5-1739                 | <b>Boiler No. 2</b> – 12.6 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b>  | 1986                        |
| <b>020</b>                   | 005-0146-8-0308                 | <b>Warehouse Aging</b> - Ethanol products are stored in barrels for aging in<br><b>Warehouses E, G, and N</b><br><b>Note:</b> Warehouses D and H have not been used for barrel aging since the mid-1980's and 2000, respectively. Before Warehouses D and H are used | 1937                        |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation    |
|-----------------------|--------------------------|---|-------------------------|
|                       |                          | for barrel aging, the Permittee must contact the Department to determine the appropriate permitting process.  |                         |
| <b>030</b>            | (No Reg. No.)            | <b>Empty Barrel Storage</b> - Used empty oak barrels are temporarily stored on the grounds outside of <b>Warehouse G and Building 16</b> .  | 1937                    |
| <b>040</b>            | 005-0146-8-0418          | <b>Barrel Filling</b> (Bohnert spirits handling system in <b>Building 16</b> )  | 2016                    |
|                       | 005-0146-9-1525          | Proprietary Blending Process  | 2016                    |
| <b>050</b>            | (No Reg. No.)            | <b>Barrel Emptying</b> - Barrels are transferred from the aging warehouses to <b>Building J</b> where the aged product is recovered for further processing.   | 1937                    |
| <b>060</b>            | 005-0146-9-1373          | <b>Product Filtering</b> - Product is filtered to remove suspended materials. Fourteen (14) filters are currently located through the plant processing area (11 module depth filters and 3 plate/frame filters). Suprapaks can filter up to proofs specified in PTC applications. | <1970, 2009, 2011, 2012 |
|                       | 005-0146-8-0433          | One plate and frame filter in Building 50   | 2017                    |
| <b>070</b>            | 005-0146-8-0333          | <b>Bottle Filling</b> - Finished alcohol beverage product is dispensed into containers through seven automated filling lines in <b>Building 49</b> . – Inactive as of 2017.   | 1960-2006, 2012         |
|                       | 005-0146-8-0433          | <b>Product Packaging</b> - One PAB/ beer packaging system and one Carbo cooler system.  | 2017                    |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation |
|-----------------------|--------------------------|--|----------------------|
| 080                   | (No Reg. No.)            | <b>Glues/Adhesives</b> - Hot melt glues and water-based adhesives used to assemble cartons and apply labels to package containers (located Near filling lines).  | 1937                 |
| 090                   | (No Reg. No.)            | <b>Printing Inks</b> – Fast drying solvent-based inks are used for product marking of cartons and containers (located near filling lines).   | 1937                 |
| 100                   | (No Reg. No.)            | <b>Tank Truck and Container Filling</b> - 26,000 gallon railcars, 6000-gallon tank trucks, 350 gallon totes, and 55 gallon drums are used periodically to transfer beverage alcohol product between buildings or to ship processed products to other facilities ( <b>Building/Tank Farm Locations</b> ). | <1970                |
|                       | 005-0146-6-3137          | Modification of piping lines for the existing rail and truck loading (outside M warehouse and Building 17)   | 2015                 |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation  |
|-----------------------|--------------------------|---|---|
| 110                   | 005-0146-8-0307          | <b>38 Storage Tanks - Building 11, Bulk/finished Product Processing Room</b><br>*Eight 15,900-gallon tanks<br>**Three 10,000-10,400 gallon tanks<br>**Two 8,400 gallon tanks<br>**One 4,000-gallon tank<br>**One 1,000-gallon tank<br>**Eight 2,100-gallon filter column tanks<br>**Two 4,100-4,200 gallon tanks<br>One 8,100-gallon recovery tank<br>** Six 4,300-gallon tank          | <1970<br>1991<br><br>1991<br>2006<br>2006<br>2012<br><br>2012<br>2012<br>2013 |
|                       | 005-0146-9-1440          | One Carbon filtration system  | 2013  |
|                       | 005-0146-8-0433          | **Six 15,000-gallon receiving tanks   | 2017  |
| 111                   | 005-0146-8-0307          | <b>9 Storage Tanks - Warehouse M</b><br>*Three 11,300 gallon tanks<br>**Three 10,000-10,300 gallon tanks<br>*One 4,300-gallon tank<br>*One 4,300-gallon tank<br>**One 1,000-gallon tank   | <1970<br>1991<br>1991<br>1991<br>1991<br>2006                                 |
| 112                   | 005-0146-8-0307          | <b>19 Storage Tanks, 50 Shipping Totes and 1 Mixing Tank - Building D, Spring Garden Flavor Facility</b><br>**One 7,500-gallon tank<br>**Four 4,300-4,500 gallon tanks<br>*Three 4,300-4,500 gallon tanks<br>**Two 2,100-gallon tanks<br>**One 1,500-gallon tank<br>**One 1,000-gallon tank<br>* One 1,000-gallon tank<br>* Six portable tanks <600 gallons<br>* 50 portable 350-gallon | 1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992          |

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| Emissions Unit Number | ARMA Registration Number   | Emissions Unit Name and Description  | Date of Installation  |
|-----------------------|--|--|---|
|                       |  | shipping totes<br>* 450-gallon mix tank  | 2000  |
| 113                   | 005-0146-8-0307<br><br><br><br><br><br><br><br><br><br>005-0146-8-0334 | 19 Product Storage Tanks -<br><b>Outdoor Tank Farm</b><br>**One 100,000-gallon tank<br>**One 45,000-gallon tank<br>**Two 33,000-gallon tanks<br>**Three 40,000-gallon tanks<br>**Four 10,000-gallon tanks<br>**Two 100,000-gallon tanks<br>**Two 100,000-gallon tanks<br><br>**Four 100,000- gallon beverage alcohol storage tanks   | 2001<br>2001<br>2001<br>1991<br>1991<br>2006<br>2012<br><br>2007          |
| 114                   | 005-0146-8-0307<br><br><br><br><br><br><br><br><br><br>005-0146-8-0433 | 41 Product Storage Tanks –<br><b>Building 50, Bottling Tank Building</b><br>**Six 15,100-gallon tanks<br>**Twenty-one 11,500-gallon tanks<br>**One 11,500-gallon tank<br>**Four 1,000-gallon tank<br>**One 3,500-gallon tank<br>**Four<500 gallon tanks<br>** Two 4,100-4,300-gallon tanks<br><br>**Two 11,500-gallon blending tanks | 1990<br>1990<br><br>1995<br>1992-2012<br>1995<br>1976<br>1992<br><br>2017 |
| 115                   | 005-0146-8-0307<br><br><br><br><br><br><br><br><br><br>005-0146-8-0433 | 24 Product Storage Tanks –<br><b>Building 17, Blending Building</b><br>*Twelve 11,200-gallon tanks<br>**Two 3,300-3,600-gallon tanks<br>*One 1,400 gallon-tank<br>*One 1,000 gallon-tank<br>*Two 520 gallon-tanks<br>*Three 450-gallon surge tanks<br>*One 450-gallon surge tank<br><br>**Two 11,200-gallon ingredient tanks         | <1970<br>1976<br><1970<br>2012<br><1970<br>2006<br>1976<br><br>2017       |



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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation                  |
|-----------------------|--------------------------|--|---------------------------------------|
|                       |                          | The relocation of storage tanks within the premises is exempt from PTC approval if the change of operation does not cause change in the nature of emission or increase of emissions. |                                       |
| 117                   | 005-0146-8-0307          | 3 Product Storage Tanks – <b>Building B</b><br>*Three 10,800 – 10,900-gallon tanks   | <1970                                 |
| 118                   | 005-0146-8-0307          | 4 Storage Tanks – <b>Building J, Bulk Regauge</b><br>*Two 16,500 – 16,600-gallon tanks<br>*Two 230 gallon tanks  | All tanks installed<br><1970<br><1970 |
| 119                   | 005-0146-8-0307          | 1 Storage Tank – <b>Spirits Tank Farm</b> , Spirits Storage Tank No. 6<br>**One 500,000-gallon tank equipped with two conservation vents   | <1970                                 |
| 120                   | 005-0146-8-0379          | One off-spec finished case goods unloading system  | 2012                                  |

Notes for tanks: \* Atmospheric vent                      \*\* Conservation vent

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**SECTION II GENERAL CONDITIONS**

**1. DEFINITIONS**

**[COMAR 26.11.01.01] and [COMAR 26.11.02.01]**

The words or terms in this Part 70 permit shall have the meanings established under COMAR 26.11.01 and .02 unless otherwise stated in this permit.

**2. ACRONYMS**

|                 |  |
|-----------------|--|
| ARMA            | Air and Radiation Management Administration                                    |
| BACT            | Best Available Control Technology  |
| Btu             | British thermal unit   |
| CAA             | Clean Air Act  |
| CAM             | Compliance Assurance Monitoring  |
| CEM             | Continuous Emissions Monitor   |
| CFR             | Code of Federal Regulations  |
| CO              | Carbon Monoxide  |
| COMAR           | Code of Maryland Regulations   |
| EPA             | United States Environmental Protection Agency                                  |
| FR              | Federal Register   |
| gr              | grains   |
| HAP             | Hazardous Air Pollutant  |
| MACT            | Maximum Achievable Control Technology  |
| MDE             | Maryland Department of the Environment   |
| MVAC            | Motor Vehicle Air Conditioner  |
| NESHAPS         | National Emission Standards for Hazardous Air Pollutants                       |
| NO <sub>x</sub> | Nitrogen Oxides  |
| NSPS            | New Source Performance Standards   |
| NSR             | New Source Review  |
| OTR             | Ozone Transport Region   |
| PM              | Particulate Matter   |
| PM10            | Particulate Matter with Nominal Aerodynamic Diameter of 10 micrometers or less |
| ppm             | parts per million  |
| ppb             | parts per billion  |
| PSD             | Prevention of Significant Deterioration  |
| PTC             | Permit to construct  |
| PTO             | Permit to operate (State)  |
| SIC             | Standard Industrial Classification   |
| SO <sub>2</sub> | Sulfur Dioxide   |
| TAP             | Toxic Air Pollutant  |

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|     |                            |
|-----|----------------------------|
| tpy | tons per year              |
| VE  | Visible Emissions          |
| VOC | Volatile Organic Compounds |

**3. EFFECTIVE DATE**

The effective date of the conditions in this Part 70 permit is the date of permit issuance, unless otherwise stated in the permit.

**4. PERMIT EXPIRATION**

**[COMAR 26.11.03.13B(2)]**

Upon expiration of this permit, the terms of the permit will automatically continue to remain in effect until a new Part 70 permit is issued for this facility provided that the Permittee has submitted a timely and complete application and has paid applicable fees under COMAR 26.11.02.16.

Otherwise, upon expiration of this permit the right of the Permittee to operate this facility is terminated.

**5. PERMIT RENEWAL**

**[COMAR 26.11.03.02B(3)] and [COMAR 26.11.03.02E]**

The Permittee shall submit to the Department a completed application for renewal of this Part 70 permit at least 12 months before the expiration of the permit. Upon submitting a completed application, the Permittee may continue to operate this facility pending final action by the Department on the renewal.

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall submit such supplementary facts or corrected information no later than 10 days after becoming aware that this occurred. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a completed application was submitted, but prior to the release of a draft permit. This information shall be submitted to the Department no later than 20 days after a new requirement has been adopted.

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**6. CONFIDENTIAL INFORMATION**

**[COMAR 26.11.02.02G]**

In accordance with the provisions of the State Government Article, Sec. 10-611 et seq., Annotated Code of Maryland, all information submitted in an application shall be considered part of the public record and available for inspection and copying, unless the Permittee claims that the information is confidential when it is submitted to the Department. At the time of the request for inspection or copying, the Department will make a determination with regard to the confidentiality of the information. The Permittee, when requesting confidentiality, shall identify the information in a manner specified by the Department and, when requested by the Department, promptly provide specific reasons supporting the claim of confidentiality. Information submitted to the Department without a request that the information be deemed confidential may be made available to the public. Subject to approval of the Department, the Permittee may provide a summary of confidential information that is suitable for public review. The content of this Part 70 permit is not subject to confidential treatment.

**7. PERMIT ACTIONS**

**[COMAR 26.11.03.06E(3)] and [COMAR 26.11.03.20(A)]**

This Part 70 permit may be revoked or reopened and revised for cause. The filing of an application by the Permittee for a permit revision or renewal; or a notification of termination, planned changes or anticipated noncompliance by the facility, does not stay a term or condition of this permit.

The Department shall reopen and revise, or revoke the Permittee's Part 70 permit under the following circumstances:

- a. Additional requirements of the Clean Air Act become applicable to this facility and the remaining permit term is 3 years or more;
- b. The Department or the EPA determines that this Part 70 permit contains a material mistake, or is based on false or inaccurate information supplied by or on behalf of the Permittee;
- c. The Department or the EPA determines that this Part 70 permit must be revised or revoked to assure compliance with applicable requirements of the Clean Air Act; or

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- d. Additional requirements become applicable to an affected source under the Federal Acid Rain Program.
- e.

**8. PERMIT AVAILABILITY**

**[COMAR 26.11.02.13G]**

The Permittee shall maintain this Part 70 permit in the vicinity of the facility for which it was issued, unless it is not practical to do so, and make this permit immediately available to officials of the Department upon request.

**9. REOPENING THE PART 70 PERMIT FOR CAUSE BY THE EPA**

**[COMAR 26.11.03.20B]**

The EPA may terminate, modify, or revoke and reissue a permit for cause as prescribed in 40 CFR §70.7(g)

**10. TRANSFER OF PERMIT**

**[COMAR 26.11.02.02E]**

The Permittee shall not transfer this Part 70 permit except as provided in COMAR 26.11.03.15.

**11. REVISION OF PART 70 PERMITS – GENERAL CONDITIONS**

**[COMAR 26.11.03.14] and [COMAR 26.11.03.06A(8)]**

- a. The Permittee shall submit an application to the Department to revise this Part 70 permit when required under COMAR 26.11.03.15 -.17.
- b. When applying for a revision to a Part 70 permit, the Permittee shall comply with the requirements of COMAR 26.11.03.02 and .03 except that the application for a revision need include only information listed that is related to the proposed change to the source and revision to the permit. This information shall be sufficient to evaluate the proposed change and to determine whether it will comply with all applicable requirements of the Clean Air Act.

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- c. The Permittee may not change any provision of a compliance plan or schedule in a Part 70 permit as an administrative permit amendment or as a minor permit modification unless the change has been approved by the Department in writing.
- d. A permit revision is not required for a change that is provided for in this permit relating to approved economic incentives, marketable permits, emissions trading, and other similar programs.

**12. SIGNIFICANT PART 70 OPERATING PERMIT MODIFICATIONS**

**[COMAR 26.11.03.17]**

The Permittee may apply to the Department to make a significant modification to its Part 70 Permit as provided in COMAR 26.11.03.17 and in accordance with the following conditions:

- a. A significant modification is a revision to the federally enforceable provisions in the permit that does not qualify as an administrative permit amendment under COMAR 26.11.03.15 or a minor permit modification as defined under COMAR 26.11.03.16.
- b. This permit does not preclude the Permittee from making changes, consistent with the provisions of COMAR 26.11.03, that would make the permit or particular terms and conditions of the permit irrelevant, such as by shutting down or reducing the level of operation of a source or of an emissions unit within the source. Air pollution control equipment shall not be shut down or its level of operation reduced if doing so would violate any term of this permit.
- c. Significant permit modifications are subject to all requirements of COMAR 26.11.03 as they apply to permit issuance and renewal, including the requirements for applications, public participation, and review by affected states and EPA, except:
  - (1) An application need include only information pertaining to the proposed change to the source and modification of this permit, including a description of the change and modification, and any new applicable requirements of the Clean Air Act that will apply if the change occurs;

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- (2) Public participation, and review by affected states and EPA, is limited to only the application and those federally enforceable terms and conditions of the Part 70 permit that are affected by the significant permit modification.
- d. As provided in COMAR 26.11.03.15B(5), an administrative permit amendment may be used to make a change that would otherwise require a significant permit modification if procedures for enhanced preconstruction review of the change are followed that satisfy the requirements of 40 CFR 70.7(d)(1)(v).
- e. Before making a change that qualifies as a significant permit modification, the Permittee shall obtain all permits-to-construct and approvals required by COMAR 26.11.02.
- f. The Permittee shall not make a significant permit modification that results in a violation of any applicable requirement of the Clean Air Act.
- g. The permit shield in COMAR 26.11.03.23 applies to a final significant permit modification that has been issued by the Department, to the extent applicable under COMAR 26.11.03.23.

**13. MINOR PERMIT MODIFICATIONS**

**[COMAR 26.11.03.16]**

The Permittee may apply to the Department to make a minor modification to the federally enforceable provisions of this Part 70 permit as provided in COMAR 26.11.03.16 and in accordance with the following conditions:

- a. A minor permit modification is a Part 70 permit revision that:
  - (1) Does not result in a violation of any applicable requirement of the Clean Air Act;
  - (2) Does not significantly revise existing federally enforceable monitoring, including test methods, reporting, record keeping, or compliance certification requirements except by:
    - (a) Adding new requirements,

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- (b) Eliminating the requirements if they are rendered meaningless because the emissions to which the requirements apply will no longer occur, or
    - (c) Changing from one approved test method for a pollutant and source category to another;
  - (3) Does not require or modify a:
    - (a) Case-by-case determination of a federally enforceable emissions standard,
    - (b) Source specific determination for temporary sources of ambient impacts, or
    - (c) Visibility or increment analysis;
  - (4) Does not seek to establish or modify a federally enforceable permit term or condition for which there is no corresponding underlying applicable requirement of the Clean Air Act, but that the Permittee has assumed to avoid an applicable requirement to which the source would otherwise be subject, including:
    - (a) A federally enforceable emissions standard applied to the source pursuant to COMAR 26.11.02.03 to avoid classification as a Title I modification; and
    - (b) An alternative emissions standard applied to an emissions unit pursuant to regulations promulgated under Section 112(i)(5) of the Clean Air Act
  - (5) Is not a Title I modification; and
  - (6) Is not required under COMAR 26.11.03.17 to be processed as a significant modification to this Part 70 permit.
- b. Application for a Minor Permit Modification

The Permittee shall submit to the Department an application for a minor permit modification that satisfies the requirements of COMAR 26.11.03.03 which includes the following:



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- (1) A description of the proposed change, the emissions resulting from the change, and any new applicable requirements that will apply if the change is made;
  - (2) The proposed minor permit modification;
  - (3) Certification by a responsible official, in accordance with COMAR 26.11.02.02F, that:
    - (a) The proposed change meets the criteria for a minor permit modification, and
    - (b) The Permittee has obtained or applied for all required permits-to-construct required by COMAR 26.11.03.16 with respect to the proposed change;
  - (4) Completed forms for the Department to use to notify the EPA and affected states, as required by COMAR 26.11.03.07-.12.
- c. Permittee's Ability to Make Change
- (1) For changes proposed as minor permit modifications to this permit that will require the applicant to obtain a permit to construct, the permit to construct must be issued prior to the new change.
  - (2) During the period of time after the Permittee applies for a minor modification but before the Department acts in accordance with COMAR 26.11.03.16F(2):
    - (a) The Permittee shall comply with applicable requirements of the Clean Air Act related to the change and the permit terms and conditions described in the application for the minor modification.
    - (b) The Permittee is not required to comply with the terms and conditions in the permit it seeks to modify. If the Permittee fails to comply with the terms and conditions in the application during this time, the terms and conditions of both this permit and the application for modification may be enforced against it.
- d. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.16 is not within the scope of this regulation.

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- e. Minor permit modification procedures may be used for Part 70 permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, but only to the extent that the minor permit modification procedures are explicitly provided for in regulations approved by the EPA as part of the Maryland SIP or in other applicable requirements of the Clean Air Act.

**14. ADMINISTRATIVE PART 70 OPERATING PERMIT AMENDMENTS**

**[COMAR 26.11.03.15]**

The Permittee may apply to the department to make an administrative permit amendment as provided in COMAR 26.11.03.15 and in accordance with the following conditions:

- a. An application for an administrative permit amendment shall:
  - (1) Be in writing;
  - (2) Include a statement certified by a responsible official that the proposed amendment meets the criteria in COMAR 26.11.03.15 for an administrative permit amendment, and
  - (3) Identify those provisions of this part 70 permit for which the amendment is requested, including the basis for the request.
- b. An administrative permit amendment:
  - (1) Is a correction of a typographical error;
  - (2) Identifies a change in the name, address, or phone number of a person identified in this permit, or a similar administrative change involving the Permittee or other matters which are not directly related to the control of air pollution;
  - (3) requires more frequent monitoring or reporting by the Permittee;
  - (4) Allows for a change in ownership or operational control of a source for which the Department determines that no other revision to the permit is necessary and is documented as per COMAR 26.11.03.15B(4);

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- (5) Incorporates into this permit the requirements from preconstruction review permits or approvals issued by the Department in accordance with COMAR 26.11.03.15B(5), but only if it satisfies 40 CFR 70.7(d)(1)(v);
  - (6) Incorporates any other type of change, as approved by the EPA, which is similar to those in COMAR 26.11.03.15B(1)—(4);
  - (7) Notwithstanding COMAR 26.11.03.15B(1)—(6), all modifications to acid rain control provisions included in this Part 70 permit are governed by applicable requirements promulgated under Title IV of the Clean Air Act; or
  - (8) Incorporates any change to a term or condition specified as State-only enforceable, if the Permittee has obtained all necessary permits-to-construct and approvals that apply to the change.
- c. The Permittee may make the change addressed in the application for an administrative amendment upon receipt by the Department of the application, if all permits-to-construct or approvals otherwise required by COMAR 26.11.02 prior to making the change have first been obtained from the Department.
  - d. The permit shield in COMAR 26.11.03.23 applies to administrative permit amendments made under Section B(5) of COMAR 26.11.03.15 , but only after the Department takes final action to revise the permit.
  - e. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.15 is not within the scope of this regulation.

**15. OFF-PERMIT CHANGES TO THIS SOURCE**

**[COMAR 26.11.03.19]**

The Permittee may make off-permit changes to this facility as provided in COMAR 26.11.03.19 and in accordance with the following conditions:

- a. The Permittee may make a change to this permitted facility that is not addressed or prohibited by the federally enforceable conditions of this Part 70 permit without obtaining a Part 70 permit revision if:

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- (1) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;
  - (2) The change is not subject to any requirements under Title IV of the Clean Air Act;
  - (3) The change is not a Title I modification; and
  - (4) The change does not violate an applicable requirement of the Clean Air Act or a federally enforceable term or condition of the permit.
- b. For a change that qualifies under COMAR 26.11.03.19, the Permittee shall provide contemporaneous written notice to the Department and the EPA, except for a change to an emissions unit or activity that is exempt from the Part 70 permit application, as provided in COMAR 26.11.03.04. This written notice shall describe the change, including the date it was made, any change in emissions, including the pollutants emitted, and any new applicable requirements of the Clean Air Act that apply as a result of the change.
- c. Upon satisfying the requirements of COMAR 26.11.03.19, the Permittee may make the proposed change.
- d. The Permittee shall keep a record describing:
- (1) Changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement of the Clean Air Act , but not otherwise regulated under this permit; and
  - (2) The emissions resulting from those changes.
- e. Changes that qualify under COMAR 26.11.03.19 are not subject to the requirements for Part 70 revisions.
- f. The Permittee shall include each off-permit change under COMAR 26.11.03.19 in the application for renewal of the part 70 permit.
- g. The permit shield in COMAR 26.11.03.23 does not apply to off-permit changes made under COMAR 26.11.03.19.
- h. The Permittee is subject to enforcement action if it is determined that an off-permit change made under COMAR 26.11.03.19 is not within the scope of this regulation.

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**16. ON-PERMIT CHANGES TO SOURCES**

**[COMAR 26.11.03.18]**

The Permittee may make on-permit changes that are allowed under Section 502(b)(10) of the Clean Air Act as provided in COMAR 26.11.03.18 and in accordance with the following conditions:

- a. The Permittee may make a change to this facility without obtaining a revision to this Part 70 permit if:
  - (1) The change is not a Title I modification;
  - (2) The change does not result in emissions in excess of those expressly allowed under the federally enforceable provisions of the Part 70 permit for the permitted facility or for an emissions unit within the facility, whether expressed as a rate of emissions or in terms of total emissions;
  - (3) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;
  - (4) The change does not violate an applicable requirement of the Clean Air Act;
  - (5) The change does not violate a federally enforceable permit term or condition related to monitoring, including test methods, record keeping, reporting, or compliance certification requirements;
  - (6) The change does not violate a federally enforceable permit term or condition limiting hours of operation, work practices, fuel usage, raw material usage, or production levels if the term or condition has been established to limit emissions allowable under this permit;
  - (7) If applicable, the change does not modify a federally enforceable provision of a compliance plan or schedule in this Part 70 permit unless the Department has approved the change in writing; and
  - (8) This permit does not expressly prohibit the change under COMAR 26.11.03.18.

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- b. The Permittee shall notify the Department and the EPA in writing of a proposed on-permit change under COMAR 26.11.03.18 not later than 7 days before the change is made. The written information shall include the following information:
  - (1) A description of the proposed change;
  - (2) The date on which the change is proposed to be made;
  - (3) Any change in emissions resulting from the change, including the pollutants emitted;
  - (4) Any new applicable requirement of the Clean Air Act; and
  - (5) Any permit term or condition that would no longer apply.
- c. The responsible official of this facility shall certify in accordance with COMAR 26.11.02.02F that the proposed change meets the criteria for the use of on-permit changes under COMAR 26.11.03.18.
- d. The Permittee shall attach a copy of each notice required by condition b. above to this Part 70 permit.
- e. On-permit changes that qualify under COMAR 26.11.03.18 are not subject to the requirements for part 70 permit revisions.
- f. Upon satisfying the requirements under COMAR 26.11.03.18, the Permittee may make the proposed change.
- g. The permit shield in COMAR 26.11.03.23 does not apply to on-permit changes under COMAR 26.11.03.18.
- h. The Permittee is subject to enforcement action if it is determined that an on-permit change made under COMAR 26.11.03.18 is not within the scope of the regulation or violates any requirement of the State air pollution control law.

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**17. FEE PAYMENT**

**[COMAR 26.11.02.16A(2) & (5)(b)]**

- a. The fee for this Part 70 permit is as prescribed in Regulation .19 of COMAR 26.11.02.
- b. The fee is due on and shall be paid on or before each 12-month anniversary date of the permit.
- c. Failure to pay the annual permit fee constitutes cause for revocation of the permit by the Department.

**18. REQUIREMENTS FOR PERMITS-TO-CONSTRUCT AND APPROVALS**

**[COMAR 26.11.02.09.]**

The Permittee may not construct or modify or cause to be constructed or modified any of the following sources without first obtaining, and having in current effect, the specified permits-to-construct and approvals:

- a. New Source Review source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;
- b. Prevention of Significant Deterioration source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;
- c. New Source Performance Standard source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- d. National Emission Standards for Hazardous Air Pollutants source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- e. A stationary source of lead that discharges one ton per year or more of lead or lead compounds measured as elemental lead, permit to construct required, except for generating stations constructed by electric companies;

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- f. All stationary sources of air pollution, including installations and air pollution control equipment, except as listed in COMAR 26.11.02.10, permit to construct required;
- g. In the event of a conflict between the applicability of (a.— e.) above and an exemption listed in COMAR 26.11.02.10, the provision that requires a permit applies.
- h. Approval of a PSD or NSR source by the Department does not relieve the Permittee obtaining an approval from also obtaining all permits-to-construct required by (c. - g.) above.

**19. CONSOLIDATION OF PROCEDURES FOR PUBLIC PARTICIPATION**

**[COMAR 26.11.02.11C] and [COMAR 26.11.03.01K]**

The Permittee may request the Department to authorize special procedures for the Permittee to apply simultaneously, to the extent possible, for a permit to construct and a revision to this permit.

These procedures may provide for combined public notices, informational meetings, and public hearings for both permits but shall not adversely affect the rights of a person, including EPA and affected states, to obtain information about the application for a permit, to comment on an application, or to challenge a permit that is issued.

These procedures shall not alter any existing permit procedures or time frames.

**20. PROPERTY RIGHTS**

**[COMAR 26.11.03.06E(4)]**

This Part 70 permit does not convey any property rights of any sort, or any exclusive privileges.



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**21. SEVERABILITY**

**[COMAR 26.11.03.06A(5)]**

If any portion of this Part 70 permit is challenged, or any term or condition deemed unenforceable, the remainder of the requirements of the permit continues to be valid.

**22. INSPECTION AND ENTRY**

**[COMAR 26.11.03.06G(3)]**

The Permittee shall allow employees and authorized representatives of the Department, the EPA, and local environmental health agencies, upon presentation of credentials or other documents as may be required by law, to:

- a. Enter at a reasonable time without delay and without prior notification the Permittee's property where a Part 70 source is located, emissions-related activity is conducted, or records required by this permit are kept;
- b. Have access to and make copies of records required by the permit;
- c. Inspect all emissions units within the facility subject to the permit and all related monitoring systems, air pollution control equipment, and practices or operations regulated or required by the permit; and
- d. Sample or monitor any substances or parameters at or related to the emissions units at the facility for the purpose of determining compliance with the permit.

**23. DUTY TO PROVIDE INFORMATION**

**[COMAR 26.11.03.06E(5)]**

The Permittee shall furnish to the Department, within a reasonable time specified by the Department, information requested in writing by the Department in order to determine whether the Permittee is in compliance with the federally enforceable conditions of this Part 70 permit, or whether cause exists for revising or revoking the permit. Upon request, the Permittee shall also furnish to the Department records required to be kept under the permit.

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For information claimed by the Permittee to be confidential and therefore potentially not discloseable to the public, the Department may require the Permittee to provide a copy of the records directly to the EPA along with a claim of confidentiality.

The Permittee shall also furnish to the Department, within a reasonable time specified by the Department, information or records requested in writing by the Department in order to determine if the Permittee is in compliance with the State-only enforceable conditions of this permit.

**24. COMPLIANCE REQUIREMENTS**

**[COMAR 26.11.03.06E(1)] and [COMAR 26.11.03.06A(11)] and [COMAR 26.11.02.05]**

The Permittee shall comply with the conditions of this Part 70 permit. Noncompliance with the permit constitutes a violation of the Clean Air Act, and/or the Environment Article Title 2 of the Annotated Code of Maryland and may subject the Permittee to:

- a. Enforcement action,
- b. Permit revocation or revision,
- c. Denial of the renewal of a Part 70 permit, or
- d. Any combination of these actions.

The conditions in this Part 70 permit are enforceable by EPA and citizens under the Clean Air Act except for the State-only enforceable conditions.

Under Environment Article Section 2-609, Annotated Code of Maryland, the Department may seek immediate injunctive relief against a person who violates this permit in such a manner as to cause a threat to human health or the environment.

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**25. CREDIBLE EVIDENCE**

Nothing in this permit shall be interpreted to preclude the use of credible evidence to demonstrate noncompliance with any term of this permit.

**26. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE**

**[COMAR 26.11.03.06E(2)]**

The need to halt or reduce activity in order to comply with the conditions of this permit may not be used as a defense in an enforcement action.

**27. CIRCUMVENTION**

**[COMAR 26.11.01.06]**

The Permittee may not install or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total weight of emissions, conceals or dilutes emissions which would otherwise constitute a violation of any applicable air pollution control regulation.

**28. PERMIT SHIELD**

**[COMAR 26.11.03.23]**

A permit shield as described in COMAR 26.11.03.23 shall apply only to terms and conditions in this Part 70 permit that have been specifically identified as covered by the permit shield. Neither this permit nor COMAR 26.11.03.23 alters the following:

- a. The emergency order provisions in Section 303 of the Clean Air Act, including the authority of EPA under that section;
- b. The liability of the Permittee for a violation of an applicable requirement of the Clean Air Act before or when this permit is issued or for a violation that continues after issuance;
- c. The requirements of the Acid Rain Program, consistent with Section 408(a) of the Clean Air Act;

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- d. The ability of the Department or EPA to obtain information from a source pursuant to Maryland law and Section 114 of the Clean Air Act; or
- e. The authority of the Department to enforce an applicable requirement of the State air pollution control law that is not an applicable requirement of the Clean Air Act.

**29. ALTERNATE OPERATING SCENARIOS**

**[COMAR 26.11.03.06A(9)]**

For all alternate operating scenarios approved by the Department and contained within this permit, the Permittee, while changing from one approved scenario to another, shall contemporaneously record in a log maintained at the facility each scenario under which the emissions unit is operating and the date and time the scenario started and ended.

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**SECTION III PLANT WIDE CONDITIONS**

**1. PARTICULATE MATTER FROM CONSTRUCTION AND DEMOLITION**

**[COMAR 26.11.06.03D]**

The Permittee shall not cause or permit any building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.

**2. OPEN BURNING**

**[COMAR 26.11.07]**

Except as provided in COMAR 26.11.07.04, the Permittee shall not cause or permit an open fire from June 1 through August 31 of any calendar year. Prior to any open burning, the Permittee shall request and receive approval from the Department.

**3. AIR POLLUTION EPISODE**

**[COMAR 26.11.05.04]**

When requested by the Department, the Permittee shall prepare in writing standby emissions reduction plans, consistent with good industrial practice and safe operating procedures, for reducing emissions creating air pollution during periods of Alert, Warning, and Emergency of an air pollution episode.

**4. REPORT OF EXCESS EMISSIONS AND DEVIATIONS**

**[COMAR 26.11.01.07] and [COMAR 26.11.03.06C(7)]**

The Permittee shall comply with the following conditions for occurrences of excess emissions and deviations from requirements of this permit, including those in Section VI – State-only Enforceable Conditions:

- a. Report any deviation from permit requirements that could endanger human health or the environment, by orally notifying the Department immediately upon discovery of the deviation;

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- b. Promptly report all occurrences of excess emissions that are expected to last for one hour or longer by orally notifying the Department of the onset and termination of the occurrence;
- c. When requested by the Department the Permittee shall report all deviations from permit conditions, including those attributed to malfunctions as defined in COMAR 26.11.01.07A, within 5 days of the request by submitting a written description of the deviation to the Department. The written report shall include the cause, dates and times of the onset and termination of the deviation, and an account of all actions planned or taken to reduce, eliminate, and prevent recurrence of the deviation;
- d. The Permittee shall submit to the Department semi-annual monitoring reports that confirm that all required monitoring was performed, and that provide accounts of all deviations from permit requirements that occurred during the reporting periods. Reporting periods shall be January 1 through June 30 and July 1 through December 31, and reports shall be submitted within 30 days of the end of each reporting period. Each account of deviation shall include a description of the deviation, the dates and times of onset and termination, identification of the person who observed or discovered the deviation, causes and corrective actions taken, and actions taken to prevent recurrence. If no deviations from permit conditions occurred during a reporting period, the Permittee shall submit a written report that so states.
- e. When requested by the Department, the Permittee shall submit a written report to the Department within 10 days of receiving the request concerning an occurrence of excess emissions. The report shall contain the information required in COMAR 26.11.01.07D(2).

**5. ACCIDENTAL RELEASE PROVISIONS**

**[COMAR 26.11.03.03B(23)] and [40 CFR 68]**

Should the Permittee become subject to 40 CFR 68 during the term of this permit, the Permittee shall submit risk management plans by the date specified in 40 CFR 68.150 and shall certify compliance with the requirements of 40 CFR 68 as part of the annual compliance certification as required by 40 CFR 70.

The Permittee shall initiate a permit revision or reopening according to the procedures of 40 CFR 70.7 to incorporate appropriate permit conditions into the Permittee's Part 70 permit.

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**6. GENERAL TESTING REQUIREMENTS**

**[COMAR 26.11.01.04]**

The Department may require the Permittee to conduct, or have conducted, testing to determine compliance with this Part 70 permit. The Department, at its option, may witness or conduct these tests. This testing shall be done at a reasonable time, and all information gathered during a testing operation shall be provided to the Department.

**7. EMISSIONS TEST METHODS**

**[COMAR 26.11.01.04]**

Compliance with the emissions standards and limitations in this Part 70 permit shall be determined by the test methods designated and described below or other test methods submitted to and approved by the Department.

Reference documents of the test methods approved by the Department include the following:

- a. 40 CFR 60, appendix A
- b. 40 CFR 51, appendix M
- c. The Department's Technical Memorandum 91-01 "Test Methods and Equipment Specifications for Stationary Sources", (January 1991), as amended through Supplement 3, (October 1, 1997)

**8. EMISSIONS CERTIFICATION REPORT**

**[COMAR 26.11.01.05-1] and [COMAR 26.11.02.19C] and  
[COMAR 26.11.02.19D]**

The Permittee shall certify actual annual emissions of regulated pollutants from the facility on a calendar year basis.

- a. The certification shall be on forms obtained from the Department and submitted to the Department not later than April 1 of the year following the year for which the certification is required;

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- b. The individual making the certification shall certify that the information is accurate to the individual's best knowledge. The individual shall be:
  - (1) Familiar with each source for which the certifications forms are submitted, and
  - (2) Responsible for the accuracy of the emissions information;
  
- c. The Permittee shall maintain records necessary to support the emissions certification including the following information if applicable:
  - (1) The total amount of actual emissions of each regulated pollutant and the total of all regulated pollutants;
  - (2) An explanation of the methods used to quantify the emissions and the operating schedules and production data that were used to determine emissions, including significant assumptions made;
  - (3) Amounts, types and analyses of all fuels used;
  - (4) Emissions data from continuous emissions monitors that are required by this permit, including monitor calibration and malfunction information;
  - (5) Identification, description, and use records of all air pollution control equipment and compliance monitoring equipment including:
    - (a) Significant maintenance performed,
    - (b) Malfunctions and downtime, and
    - (c) Episodes of reduced efficiency of all equipment;
  - (6) Limitations on source operation or any work practice standards that significantly affect emissions; and
  - (7) Other relevant information as required by the Department.



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**9. COMPLIANCE CERTIFICATION REPORT**

**[COMAR 26.11.03.06G(6) and (7)]**

The Permittee shall submit to the Department and EPA Region III a report certifying compliance with each term of this Part 70 permit including each applicable standard, emissions limitation, and work practice for the previous calendar year by April 1 of each year.

- a. The compliance certification shall include:
  - (1) The identification of each term or condition of this permit which is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether the compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of each source, currently and over the reporting period; and
  - (5) Any other information required to be reported to the Department that is necessary to determine the compliance status of the Permittee with this permit.
- b. The Permittee shall submit the compliance certification reports to the Department and EPA simultaneously.

**10. CERTIFICATION BY RESPONSIBLE OFFICIAL**

**[COMAR 26.11.02.02F]**

All application forms, reports, and compliance certifications submitted pursuant to this permit shall be certified by a responsible official as to truth, accuracy, and completeness. The Permittee shall expeditiously notify the Department of an appointment of a new responsible official.

The certification shall be in the following form:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the

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information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

**11. SAMPLING AND EMISSIONS TESTING RECORD KEEPING**

**[COMAR 26.11.03.06C(5)]**

The Permittee shall gather and retain the following information when sampling and testing for compliance demonstrations:

- a. The location as specified in this permit, and the date and time that samples and measurements are taken;
- b. All pertinent operating conditions existing at the time that samples and measurements are taken;
- c. The date that each analysis of a sample or emissions test is performed and the name of the person taking the sample or performing the emissions test;
- d. The identity of the Permittee, individual, or other entity that performed the analysis;
- e. The analytical techniques and methods used; and
- f. The results of each analysis.

**12. GENERAL RECORDKEEPING**

**[COMAR 26.11.03.06C(6)]**

The Permittee shall retain records of all monitoring data and information that support the compliance certification for a period of five (5) years from the date that the monitoring, sample measurement, application, report or emissions test was completed or submitted to the Department.

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These records and support information shall include:

- a. All calibration and maintenance records;
- b. All original data collected from continuous monitoring instrumentation;
- c. Records which support the annual emissions certification; and
- d. Copies of all reports required by this permit.

**13. GENERAL CONFORMITY**

**[COMAR 26.11.26.09]**

The Permittee shall comply with the general conformity requirements of 40 CFR 93, Subpart B and COMAR 26.11.26.09.

**14. ASBESTOS PROVISIONS**

**[40 CFR 61, Subpart M]**

The Permittee shall comply with 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

**15. OZONE DEPLETING REGULATIONS**

**[40 CFR 82, Subpart F]**

The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the prohibitions and required practices pursuant to 40 CFR 82.154 and 82.156.
- b. Equipment used during the maintenance, service, repair or disposal of appliances shall comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

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- c. Persons performing maintenance, service, repairs or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- d. Persons performing maintenance, service, repairs or disposal of appliances shall certify with the Administrator pursuant to 40 CFR 82.162.
- e. Persons disposing of small appliances, MVACS, and MVAC-like appliances as defined in 40 CFR 82.152, shall comply with record keeping requirements pursuant to 40 CFR 82.166.
- f. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
- g. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

**16. ACID RAIN PERMIT**

Not applicable

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**SECTION IV PLANT SPECIFIC CONDITIONS**

This section provides tables that include the emissions standards, emissions limitations, and work practices applicable to each emissions unit located at this facility. The Permittee shall comply with all applicable emissions standards, emissions limitations and work practices included herein.

The tables also include testing, monitoring, record keeping and reporting requirements specific to each emissions unit. In addition to the requirements included here in **Section IV**, the Permittee is also subject to the general testing, monitoring, record keeping and reporting requirements included in **Section III – Plant Wide Conditions** of this permit.

Unless otherwise provided in the specific requirements for an emissions unit, the Permittee shall maintain at the facility for at least five (5) years, and shall make available to the Department upon request, all records that the Permittee is required under this section to establish. [COMAR 26.11.03.06C(5)(g)]

| <b>Table IV – 1</b> |  |
|---------------------|--|
| <b>1.0</b>          | <b><u>Emissions Unit Number(s)</u></b><br>Emission Units 010 (Reg. No. 5-1740) and 011 (Reg. No. 5-01739) – Two Kewanee boiler rated at 12.6 and 25.1 MM BTU/hour firing natural gas with No. 2 fuel oil as back-up fuel during natural gas supply interruptions.  |
| <b>1.1</b>          | <b><u>Applicable Standards/Limits:</u></b><br><br>A. <u>Visible Emissions</u><br><br><b>COMAR 26.11.09.05A(2)</b> - The Permittee shall not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an unconfined form, which is visible to human observers.<br><br><u>Exceptions</u> “Section A (1) and (2) does not apply to emissions during load changing, soot blowing, startup, or occasional cleaning of control equipment if:<br><br>(1) The visible emissions are not greater than 40 percent opacity; and<br>(2) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period. [ <b>COMAR 26.11.09.05A(3)</b> ]<br><br>B. <u>Sulfur Emissions</u><br><br><b>COMAR 26.11.09.07A(2)(b)</b> - The Permittee shall not burn, sell, or make available for sale any distillate fuel with sulfur content by weight by excess of 0.3 percent. |

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**Table IV – 1**

|            |   |
|------------|---|
| <b>1.2</b> | <p><b><u>Testing Requirements:</u></b></p> <p>A. <u>Visible Emissions</u>- See monitoring, record keeping, and reporting requirements.</p> <p>B. <u>Sulfur Emissions</u>- See record keeping and reporting requirements.</p>  |
| <b>1.3</b> | <p><b><u>Monitoring Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>(1) The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers unless the Permittee applies for and receives an approval or permit from the Department to burn alternate fuels.</p> <p style="padding-left: 40px;">A natural gas curtailment or supply interruption means any period during which the supply of natural gas to the affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or interruption. [40 CFR §63.11237]</p> <p>(2) If the Permittee wishes to burn No. 2 fuel oil in any of the two boilers at any other times other than allowed of this permit, the Permittee shall apply for and receives an approval or permit from the Department and comply with the requirements of 40 CFR 63, Subpart JJJJJJ. [40 CFR §63.11195(e)]</p> <p>(3) The Permittee shall operate and maintain the boilers in accordance with the operations training manual and preventive maintenance plan.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>(4) To verify no visible emissions when burning #2 fuel oil, an observer is required to perform a visual observation of stack exhaust gases to look for visible emissions for a 12 minute period once for each 168 hours that the boiler burns oil. If a boiler does not burn oil for more than 100 hours in a calendar year, this visible emission observation requirement is waived.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>(5) The permittee shall perform the following, if visible emissions are visible to human observer:</p> |

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**Table IV – 1**

|                   |   |
|-------------------|---|
|                   | <p>(a) Inspect combustion control system and the boiler’s operations;<br/>         (b) Perform all necessary adjustments and /or repairs to the boiler within 48 hours, so that visible emissions are eliminated;<br/>         (c) Document in writing the results of the inspections;<br/>         (d) After 48 hours, if the required adjustments and/or repairs have not eliminated the visible emissions, take additional remedial actions and continue to perform a Method 9 observation once daily for 18 minutes until corrective action has eliminated the visible emissions.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>B. <u>Sulfur Emissions</u> - See record keeping and reporting requirements.</p>   |
| <p><b>1.4</b></p> | <p><b><u>Record Keeping Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>The Permittee shall:</p> <p>(1) Maintain an operations manual and preventive maintenance plan on site;</p> <p>(2) Maintain a record of the maintenance performed that relates to combustion performance; and</p> <p>(3) Maintain a log of all visible emissions observations performed for at least five years and make it available to the Department upon request.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>B. <u>Sulfur Emissions</u></p> <p>(1) The Permittee shall maintain records of fuel supplier certifications for each shipment of fuel received. The fuel supplier certifications shall include the name of the supplier and a certified statement from the supplier that the oil complies with 0.3% or less by weight sulfur content limitation. <b>[COMAR 26.11.03.06C]</b></p> <p>(2) The Permittee shall keep annual records of the hours of operation that the boilers burned fuel oil, the amount of fuel oil burned each year, and documentation demonstrating that the fuel oil was burned only as a backup fuel during gas curtailment, gas supply emergency, or periodic testing, as allowed under the operational limitation. <b>[COMAR 26.11.03.06C]</b></p> |
| <p><b>1.5</b></p> | <p><b><u>Reporting Requirements:</u></b></p> <p>A and B</p>   |

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| <b>Table IV – 1</b> |   |
|---------------------|---|
|                     | The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". <b>[COMAR 26.11.03.06C]</b> |

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for Emissions Unit Nos. 0010 and 0011.**

| <b>Table IV – 2</b> |   |
|---------------------|---|
| <b>2.0</b>          | <p><b><u>Emissions Unit Number(s)</u></b></p> <p>Emission Unit 020 – Warehouse Aging<br/>           Emission Unit 030 – Empty Barrel Storage<br/>           Emission Unit 040 – Barrel Filling<br/>           Emission Unit 050 – Barrel Emptying<br/>           Emission Unit 060 – Product Filtering<br/>           Emission Unit 070 – Bottle Filling (currently inactive) /Product Packaging<br/>           Emission Unit 080 – Glues/Adhesives<br/>           Emission Unit 090 – Printing Inks<br/>           Emission Unit 100 – Tank Truck and Container Filling<br/>           Emission Units 110 to 119 – Storage<br/>           Emission Unit 120 – Off-spec Finished Case Goods Unloading</p> |
| <b>2.1</b>          | <p><b><u>Applicable Standards/Limits:</u></b></p> <p>Control of Volatile Organic Compounds</p> <p>(1) <b>COMAR 26.11.19.29</b> - Control of Volatile Organic Compounds from Distilled Spirits Facilities</p> <p>(2) <b>COMAR 26.11.19.16</b> - Control of Volatile Organic Compounds Equipment leaks</p>  |
| <b>2.2</b>          | <p><b><u>Testing Requirements:</u></b></p> <p>See monitoring, record keeping, and reporting requirements.</p>   |
| <b>2.3</b>          | <p><b><u>Monitoring Requirements:</u></b></p> <p>(1) The Permittee shall empty barrels using a pump-operated, bayonet type suction device, or comparable effective device that minimizes VOC evaporative losses when emptying barrels. <b>[COMAR 26.11.19.29C(1)(a)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 050 – Barrel Emptying.</b></p> <p>(2) The Permittee shall drain distilled spirits from filter plates that are located between the barrel unloading and storage tanks to either a recycling tank or</p>  |



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**Table IV – 2**

|     |   |
|-----|---|
|     | <p>to an enclosed collection system. <b>[COMAR 26.11.19.29C(1)(b)]</b><br/> <b>Note:</b> This requirement does not apply to plate and frame filter associated with beer production operation because “Distilled Spirits” does not include beer in accordance with COMAR 26.11.19.29B(d)(ii).</p>  |
| (3) | <p>The Permittee shall use a gravity and vacuum or pressure filling system or comparable effective system to minimize fugitive emissions from the bottling operations. <b>[COMAR 26.11.19.29C(1)(c)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 040 – Barrel Filling and Emission Unit 070 – Bottle Filling/Product Packaging.</b></p>  |
| (4) | <p>The Permittee, during warmer weather, periodically (at least weekly) wet used barrels that are stored in the outdoors awaiting disposal to reduce potential leakage and fugitive emissions. <b>[COMAR 26.11.19.29C(2)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 030 – Empty Barrel Storage.</b></p>  |
| (5) | <p>The Permittee shall develop, maintain, and implement a good operating practices manual to minimize fugitive VOC emissions from distilled spirits facilities and beer production operation. <b>[COMAR 26.11.19.02I and COMAR 26.11.19.29D]</b></p>  |
| (6) | <p>The Permittee shall comply the following requirements:<br/>         (a) The Permittee may not load finished products to trucks from ECF Building;<br/>         (b) The Permittee shall convert Tank CA-1 in Rum processing from finished product storage to non-VOC storage;<br/>         (c) The Permittee shall not operate the basement tanks of Building 17, shall use mechanical agitators only, and shall use Tanks 123 and 125 in Building 17 for water storage only; and<br/>         (d) The Permittee shall not blend bulk product in Tanks 118 and 120 in Building 17.<br/> <b>[Permit to Construct Nos 055-0146-0307, 0308, and 0309; 8-0333 and 0334; and 9-1373 issued on July 29, 2011]</b></p> |
| (7) | <p>The Permittee shall perform a weekly inspection of each emissions unit to verify that the required procedures are being used and shall record the results of the inspections in a logbook. <b>[COMAR 26.11.03.06C]</b></p>   |
| (8) | <p>To reduce fugitive emission sources, the Permittee shall:<br/>         (a) inspect all empty barrels for mechanical integrity, cracked staves, dished heads, missing hoops and evidence of prior leakage;</p>  |

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|                   |  |
|-------------------|--|
|                   | <p>(b) discard failing barrels;</p> <p>(c) keep, in a logbook, a record of the number of barrels failing the inspection;</p> <p>(d) inspect all barrels as they are filled;</p> <p>(e) repair or empty and discard any leaking barrel identified;</p> <p>(f) place non-leaking barrels on pallets that are designed to provide stability to the barrels during transfer to and from the warehouse storage areas; and</p> <p>(g) keep a record of inspections in a logbook.<br/> <b>[COMAR 26.11.19.29D]</b></p> <p>(9) The Permittee shall:</p> <p>(a) Visually inspect all components on the premises for leaks at least once each calendar month;</p> <p>(b) Tag any leak immediately so that the tag is clearly visible. The tag shall be made of a material that will withstand any weather or corrosive conditions to which it may be normally exposed. The tag shall bear an identification number, the date the leak was discovered, and the name of the person who discovered the leak. The tag shall remain in place until the leak has been repaired;</p> <p>(c) Take immediate action to repair all observed VOC leaks that can be repaired within 48 hours;</p> <p>(d) Repair all other leaking components not later than 15 days after the leak is discovered. If a replacement part is needed, the part shall be ordered within 3 days after discovery of the leak, and the leak shall be repaired within 48 hours after receiving the part; and</p> <p>(e) Maintain a supply of components or component parts that are recognized by the source to wear or corrode, or that otherwise need to be routinely replaced.<br/> <b>[COMAR 26.11.19.16C]</b></p> <p>(10) Leaking components that cannot be repaired as required because they are inaccessible, or that cannot be repaired during operation of an installation, shall be identified in a log and included in the facility's maintenance schedule for repair during the next outage of the installation. <b>[COMAR 26.11.19.16D]</b></p> |
| <p><b>2.4</b></p> | <p><b><u>Record Keeping Requirements:</u></b></p> <p>(1) The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information:</p> <p>(a) Records of monthly fugitive emissions and supporting annual estimates of emissions for all emission units, including but not limiting to the following</p>  |

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| <b>Table IV – 2</b> |  |
|---------------------|--|
|                     | <p>units:</p> <ul style="list-style-type: none"> <li>(i) the Bohnert spirits handling system in Building 16;</li> <li>(ii) jumper connections blown out with each connection change required by flow transfer panels;</li> <li>(iii) proprietary blending process;</li> <li>(iv) loading station outside of M Warehouse and Building 17;</li> <li>(v) carbon filtration system; and</li> <li>(vi) SUPRApak filters.</li> </ul> <p><b>[Permits to Construct Nos. 005-0146-8-0418 issued on September 20, 2016, 005-0146-9-1525 issued on September 2, 2016, 005-0146-6-3137 issued on December 11, 2015, 005-0146-6-3137 issued on December 11, 2015, 005-0146-8-0307 and 005-0146-9-1373 issued on September 12, 2012]</b></p> <p>(b) The current, most recently revised GOP manual designed to minimize fugitive emissions of VOC as required by COMAR 26.11.19.29D.</p> <p>(2) The Permittee shall maintain a log that includes the name of the person conducting the inspection and the date on which leak inspections are made, the findings of the inspection, and a list of leaks by tag identification number. The log shall be made available to the Department upon request. Leak records shall be maintained for a period of not less than 2 years from the date of their occurrence. <b>[COMAR 26.11.19.16C(6)]</b></p> |
| <b>2.5</b>          | <p><b><u>Reporting Requirements:</u></b></p> <p>The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". <b>[COMAR 26.11.03.06C]</b></p>  |

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for all Emissions Units except for 0010 and 0011.**

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**SECTION V      INSIGNIFICANT ACTIVITIES**

This section provides a list of insignificant emissions units that were reported in the Title V permit application. The applicable Clean Air Act requirements, if any, are listed below the insignificant activity.

- (1) No. 2      Stationary internal combustion engines (diesel fire pumps) with an output less than 500 brake horsepower (373 kilowatts) and which are not used to generate electricity for sale or for peak or load shaving;

The diesel pump engines are subject to the following requirements:

- (A) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.
- (B) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.
- (C) Exceptions:
  - (i) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.
  - (ii) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:
    - (a) Engines that are idled continuously when not in service:  
30 minutes
    - (b) all other engines: 15 minutes.
  - (iii) COMAR 26.11.09.05E(2) & (3) do not apply while maintenance, repair or testing is being performed by qualified mechanics.

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- (D) COMAR 26.11.36.03A(1), which establishes that the Permittee may not operate an emergency generator except for emergencies, testing and maintenance purposes.
- (E) COMAR 26.11.36.03A(5), which establishes that the Permittee may not operate an emergency generator for testing and engine maintenance purposes between 12:01 a.m. and 2:00 p.m. on any day on which the Department forecasts that the air quality will be a code orange, code red, or code purple unless the engine fails a test and engine maintenance and a re-test are necessary.
- (F) 40 CFR 63, Subpart ZZZZ which states that the Permittee must:
  - (i) Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - (ii) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iii) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iv) operate and maintain the engine and keep records as specified in Subpart ZZZZ; and
  - (v) keep records of the hours of operation of the engine as recorded through a non-resettable hour meter.
- (2)  Space heaters utilizing direct heat transfer and used solely for comfort heat;
- (3)  Water cooling towers and water cooling ponds unless used for evaporative cooling of water from barometric jets or barometric condensers, or used in conjunction with an installation requiring a permit to operate;
- (4) No. ~1000 Unheated VOC dispensing containers or unheated VOC rinsing containers of 60 gallons (227 liters) capacity or less;

The degreasers are subject to COMAR 26.11.19.09D, which requires that the Permittee control emissions of volatile organic compounds

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(VOC) from cold degreasing operations by meeting the following requirements:

- (a) COMAR 26.11.19.09D(2)(b), which establishes that the Permittee shall not use any VOC degreasing material that exceeds a vapor pressure of 1 mm Hg at 20 ° C;
- (b) COMAR 26.11.19.09D(3)(a—d), which requires that the Permittee implement good operating practices designed to minimize spills and evaporation of VOC degreasing material. These practices, which shall be established in writing and displayed such that they are clearly visible to operators, shall include covers (including water covers), lids, or other methods of minimizing evaporative losses, and reducing the time and frequency during which parts are cleaned;
- (c) COMAR 26.11.19.09D(4), which prohibits the use of any halogenated VOC for cold degreasing.

The Permittee shall maintain on site for at least five (5) years, and shall make available to the Department upon request, the following records of operating data:

- (a) Monthly records of the total VOC degreasing materials used; and
  - (b) Written descriptions of good operating practices designed to minimize spills and evaporation of VOC degreasing materials.
- 
- (5)  Equipment for drilling, carving, cutting, routing, turning, sawing, planing, spindle sanding, or disc sanding of wood or wood products;
  - (6)  Brazing, soldering, or welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals and not directly related to plant maintenance, upkeep and repair or maintenance shop activities;
  - (7)  Containers, reservoirs, or tanks used exclusively for electrolytic plating work, or electrolytic polishing, or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals;

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- (8) Containers, reservoirs, or tanks used exclusively for:
- (a)  Storage of butane, propane, or liquefied petroleum, or natural gas;
  - (b) No. 30 Storage of lubricating oils;
  - (c) No. 2 Unheated storage of VOC with an initial boiling point of 300 °F (149 °C) or greater- Two propylene Glycol storage areas in D Warehouse and Bldg 17.
  - (d) No. 4 Storage of Numbers 1, 2, 4, 5, and 6 fuel oil and aviation jet engine fuel- Two no. 2 oil tanks and two diesel fuel tanks.
  - (e) No. 1 Storage of motor vehicle gasoline and having individual tank capacities of 2,000 gallons (7.6 cubic meters) or less;
  - (f) No. 2 The storage of VOC normally used as solvents, diluents, thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins, or other surface coatings and having individual capacities of 2,000 gallons (7.6 cubic meters) or less- Number refers to storage locations (D warehouse and ECF maintenance);
- (9)  First aid and emergency medical care provided at the facility, including related activities such as sterilization and medicine preparation used in support of a manufacturing or production process;
- (10)  Potable water treatment equipment, not including air stripping equipment;
- (11)  Comfort air conditioning subject to requirements of Title VI of the Clean Air Act;
- (12)  Natural draft hoods or natural draft ventilators that exhaust air pollutants into the ambient air from manufacturing/industrial or commercial processes;
- (13)  Laboratory fume hoods and vents;

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*For the following, attach additional pages as necessary:*

- (14) any other emissions unit at the facility which is not subject to an applicable requirement of the Clean Air Act (list and describe):

No.   1   Spring Gardens Vacuum Batch Still (446 gal)

No.   1   Brewery system with annual beer production of 1,400 barrels



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**SECTION VI STATE-ONLY ENFORCEABLE CONDITIONS**

The Permittee is subject to the following State-only enforceable requirements:

The Diageo facility is subject to the following State-only enforceable requirements:

1. Applicable Regulations:

- (A) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (B) COMAR 26.11.15.05, which requires that the Permittee implement “Best Available Control Technology for Toxics” (T – BACT) to control emissions of toxic air pollutants.
- (C) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health

2. Record Keeping and Reporting:

The Permittee shall submit to the Department, by April 1 of each year during the term of this permit, a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee’s facility during the previous calendar year. The analysis shall include either:

- (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
- (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.

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5001 WASHINGTON BLVD.  
BALTIMORE, MARYLAND 21227  
PART 70 OPERATING PERMIT FACT SHEET  
PERMIT #24-005-0146**

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**BACKGROUND**

The Diageo North America, Inc. (Diageo) facility, located in Relay, Baltimore County, blends, brews, and packages distilled spirits, Progressive Adult Beverages (PABs), and beer for consumer use. A variety of beverage materials are processed including grain neutral spirits, rums, whiskeys, and beer. Materials are received by truck and rail and stored in tanks. Processing steps include filtration, blending with other ingredients, and cutting with de-mineralized water. Finished product streams are packaged into bottles, cans, and other containers for distribution in commerce. Some products are shipped in bulk form to other sites using barrels, totes, railcars, and tank trucks. Most processing activities occur inside one of several buildings. The facility also has aging operations. Outside activities include temporary storage of empty oak barrels used in aging and several larger product storage tanks.

Diageo Global Supply has operated the Relay plant since December 21, 2001. The primary SIC code for this facility is 2085, with a secondary SIC code of 2082.

The following table summarizes the actual emissions from Diageo's Relay facility based on its Annual Emission Certification Reports:

**Table 1: Actual Emissions**

| Year | NO <sub>x</sub><br>(TPY) | SO <sub>x</sub><br>(TPY) | PM <sub>10</sub><br>(TPY) | CO<br>(TPY) | VOC<br>(TPY) | Total<br>HAP<br>(TPY) |
|------|--------------------------|--------------------------|---------------------------|-------------|--------------|-----------------------|
| 2012 | 2.11                     | 0.02                     | 0.04                      | 1.77        | 277          | 0                     |
| 2013 | 1.37                     | 0.01                     | 0.03                      | 1.16        | 94           | 0                     |
| 2014 | 0.96                     | 0.01                     | 0.02                      | 0.80        | 12.1         | 0                     |
| 2015 | 0.71                     | 0.07                     | 0.02                      | 0.57        | 9.42         | 0                     |
| 2016 | 0.81                     | 0.02                     | 0.02                      | 0.67        | 6.25         | 0                     |

The major source threshold for triggering Title V permitting requirements in Baltimore County is 25 tons per year of NO<sub>x</sub> or VOCs and 100 tons per year for any other criteria pollutant. Since the actual and potential VOC emissions from the facility are greater than the major source threshold, Diageo is required to obtain a Title V-Part 70 Operating Permit under COMAR 26.11.03.01.

The Department received a Part 70 permit renewal application for the facility on November 1, 2016 including three non-confidential copies and one digital CD of application with marked confidential in some parts of the attachments. On November 3, 2016, Diageo was asked to submit non-confidential copies and a brief discussion of CAM plan if applicable or why CAM plan does not apply. An updated T5 renewal

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application was received November 21, 2016. After an administrative completeness review, the Department informed Diageo on November 30, 2016 that the application was deemed to be administratively complete.

Since the last issuance of Title V operating permit, the Department has issued to the facility the following Permits to Construct:

1. Addition of one carbon filtration system consisting of nine 2,100 gallon sealed carbon wood filtration tanks and one 8,000 gallon rinse water tank in Building 11 (ARMA Registration NO. 005-0146- 9-1440); and relocation of six 4,300 gallon storage tanks from Building D (Spring Gardens) to Building 11 (3 tanks) and to the ECF Building (3 tanks) (ARMA Registration NO. 005-0146- 8-0307 issued March 8, 2013).
2. Modification of the existing loading station outside of M Warehouse and Building 17 by adding piping lines to allow for additional rail and truck loading. (ARMA Registration No. 005-0146-6-3137 issued December 18, 2015).
3. Modification of the existing product transfer systems associated with Building 16, 17, and Tank Farm including piping changes, relocation of flow panels, and implementation of a proprietary blending process (ARMA registration No. 005-0146-9-1525 issued September 2, 2016).
4. Installation of one Bohnert spirits handling system with maximum capacity of 3,180 gal/hr in Building 16. (ARMA registration No. 005-0146-8-0418 issued September 20, 2016).
5. Installation of one (1) Progressive Alcoholic Beverage (PAB)/Beer Packaging System, including one (1) bottle/canning system, and one (1) Carbo Cooler system in Building 49, relocation of one existing plate and frame filter to Building 50, and modification of the existing 13 tanks (in Building 11, 50, and 17) to support the PAB/Beer production. (ARMA registration No. 005-0146-8-0433 issued August 29, 2017).

Diageo's Relay facility reduced barrel aging operations, which were the major VOC emission units of the facility. In accordance with the Full Compliance Evaluation of Diageo's facility on August 2, 2016, the facility stopped aging Jamaican rum and light whiskey in January, 2011. Large scale aging of spirits in barrels had been reassigned to Diageo's sister facilities in Illinois and Tennessee, however, in coordination with MDE, per Diageo's September 16, 2015 letter regarding aging reactivation and the June 2, 2016 Permit-to Construct application to MDE the facility has resumed large scale aging operations, with a current inventory of approximately 20,000 barrels.

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Diageo no longer receives rum from Puerto Rico. The Cream Liqueur processing line (Godiva Chocolate Liqueurs) has been transferred to Plainfield, Illinois. The Perrier bottling system has also been removed. Products that arrive by ship in Seatainers as well as in other containers are pumped into storage tanks. Finished high proof spirits, PABs, and beer products are packaged and stored in the warehouse prior to shipment to the customer. The facility now produces high proof spirits, PABs, and beer products at high volume.

The changes to the facility are reflected in this permit renewal.

**GREENHOUSE GAS (GHG) EMISSIONS**

Diageo’s Relay facility emits the following greenhouse gases (GHGs) related to Clean Air Act requirements: carbon dioxide, methane, and nitrous oxide. These GHGs originate from fuel combustion processes (i.e., boilers) contained within the facility premises applicable to Diageo’s Relay facility. The facility has not triggered Prevention of Significant Deterioration (PSD) requirements for GHG emissions; therefore, there are no applicable GHG Clean Air Act requirements. Emission certifications reports for the years 2014, 2015, and 2016, show that Diageo’s Relay facility is a not a major source (threshold: 100,000tpy CO<sub>2</sub>e) for GHG's (see Table 2 shown below).

The following table summarizes the actual emissions from Diageo’s Relay Plant based on its Annual Emission Certification Reports:

**Table 2: Greenhouse Gases Emissions Summary**

| <b>GHG</b>                            | <b>Conversion factor</b> | <b>2014<br/>tpy CO<sub>2</sub>e</b> | <b>2015<br/>tpy CO<sub>2</sub>e</b> | <b>2016<br/>tpy CO<sub>2</sub>e</b> |
|---------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Carbon dioxide<br>CO <sub>2</sub>     | 1                        | 1,146                               | 842                                 | 970                                 |
| Methane CH <sub>4</sub>               | 25                       | 0.5                                 | 0.5                                 | 0.5                                 |
| Nitrous Oxide<br>N <sub>2</sub> O     | 300                      | 6                                   | 6                                   | 5                                   |
| <b>Total GHG<br/>CO<sub>2</sub>eq</b> |                          | <b>1152.5</b>                       | <b>848.5</b>                        | <b>975.5</b>                        |

**NESHAP/MACT APPLICABILITY**

Diageo’s Relay facility is not subject to NESHAP or MACT requirements.

**NSPS APPLICABILITY**

Diageo’s Relay facility is not subject to NSPS requirements

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**COMPLIANCE ASSURANCE MONITORING (CAM) REQUIREMENTS**

CAM is intended to provide a reasonable assurance of compliance with applicable requirements under the Clean Air Act for large emission units that rely on air pollution control (APC) equipment to achieve compliance. The CAM approach establishes monitoring for the purpose of: (1) documenting continued operation of the control measures within ranges of specified indicators of performance (such as emissions, control device parameters, and process parameters) that are designed to provide a reasonable assurance of compliance with applicable requirements; (2) indicating any excursions from these ranges; and (3) responding to the data so that the cause or causes of the excursions are corrected. In order for a unit to be subject to CAM, the unit must be located at a major source, be subject to an emission limitation or standard, use a control device to achieve compliance, have pre-control emissions of at least 100% of the major source amount, and must not otherwise be exempt from CAM. Applicability determinations are made on a pollutant-by-pollutant basis for each emissions unit.

Diageo is not subject to CAM because there are no emission units that rely on air pollution control (APC) equipment to achieve compliance.

**EMISSION UNIT IDENTIFICATION**

Diageo’s Relay facility has identified the following emission units as being subject to Title V permitting requirements and having applicable requirements.

**Table 3: Emission Unit Identification**

| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>  | <b>Date of Installation</b> |
|------------------------------|---------------------------------|---|-----------------------------|
| <b>010</b>                   | 005-0146-5-1740                 | <b>Boiler No. 1</b> – 25.1 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b> | 1986                        |
| <b>011</b>                   | 005-0146-5-1739                 | <b>Boiler No. 2</b> – 12.6 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b> | 1986                        |
| <b>020</b>                   | 005-0146-8-0308                 | <b>Warehouse Aging</b> - Ethanol products are stored in barrels for   | 1937                        |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation          |
|-----------------------|--------------------------|---|-------------------------------|
|                       |                          | aging in<br><b>Warehouses E, G, and N</b><br><b>Note:</b> Warehouses D and H have not been used for barrel aging since the mid-1980's and 2000, respectively. Before Warehouses D and H are used for barrel aging, the Permittee must contact the Department to determine the appropriate permitting process. |                               |
| 030                   | (No Reg. No.)            | <b>Empty Barrel Storage</b> - Used empty oak barrels are temporarily stored on the grounds outside of <b>Warehouse G and Building 16</b> .  | 1937                          |
| 040                   | 005-0146-8-0418          | <b>Barrel Filling</b> (Bohnert spirits handling system in <b>Building 16</b> )  | 2016                          |
|                       | 005-0146-9-1525          | Proprietary Blending Process  | 2016                          |
| 050                   | (No Reg. No.)            | <b>Barrel Emptying</b> - Barrels are transferred from the aging warehouses to <b>Building J</b> where the aged product is recovered for further processing.   | 1937                          |
| 060                   | 005-0146-9-1373          | <b>Product Filtering</b> - Product is filtered to remove suspended materials. Fourteen (14) filters are currently located through the plant processing area (11 module depth filters and 3 plate/frame filters). Suprapaks can filter up to proofs specified in PTC applications.                             | <1970,<br>2009, 2011,<br>2012 |
|                       | 005-0146-8-0433          | One plate and frame filter in Building 50   | 2017                          |
| 070                   | 005-0146-8-0333          | <b>Bottle Filling</b> - Finished alcohol beverage product is dispensed into containers through seven  | 1960-2006,<br>2012            |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation |
|-----------------------|--------------------------|---|----------------------|
|                       | 005-0146-8-0433          | <p>automated filling lines in <b>Building 49.</b> – Inactive as of 2017.</p> <p><b>Product Packaging</b> - One PAB/ beer packaging system and one Carbo cooler system.</p>  | 2017                 |
| <b>080</b>            | (No Reg. No.)            | <b>Glues/Adhesives</b> - Hot melt glues and water-based adhesives used to assemble cartons and apply labels to package containers (located Near filling lines).   | 1937                 |
| <b>090</b>            | (No Reg. No.)            | <b>Printing Inks</b> – Fast drying solvent-based inks are used for product marking of cartons and containers (located near filling lines).  | 1937                 |
| <b>100</b>            | 005-0146-6-3137          | <p><b>Tank Truck and Container Filling</b> - 26,000 gallon railcars, 6000-gallon tank trucks, 350 gallon totes, and 55 gallon drums are used periodically to transfer beverage alcohol product between buildings or to ship processed products to other facilities (<b>Building/Tank Farm Locations</b>).</p> <p>Modification of piping lines for the existing rail and truck loading (outside M warehouse and Building 17)</p> | <1970<br><br>2015    |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation  |
|-----------------------|--------------------------|--|---|
| 110                   | 005-0146-8-0307          | 38 Storage Tanks - <b>Building 11, Bulk/finished Product Processing Room</b><br>*Eight 15,900-gallon tanks<br>**Three 10,000-10,400 gallon tanks<br>**Two 8,400 gallon tanks<br>**One 4,000-gallon tank<br>**One 1,000-gallon tank<br>**Eight 2,100-gallon filter column tanks<br>**Two 4,100-4,200 gallon tanks<br>One 8,100-gallon recovery tank<br>** Six 4,300-gallon tank | <1970<br>1991<br>1991<br>2006<br>2006<br>2012<br>2012<br>2012<br>2013 |
|                       | 005-0146-9-1440          | One Carbon filtration system   | 2013  |
|                       | 005-0146-8-0433          | **Six 15,000-gallon receiving tanks  | 2017  |
| 111                   | 005-0146-8-0307          | 9 Storage Tanks - <b>Warehouse M</b><br>*Three 11,300 gallon tanks<br>**Three 10,000-10,300 gallon tanks<br>*One 4,300-gallon tank<br>*One 4,300-gallon tank<br>**One 1,000-gallon tank  | <1970<br>1991<br>1991<br>1991<br>1991<br>2006                         |
| 112                   | 005-0146-8-0307          | 19 Storage Tanks, 50 Shipping Totes and 1 Mixing Tank - <b>Building D, Spring Garden Flavor Facility</b><br>**One 7,500-gallon tank<br>**Four 4,300-4,500 gallon tanks<br>*Three 4,300-4,500 gallon tanks<br>**Two 2,100-gallon tanks<br>**One 1,500-gallon tank<br>**One 1,000-gallon tank<br>* One 1,000-gallon tank<br>* Six portable tanks <600 gallons                    | 1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992  |



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| Emissions Unit Number | ARMA Registration Number               | Emissions Unit Name and Description  | Date of Installation  |
|-----------------------|--|--|---|
|                       |  | * 50 portable 350-gallon shipping totes<br>* 450-gallon mix tank   | 1992<br>2000  |
| 113                   | 005-0146-8-0307<br><br>005-0146-8-0334 | 19 Product Storage Tanks -<br><b>Outdoor Tank Farm</b><br>**One 100,000-gallon tank<br>**One 45,000-gallon tank<br>**Two 33,000-gallon tanks<br>**Three 40,000-gallon tanks<br>**Four 10,000-gallon tanks<br>**Two 100,000-gallon tanks<br>**Two 100,000-gallon tanks<br><br>**Four 100,000- gallon beverage alcohol storage tanks   | 2001<br>2001<br>2001<br>1991<br>1991<br>2006<br>2012<br><br>2007          |
| 114                   | 005-0146-8-0307<br><br>005-0146-8-0433 | 41 Product Storage Tanks –<br><b>Building 50, Bottling Tank Building</b><br>**Six 15,100-gallon tanks<br>**Twenty-one 11,500-gallon tanks<br>**One 11,500-gallon tank<br>**Four 1,000-gallon tank<br>**One 3,500-gallon tank<br>**Four<500 gallon tanks<br>** Two 4,100-4,300-gallon tanks<br><br>**Two 11,500-gallon blending tanks | 1990<br>1990<br><br>1995<br>1992-2012<br>1995<br>1976<br>1992<br><br>2017 |
| 115                   | 005-0146-8-0307                        | 24 Product Storage Tanks –<br><b>Building 17, Blending Building</b><br>*Twelve 11,200-gallon tanks<br>**Two 3,300-3,600-gallon tanks<br>*One 1,400 gallon-tank<br>*One 1,000 gallon-tank<br>*Two 520 gallon-tanks<br>*Three 450-gallon surge tanks<br>*One 450-gallon surge tank   | <1970<br>1976<br><1970<br>2012<br><1970<br>2006<br>1976                   |

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| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>   | <b>Date of Installation</b>               |
|------------------------------|---------------------------------|--|---|
|                              | 005-0146-8-0433                 | **Two 11,200-gallon ingredient tanks<br><br>The relocation of storage tanks within the premises is exempt from PTC approval if the change of operation does not cause change in the nature of emission or increase of emissions. | 2017                                      |
| <b>117</b>                   | 005-0146-8-0307                 | 3 Product Storage Tanks – <b>Building B</b><br>*Three 10,800 – 10,900-gallon tanks   | <1970                                     |
| <b>118</b>                   | 005-0146-8-0307                 | 4 Storage Tanks – <b>Building J, Bulk Regauge</b><br>*Two 16,500 – 16,600-gallon tanks<br>*Two 230 gallon tanks  | All tanks installed<br><1970<br><br><1970 |
| <b>119</b>                   | 005-0146-8-0307                 | 1 Storage Tank – <b>Spirits Tank Farm</b> , Spirits Storage Tank No. 6<br>**One 500,000-gallon tank equipped with two conservation vents   | <1970                                     |
| <b>120</b>                   | 005-0146-8-0379                 | One off-spec finished case goods unloading system  | 2012                                      |

Notes for tanks: \* Atmospheric vent      \*\* Conservation vent

**AN OVERVIEW OF THE PART 70 PERMIT**

The Fact Sheet is an informational document. If there are any discrepancies between the Fact Sheet and the Part 70 permit, the Part 70 permit is the enforceable document.

Section I of the Part 70 Permit contains a brief description of the facility and an inventory list of the emissions units for which applicable requirements are identified in Section IV of the permit.

Section II of the Part 70 Permit contains the general requirements that relate to administrative permit actions. This section includes the procedures for renewing,

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amending, reopening, and transferring permits, the relationship to permits to construct and approvals, and the general duty to provide information and to comply with all applicable requirements.

Section III of the Part 70 Permit contains the general requirements for testing, record keeping and reporting; and requirements that affect the facility as a whole, such as open burning, air pollution episodes, particulate matter from construction and demolition activities, asbestos provisions, ozone depleting substance provisions, general conformity, and acid rain permit. This section includes the requirement to report excess emissions and deviations, to submit an annual emissions certification report and an annual compliance certification report, and results of sampling and testing.

Section IV of the Part 70 Permit identifies the emissions standards, emissions limitations, operational limitations, and work practices applicable to each emissions unit located at the facility. For each standard, limitation, and work practice, the permit identifies the basis upon which the Permittee will demonstrate compliance. The basis will include testing, monitoring, record keeping, and reporting requirements. The demonstration may include one or more of these methods.

Section V of the Part 70 Permit contains a list of insignificant activities. These activities emit very small quantities of regulated air pollutants and do not require a permit to construct or registration with the Department. For insignificant activities that are subject to a requirement under the Clean Air Act, the requirement is listed under the activity.

Section VI of the Part 70 Permit contains State-only enforceable requirements. Section VI identifies requirements that are not based on the Clean Air Act, but solely on Maryland air pollution regulations. These requirements generally relate to the prevention of nuisances and implementation of Maryland's Air Toxics Program.

**REGULATORY REVIEW/TECHNICAL REVIEW/COMPLIANCE  
METHODOLOGY**

**Emission Units 010 and 011 – Two (2) Kewanee Boilers rated at 12.6 and 25.1 million Btu per hour firing natural gas with No. 2 fuel oil as back-up fuel**

Both boilers are located in Building 52 and are used for space heat. The boilers were installed in 1986 and are not subject to the NSPS requirements of 40 CFR 60, Subpart Dc that apply to boilers of 10 million Btu per hour or greater installed after June 9, 1989. The boilers burn natural gas as the primary fuel and No. 2 fuel oil as a back-up fuel only during periods of gas curtailment, gas supply emergencies, or periodic testing. Boilers

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that burn fuel oil as back-up in this manner are not subject to the NESHAP requirements of 40 CFR 63, Subpart JJJJJJ for fuel oil fired boilers.

As a preventative maintenance and repair effort for boiler No.1 (25.1 MM BTU/hour), the Permittee has scheduled in 2017 to replace the burner due to its advanced age. The new burner would also be equipped with automated burner controls. The existing boiler tube shows evidence of leaking and pitting and will also be replaced. The replacement of aging parts as general maintenance, and per COMAR 26.11.01.01.B(20), routine maintenance and routine repair are excluded from the definition of term 'modification'. Emissions are expected to decrease due to replacement of aging parts with more efficient parts. Additionally, the replacement of the burner and tubing do not meet the definition of 'reconstructed' as the estimated fixed capital cost of the one-for-one replacement of parts will not exceed 50 percent of the estimated fixed capital costs required to construct an entirely new comparable boiler.

**Applicable Standards/Limits**

**A. Visible Emissions Limitations**

**COMAR 26.11.09.05A(2)** which states, "a person may not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an unconfined form, which is visible to human observers."

Exceptions: COMAR 26.11.09.05A(2) does not apply to emissions during load changing, soot blowing, startup, or occasional cleaning of control equipment if:

- (1) The visible emissions are not greater than 40 percent opacity; and
- (2) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period. **[COMAR 26.11.09.05A(3)]**

***Compliance Demonstration***

1. The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers unless the Permittee applies for and receives an approval or permit from the Department to burn alternate fuels.

A natural gas curtailment or supply interruption means any period during which the supply of natural gas to the affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An

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increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or interruption. [40 CFR §63.11237]

2. If the Permittee wishes to burn No. 2 fuel oil in any of the two boilers at any other times other than allowed of this permit, the Permittee shall apply for and receives an approval or permit from the Department and comply with the requirements of 40 CFR 63, Subpart JJJJJJ. **[40 CFR §63.11195(e)]**
3. The Permittee shall operate and maintain the boilers in accordance with the operations training manual and preventive maintenance plan. **[COMAR 26.11.03.06C]**
4. To verify no visible emissions when burning #2 fuel oil, an observer is required to perform a visual observation of stack exhaust gases to look for visible emissions for a 12 minute period once for each 168 hours that the boiler burns oil. If a boiler does not burn oil for more than 100 hours in a calendar year, this visible emission observation requirement is waived. **[COMAR 26.11.03.06C]**
5. The permittee shall perform the following, if visible emissions are visible to human observer:
  - a. Inspect combustion control system and the boiler's operations;
  - b. Perform all necessary adjustments and /or repairs to the boiler within 48 hours, so that visible emissions are eliminated;
  - c. Document in writing the results of the inspections;
  - d. After 48 hours, if the required adjustments and/or repairs have not eliminated the visible emissions, take additional remedial actions and continue to perform a Method 9 observation once daily for 18 minutes until corrective action has eliminated the visible emissions.**[COMAR 26.11.03.06C]**
6. The Permittee shall:
  - a. Maintain an operations manual and preventive maintenance plan on site;
  - b. Maintain a record of the maintenance performed that relates to combustion performance; and
  - c. Maintain a log of all visible emissions observations performed for at least five years and make it available to the Department upon request.**[COMAR 26.11.03.06C]**
7. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". **[COMAR 26.11.03.06C]**

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***Rationale for Periodic Monitoring Strategy***

The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers. Boilers that burn primarily natural gas in this size range are set up to operate in an automatic mode without oversight of an operator and require minimal preventative maintenance to maintain a level of combustion performance that does not cause visible emissions. If visible emissions occur, it would only occur when burning oil and only when the boiler has not been properly maintained and operated. Weekly observations when burning oil and follow-up maintenance when any visible emissions are observed are sufficient to demonstrate compliance.

**B. Control of Sulfur Dioxide Emissions**

**COMAR 26.11.09.07A(2)(b)**, which states that “a person may not burn, sell, or make available for sale any distillate fuel with sulfur content by weight by excess of 0.3 percent.”

***Compliance Demonstration***

1. The Permittee shall maintain records of fuel supplier certifications for each shipment of fuel received. The fuel supplier certifications shall include the name of the supplier and a certified statement from the supplier that the oil complies with 0.3% of less by weight sulfur content limitation. **[COMAR 26.11.03.06C]**
2. The Permittee shall keep annual records of the hours of operation that the boilers burned fuel oil, the amount of fuel oil burned each year, and documentation demonstrating that the fuel oil was burned only as a backup fuel during gas curtailment, gas supply emergency, or periodic testing, as allowed under the operational limitation. **[COMAR 26.11.03.06C]**
3. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, “Report of Excess Emissions and Deviations”. **[COMAR 26.11.03.06C]**

***Rationale for Compliance Demonstration***

Fuel supplier certifications are sufficient to demonstrate compliance with applicable fuel sulfur limits.

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**VOC Emissions Units Including:**

Emission Unit 020 – Warehouse Aging  
Emission Unit 030 – Empty Barrel Storage  
Emission Unit 040 – Barrel Filling  
Emission Unit 050 – Barrel Emptying  
Emission Unit 060 – Product Filtering  
Emission Unit 070 – Bottle Filling (currently inactive) /Product Packaging  
Emission Unit 080 – Glues/Adhesives  
Emission Unit 090 – Printing Inks  
Emission Unit 100 – Tank Truck and Container Filling  
Emission Units 110 to 119 – Storage  
Emission Unit 120 – Off-spec Finished Case Goods Unloading

**Applicable Standards/Limits**

Control of Volatile Organic Compounds

1. **COMAR 26.11.19.29** - Control of Volatile Organic Compounds from Distilled Spirits Facilities
  
2. **COMAR 26.11.19.16** - Control of Volatile Organic Compounds Equipment leaks

**Compliance Demonstration**

1. The Permittee shall empty barrels using a pump-operated, bayonet type suction device, or comparable effective device that minimizes VOC evaporative losses when emptying barrels. **[COMAR 26.11.19.29C(1)(a)]**  
**Note:** This requirement applies to **Emission Unit 050 – Barrel Emptying.**
  
2. The Permittee shall drain distilled spirits from filter plates that are located between the barrel unloading and storage tanks to either a recycling tank or to an enclosed collection system. **[COMAR 26.11.19.29C(1)(b)]**  
**Note:** This requirement does not apply to plate and frame filter associated with beer production operation because “Distilled Spirits” does not include beer in accordance with COMAR 26.11.19.29B(d)(ii).
  
3. The Permittee shall use a gravity and vacuum or pressure filling system or comparable effective system to minimize fugitive emissions from the bottle filling/product packaging operations. **[COMAR 26.11.19.29C(1)(c)]**  
**Note:** This requirement applies to **Emission Unit 040 – Barrel Filling and Emission Unit 070 – Bottle Filling/Product Packaging.**
  
4. The Permittee, during warmer weather, periodically (at least weekly) wet used barrels that are stored in the outdoors awaiting disposal to reduce potential leakage and fugitive emissions. **[COMAR 26.11.19.29C(2)]**

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**Note:** This requirement applies to **Emission Unit 030 – Empty Barrel Storage.**

5. The Permittee shall develop, maintain, and implement a good operating practices manual to minimize fugitive VOC emissions from distilled spirits facilities and beer production operation. **[COMAR 26.11.19.02I and COMAR 26.11.19.29D]**
6. The Permittee shall comply the following requirements:
  - a. The Permittee may not load finished products to trucks from ECF Building;
  - b. The Permittee shall convert Tank CA-1 in Rum processing from finished product storage to non-VOC storage;
  - c. The Permittee shall not operate the basement tanks of Building 17, shall use mechanical agitators only, and shall use Tanks 123 and 125 in Building 17 for water storage only; and
  - d. The Permittee shall not blend bulk product in Tanks 118 and 120 in Building 17. **[Permit to Construct Nos 055-0146-0307, 0308, and 0309; 8-0333 and 0334; and 9-1373 issued on July 29, 2011]**
7. The Permittee shall perform a weekly inspection of each emissions unit to verify that the required procedures are being used and shall record the results of the inspections in a logbook. **[COMAR 26.11.03.06C].**
8. To reduce fugitive emission sources, the Permittee shall:
  - a. inspect all empty barrels for mechanical integrity, cracked staves, dished heads, missing hoops and evidence of prior leakage;
  - b. discard failing barrels;
  - c. keep, in a logbook, a record of the number of barrels failing the inspection;
  - d. inspect all barrels as they are filled;
  - e. repair or empty and discard any leaking barrel identified;
  - f. place non-leaking barrels on pallets that are designed to provide stability to the barrels during transfer to and from the warehouse storage areas; and
  - g. keep a record of inspections in a logbook. **[COMAR 26.11.19.29D]**
9. The Permittee shall:
  - a. Visually inspect all components on the premises for leaks at least once each calendar month;
  - b. Tag any leak immediately so that the tag is clearly visible. The tag shall be made of a material that will withstand any weather or corrosive conditions to which it may be normally exposed. The tag shall bear an identification number, the date the leak was discovered, and the name of the person who discovered the leak. The tag shall remain in place until the leak has been repaired;



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- c. Take immediate action to repair all observed VOC leaks that can be repaired within 48 hours;
  - d. Repair all other leaking components not later than 15 days after the leak is discovered. If a replacement part is needed, the part shall be ordered within 3 days after discovery of the leak, and the leak shall be repaired within 48 hours after receiving the part; and
  - e. Maintain a supply of components or component parts that are recognized by the source to wear or corrode, or that otherwise need to be routinely replaced. **[COMAR 26.11.19.16C]**
10. Leaking components that cannot be repaired as required because they are inaccessible, or that cannot be repaired during operation of an installation, shall be identified in a log and included in the facility's maintenance schedule for repair during the next outage of the installation. **[COMAR 26.11.19.16D]**
11. The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information:
- a. Records of monthly fugitive emissions and supporting annual estimates of emissions for all emission units, including but not limiting to the following units:
    - (i) the Bohnert spirits handling system in Building 16;
    - (ii) jumper connections blown out with each connection change required by flow transfer panels;
    - (iii) proprietary blending process;
    - (iv) loading station outside of M Warehouse and Building 17;
    - (v) carbon filtration system; and
    - (vi) SUPRApak filters.**[Permits to Construct Nos. 005-0146-8-0418 issued on September 20, 2016, 005-0146-9-1525 issued on September 2, 2016, 005-0146-6-3137 issued on December 11, 2015, 005-0146-6-3137 issued on December 11, 2015, 005-0146-8-0307 and 005-0146-9-1373 issued on September 12, 2012]**
  - b. The current, most recently revised GOP manual designed to minimize fugitive emissions of VOC as required by COMAR 26.11.19.29D.
12. The Permittee shall maintain a log that includes the name of the person conducting the inspection and the date on which leak inspections are made, the findings of the inspection, and a list of leaks by tag identification number. The log shall be made available to the Department upon request. Leak records shall be maintained for a period of not less than 2 years from the date of their occurrence. **[COMAR 26.11.19.16C(6)]**

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13. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". **[COMAR 26.11.03.06C]**

***Rationale for Compliance Demonstration***

The required good working practices listed above are very effective to reduce fugitive VOC emissions from each operation. The implementation of the leak inspection, detection and correction GOP manual will minimize excess emissions. The record keeping and reporting requirements are sufficient to document the compliance status.

**COMPLIANCE SCHEDULE**

The Diageo facility is currently in compliance with all applicable air quality regulations.

**TITLE IV – ACID RAIN**

The Diageo facility is not subject to Title IV requirements.

**TITLE VI – OZONE DEPLETING SUBSTANCES**

The Diageo facility is not subject to Title VI requirements.

**SECTION 112(r) – ACCIDENTAL RELEASE**

The Diageo facility is not subject to the requirements of Section 112(r).

**PERMIT SHIELD**

Diageo requested that a permit shield be expressly included in the Permittee's Part 70 permit. Permit shields are granted on an emission unit by emission unit basis. If an emission unit is covered by a permit shield, a permit shield statement will follow the emission unit table in Section IV - Plant Specific Conditions of the permit. In this case, a permit shield was granted for each emission unit covered by the permit.

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**INSIGNIFICANT ACTIVITIES**

This section provides a list of insignificant emissions units that were reported in the Title V permit application. The applicable Clean Air Act requirements, if any, are listed below the insignificant activity.

- (1) No. 2 Stationary internal combustion engines (diesel fire pumps) with an output less than 500 brake horsepower (373 kilowatts) and which are not used to generate electricity for sale or for peak or load shaving;

The diesel pump engines are subject to the following requirements:

- (A) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.
- (B) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.
- (C) Exceptions:
  - (i) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.
  - (ii) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:
    - (a) Engines that are idled continuously when not in service: 30 minutes
    - (b) all other engines: 15 minutes.
  - (iii) COMAR 26.11.09.05E(2) & (3) do not apply while maintenance, repair or testing is being performed by qualified mechanics.

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- (D) COMAR 26.11.36.03A(1), which establishes that the Permittee may not operate an emergency generator except for emergencies, testing and maintenance purposes.
- (E) COMAR 26.11.36.03A(5), which establishes that the Permittee may not operate an emergency generator for testing and engine maintenance purposes between 12:01 a.m. and 2:00 p.m. on any day on which the Department forecasts that the air quality will be a code orange, code red, or code purple unless the engine fails a test and engine maintenance and a re-test are necessary.
- (F) 40 CFR 63, Subpart ZZZZ which states that the Permittee must:
  - (i) Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - (ii) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iii) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iv) operate and maintain the engine and keep records as specified in Subpart ZZZZ; and
  - (v) keep records of the hours of operation of the engine as recorded through a non-resettable hour meter.

- (2) ✓ Space heaters utilizing direct heat transfer and used solely for comfort heat;
- (3) ✓ Water cooling towers and water cooling ponds unless used for evaporative cooling of water from barometric jets or barometric condensers, or used in conjunction with an installation requiring a permit to operate;
- (4) No. ~1000 Unheated VOC dispensing containers or unheated VOC rinsing containers of 60 gallons (227 liters) capacity or less;

The degreasers are subject to COMAR 26.11.19.09D, which requires that the Permittee control emissions of volatile organic compounds

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(VOC) from cold degreasing operations by meeting the following requirements:

- (a) COMAR 26.11.19.09D(2)(b), which establishes that the Permittee shall not use any VOC degreasing material that exceeds a vapor pressure of 1 mm Hg at 20 ° C;
- (b) COMAR 26.11.19.09D(3)(a—d), which requires that the Permittee implement good operating practices designed to minimize spills and evaporation of VOC degreasing material. These practices, which shall be established in writing and displayed such that they are clearly visible to operators, shall include covers (including water covers), lids, or other methods of minimizing evaporative losses, and reducing the time and frequency during which parts are cleaned;
- (c) COMAR 26.11.19.09D(4), which prohibits the use of any halogenated VOC for cold degreasing.

The Permittee shall maintain on site for at least five (5) years, and shall make available to the Department upon request, the following records of operating data:

- (a) Monthly records of the total VOC degreasing materials used; and
  - (b) Written descriptions of good operating practices designed to minimize spills and evaporation of VOC degreasing materials.
- 
- (5) ✓ Equipment for drilling, carving, cutting, routing, turning, sawing, planing, spindle sanding, or disc sanding of wood or wood products;
  - (6) ✓ Brazing, soldering, or welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals and not directly related to plant maintenance, upkeep and repair or maintenance shop activities;
  - (7) ✓ Containers, reservoirs, or tanks used exclusively for electrolytic plating work, or electrolytic polishing, or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals;

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- (8) Containers, reservoirs, or tanks used exclusively for:
- (a)  Storage of butane, propane, or liquefied petroleum, or natural gas;
  - (b) No. 30 Storage of lubricating oils;
  - (c) No. 2 Unheated storage of VOC with an initial boiling point of 300 °F (149 °C) or greater- Two propylene Glycol storage areas in D Warehouse and Bldg 17.
  - (d) No. 4 Storage of Numbers 1, 2, 4, 5, and 6 fuel oil and aviation jet engine fuel- Two no. 2 oil tanks and two diesel fuel tanks.
  - (e) No. 1 Storage of motor vehicle gasoline and having individual tank capacities of 2,000 gallons (7.6 cubic meters) or less;
  - (f) No. 2 The storage of VOC normally used as solvents, diluents, thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins, or other surface coatings and having individual capacities of 2,000 gallons (7.6 cubic meters) or less- Number refers to storage locations (D warehouse and ECF maintenance);
- (9)  First aid and emergency medical care provided at the facility, including related activities such as sterilization and medicine preparation used in support of a manufacturing or production process;
- (10)  Potable water treatment equipment, not including air stripping equipment;
- (11)  Comfort air conditioning subject to requirements of Title VI of the Clean Air Act;
- (12)  Natural draft hoods or natural draft ventilators that exhaust air pollutants into the ambient air from manufacturing/industrial or commercial processes;
- (13)  Laboratory fume hoods and vents;

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*For the following, attach additional pages as necessary:*

- (14) any other emissions unit at the facility which is not subject to an applicable requirement of the Clean Air Act (list and describe):

No.   1   Spring Gardens Vacuum Batch Still (446 gal)

No.   1   Brewery system with annual beer production of 1,400 barrels

**STATE ONLY ENFORCEABLE REQUIREMENTS**

This section of the permit contain state-only enforceable requirements. The requirements in this section will not be enforced by the U.S. Environmental Protection Agency. The requirements in this section are not subject to COMAR 26.11.03 10 - Public Petitions for Review to EPA Regarding Part 70 Permits.

The Diageo facility is subject to the following State-only enforceable requirements:

1. Applicable Regulations:
  - (A) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
  - (B) COMAR 26.11.15.05, which requires that the Permittee implement “Best Available Control Technology for Toxics” (T – BACT) to control emissions of toxic air pollutants.
  - (C) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health

2. Record Keeping and Reporting:

The Permittee shall submit to the Department, by April 1 of each year during the term of this permit, a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee’s facility during the previous calendar year. The analysis shall include either:

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- (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
- (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.



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**SECTION I SOURCE IDENTIFICATION**

**1. DESCRIPTION OF FACILITY**

The Diageo North America, Inc. (Diageo) facility, located in Relay, Baltimore County, blends, brews, and packages distilled spirits, Progressive Adult Beverages (PABs), and beer for consumer use. A variety of beverage materials are processed including grain neutral spirits, rums, whiskeys, and beer. Materials are received by truck and rail and stored in tanks. Processing steps include filtration, blending with other ingredients, and cutting with de-mineralized water. Finished product streams are packaged into bottles, cans, and other containers for distribution in commerce. Some products are shipped in bulk form to other sites using barrels, totes, railcars, and tank trucks. Most processing activities occur inside one of several buildings. The facility also has aging operations. Outside activities include temporary storage of empty oak barrels used in aging and several larger product storage tanks.

Diageo Global Supply has operated the Relay plant since December 21, 2001. The primary SIC code for this facility is 2085, with a secondary SIC code of 2082.

**2. FACILITY INVENTORY LIST**

| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>   | <b>Date of Installation</b> |
|------------------------------|---------------------------------|--|-----------------------------|
| <b>010</b>                   | 005-0146-5-1740                 | <b>Boiler No. 1</b> – 25.1 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b>  | 1986                        |
| <b>011</b>                   | 005-0146-5-1739                 | <b>Boiler No. 2</b> – 12.6 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b>  | 1986                        |
| <b>020</b>                   | 005-0146-8-0308                 | <b>Warehouse Aging</b> - Ethanol products are stored in barrels for aging in<br><b>Warehouses E, G, and N</b><br><b>Note:</b> Warehouses D and H have not been used for barrel aging since the mid-1980's and 2000, respectively. Before Warehouses D and H are used | 1937                        |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation    |
|-----------------------|--------------------------|---|-------------------------|
|                       |                          | for barrel aging, the Permittee must contact the Department to determine the appropriate permitting process.  |                         |
| <b>030</b>            | (No Reg. No.)            | <b>Empty Barrel Storage</b> - Used empty oak barrels are temporarily stored on the grounds outside of <b>Warehouse G and Building 16</b> .  | 1937                    |
| <b>040</b>            | 005-0146-8-0418          | <b>Barrel Filling</b> (Bohnert spirits handling system in <b>Building 16</b> )  | 2016                    |
|                       | 005-0146-9-1525          | Proprietary Blending Process  | 2016                    |
| <b>050</b>            | (No Reg. No.)            | <b>Barrel Emptying</b> - Barrels are transferred from the aging warehouses to <b>Building J</b> where the aged product is recovered for further processing.   | 1937                    |
| <b>060</b>            | 005-0146-9-1373          | <b>Product Filtering</b> - Product is filtered to remove suspended materials. Fourteen (14) filters are currently located through the plant processing area (11 module depth filters and 3 plate/frame filters). Suprapaks can filter up to proofs specified in PTC applications. | <1970, 2009, 2011, 2012 |
|                       | 005-0146-8-0433          | One plate and frame filter in Building 50   | 2017                    |
| <b>070</b>            | 005-0146-8-0333          | <b>Bottle Filling</b> - Finished alcohol beverage product is dispensed into containers through seven automated filling lines in <b>Building 49</b> . – Inactive as of 2017.   | 1960-2006, 2012         |
|                       | 005-0146-8-0433          | <b>Product Packaging</b> - One PAB/ beer packaging system and one Carbo cooler system.  | 2017                    |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation |
|-----------------------|--------------------------|--|----------------------|
| 080                   | (No Reg. No.)            | <b>Glues/Adhesives</b> - Hot melt glues and water-based adhesives used to assemble cartons and apply labels to package containers (located Near filling lines).  | 1937                 |
| 090                   | (No Reg. No.)            | <b>Printing Inks</b> – Fast drying solvent-based inks are used for product marking of cartons and containers (located near filling lines).   | 1937                 |
| 100                   | (No Reg. No.)            | <b>Tank Truck and Container Filling</b> - 26,000 gallon railcars, 6000-gallon tank trucks, 350 gallon totes, and 55 gallon drums are used periodically to transfer beverage alcohol product between buildings or to ship processed products to other facilities ( <b>Building/Tank Farm Locations</b> ). | <1970                |
|                       | 005-0146-6-3137          | Modification of piping lines for the existing rail and truck loading (outside M warehouse and Building 17)   | 2015                 |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation  |
|-----------------------|--------------------------|---|---|
| 110                   | 005-0146-8-0307          | <b>38 Storage Tanks - Building 11, Bulk/finished Product Processing Room</b><br>*Eight 15,900-gallon tanks<br>**Three 10,000-10,400 gallon tanks<br>**Two 8,400 gallon tanks<br>**One 4,000-gallon tank<br>**One 1,000-gallon tank<br>**Eight 2,100-gallon filter column tanks<br>**Two 4,100-4,200 gallon tanks<br>One 8,100-gallon recovery tank<br>** Six 4,300-gallon tank          | <1970<br>1991<br><br>1991<br>2006<br>2006<br>2012<br><br>2012<br>2012<br>2013 |
|                       | 005-0146-9-1440          | One Carbon filtration system  | 2013  |
|                       | 005-0146-8-0433          | **Six 15,000-gallon receiving tanks   | 2017  |
| 111                   | 005-0146-8-0307          | <b>9 Storage Tanks - Warehouse M</b><br>*Three 11,300 gallon tanks<br>**Three 10,000-10,300 gallon tanks<br>*One 4,300-gallon tank<br>*One 4,300-gallon tank<br>**One 1,000-gallon tank   | <1970<br>1991<br>1991<br>1991<br>1991<br>2006                                 |
| 112                   | 005-0146-8-0307          | <b>19 Storage Tanks, 50 Shipping Totes and 1 Mixing Tank - Building D, Spring Garden Flavor Facility</b><br>**One 7,500-gallon tank<br>**Four 4,300-4,500 gallon tanks<br>*Three 4,300-4,500 gallon tanks<br>**Two 2,100-gallon tanks<br>**One 1,500-gallon tank<br>**One 1,000-gallon tank<br>* One 1,000-gallon tank<br>* Six portable tanks <600 gallons<br>* 50 portable 350-gallon | 1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992  |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation                                      |
|-----------------------|--------------------------|--|---|
|                       |                          | shipping totes<br>* 450-gallon mix tank  | 2000  |
| 113                   | 005-0146-8-0307          | 19 Product Storage Tanks -<br><b>Outdoor Tank Farm</b><br>**One 100,000-gallon tank<br>**One 45,000-gallon tank<br>**Two 33,000-gallon tanks<br>**Three 40,000-gallon tanks<br>**Four 10,000-gallon tanks<br>**Two 100,000-gallon tanks<br>**Two 100,000-gallon tanks                      | 2001<br>2001<br>2001<br>1991<br>1991<br>2006<br>2012      |
|                       | 005-0146-8-0334          | **Four 100,000- gallon beverage alcohol storage tanks  | 2007  |
| 114                   | 005-0146-8-0307          | 41 Product Storage Tanks –<br><b>Building 50, Bottling Tank Building</b><br>**Six 15,100-gallon tanks<br>**Twenty-one 11,500-gallon tanks<br>**One 11,500-gallon tank<br>**Four 1,000-gallon tank<br>**One 3,500-gallon tank<br>**Four<500 gallon tanks<br>** Two 4,100-4,300-gallon tanks | 1990<br>1990<br>1995<br>1992-2012<br>1995<br>1976<br>1992 |
|                       | 005-0146-8-0433          | **Two 11,500-gallon blending tanks   | 2017  |
| 115                   | 005-0146-8-0307          | 24 Product Storage Tanks –<br><b>Building 17, Blending Building</b><br>*Twelve 11,200-gallon tanks<br>**Two 3,300-3,600-gallon tanks<br>*One 1,400 gallon-tank<br>*One 1,000 gallon-tank<br>*Two 520 gallon-tanks<br>*Three 450-gallon surge tanks<br>*One 450-gallon surge tank           | <1970<br>1976<br><1970<br>2012<br><1970<br>2006<br>1976   |
|                       | 005-0146-8-0433          | **Two 11,200-gallon ingredient tanks   | 2017  |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation                  |
|-----------------------|--------------------------|--|---------------------------------------|
|                       |                          | The relocation of storage tanks within the premises is exempt from PTC approval if the change of operation does not cause change in the nature of emission or increase of emissions. |                                       |
| 117                   | 005-0146-8-0307          | 3 Product Storage Tanks – <b>Building B</b><br>*Three 10,800 – 10,900-gallon tanks   | <1970                                 |
| 118                   | 005-0146-8-0307          | 4 Storage Tanks – <b>Building J, Bulk Regauge</b><br>*Two 16,500 – 16,600-gallon tanks<br>*Two 230 gallon tanks  | All tanks installed<br><1970<br><1970 |
| 119                   | 005-0146-8-0307          | 1 Storage Tank – <b>Spirits Tank Farm</b> , Spirits Storage Tank No. 6<br>**One 500,000-gallon tank equipped with two conservation vents   | <1970                                 |
| 120                   | 005-0146-8-0379          | One off-spec finished case goods unloading system  | 2012                                  |

Notes for tanks: \* Atmospheric vent                      \*\* Conservation vent



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**SECTION II GENERAL CONDITIONS**

**1. DEFINITIONS**

**[COMAR 26.11.01.01] and [COMAR 26.11.02.01]**

The words or terms in this Part 70 permit shall have the meanings established under COMAR 26.11.01 and .02 unless otherwise stated in this permit.

**2. ACRONYMS**

|                 |  |
|-----------------|--|
| ARMA            | Air and Radiation Management Administration                                    |
| BACT            | Best Available Control Technology  |
| Btu             | British thermal unit   |
| CAA             | Clean Air Act  |
| CAM             | Compliance Assurance Monitoring  |
| CEM             | Continuous Emissions Monitor   |
| CFR             | Code of Federal Regulations  |
| CO              | Carbon Monoxide  |
| COMAR           | Code of Maryland Regulations   |
| EPA             | United States Environmental Protection Agency                                  |
| FR              | Federal Register   |
| gr              | grains   |
| HAP             | Hazardous Air Pollutant  |
| MACT            | Maximum Achievable Control Technology  |
| MDE             | Maryland Department of the Environment   |
| MVAC            | Motor Vehicle Air Conditioner  |
| NESHAPS         | National Emission Standards for Hazardous Air Pollutants                       |
| NO <sub>x</sub> | Nitrogen Oxides  |
| NSPS            | New Source Performance Standards   |
| NSR             | New Source Review  |
| OTR             | Ozone Transport Region   |
| PM              | Particulate Matter   |
| PM10            | Particulate Matter with Nominal Aerodynamic Diameter of 10 micrometers or less |
| ppm             | parts per million  |
| ppb             | parts per billion  |
| PSD             | Prevention of Significant Deterioration  |
| PTC             | Permit to construct  |
| PTO             | Permit to operate (State)  |
| SIC             | Standard Industrial Classification   |
| SO <sub>2</sub> | Sulfur Dioxide   |
| TAP             | Toxic Air Pollutant  |

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|     |                            |
|-----|----------------------------|
| tpy | tons per year              |
| VE  | Visible Emissions          |
| VOC | Volatile Organic Compounds |

**3. EFFECTIVE DATE**

The effective date of the conditions in this Part 70 permit is the date of permit issuance, unless otherwise stated in the permit.

**4. PERMIT EXPIRATION**

**[COMAR 26.11.03.13B(2)]**

Upon expiration of this permit, the terms of the permit will automatically continue to remain in effect until a new Part 70 permit is issued for this facility provided that the Permittee has submitted a timely and complete application and has paid applicable fees under COMAR 26.11.02.16.

Otherwise, upon expiration of this permit the right of the Permittee to operate this facility is terminated.

**5. PERMIT RENEWAL**

**[COMAR 26.11.03.02B(3)] and [COMAR 26.11.03.02E]**

The Permittee shall submit to the Department a completed application for renewal of this Part 70 permit at least 12 months before the expiration of the permit. Upon submitting a completed application, the Permittee may continue to operate this facility pending final action by the Department on the renewal.

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall submit such supplementary facts or corrected information no later than 10 days after becoming aware that this occurred. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a completed application was submitted, but prior to the release of a draft permit. This information shall be submitted to the Department no later than 20 days after a new requirement has been adopted.

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**6. CONFIDENTIAL INFORMATION**

**[COMAR 26.11.02.02G]**

In accordance with the provisions of the State Government Article, Sec. 10-611 et seq., Annotated Code of Maryland, all information submitted in an application shall be considered part of the public record and available for inspection and copying, unless the Permittee claims that the information is confidential when it is submitted to the Department. At the time of the request for inspection or copying, the Department will make a determination with regard to the confidentiality of the information. The Permittee, when requesting confidentiality, shall identify the information in a manner specified by the Department and, when requested by the Department, promptly provide specific reasons supporting the claim of confidentiality. Information submitted to the Department without a request that the information be deemed confidential may be made available to the public. Subject to approval of the Department, the Permittee may provide a summary of confidential information that is suitable for public review. The content of this Part 70 permit is not subject to confidential treatment.

**7. PERMIT ACTIONS**

**[COMAR 26.11.03.06E(3)] and [COMAR 26.11.03.20(A)]**

This Part 70 permit may be revoked or reopened and revised for cause. The filing of an application by the Permittee for a permit revision or renewal; or a notification of termination, planned changes or anticipated noncompliance by the facility, does not stay a term or condition of this permit.

The Department shall reopen and revise, or revoke the Permittee's Part 70 permit under the following circumstances:

- a. Additional requirements of the Clean Air Act become applicable to this facility and the remaining permit term is 3 years or more;
- b. The Department or the EPA determines that this Part 70 permit contains a material mistake, or is based on false or inaccurate information supplied by or on behalf of the Permittee;
- c. The Department or the EPA determines that this Part 70 permit must be revised or revoked to assure compliance with applicable requirements of the Clean Air Act; or

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- d. Additional requirements become applicable to an affected source under the Federal Acid Rain Program.
- e.

**8. PERMIT AVAILABILITY**

**[COMAR 26.11.02.13G]**

The Permittee shall maintain this Part 70 permit in the vicinity of the facility for which it was issued, unless it is not practical to do so, and make this permit immediately available to officials of the Department upon request.

**9. REOPENING THE PART 70 PERMIT FOR CAUSE BY THE EPA**

**[COMAR 26.11.03.20B]**

The EPA may terminate, modify, or revoke and reissue a permit for cause as prescribed in 40 CFR §70.7(g)

**10. TRANSFER OF PERMIT**

**[COMAR 26.11.02.02E]**

The Permittee shall not transfer this Part 70 permit except as provided in COMAR 26.11.03.15.

**11. REVISION OF PART 70 PERMITS – GENERAL CONDITIONS**

**[COMAR 26.11.03.14] and [COMAR 26.11.03.06A(8)]**

- a. The Permittee shall submit an application to the Department to revise this Part 70 permit when required under COMAR 26.11.03.15 -.17.
- b. When applying for a revision to a Part 70 permit, the Permittee shall comply with the requirements of COMAR 26.11.03.02 and .03 except that the application for a revision need include only information listed that is related to the proposed change to the source and revision to the permit. This information shall be sufficient to evaluate the proposed change and to determine whether it will comply with all applicable requirements of the Clean Air Act.

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- c. The Permittee may not change any provision of a compliance plan or schedule in a Part 70 permit as an administrative permit amendment or as a minor permit modification unless the change has been approved by the Department in writing.
- d. A permit revision is not required for a change that is provided for in this permit relating to approved economic incentives, marketable permits, emissions trading, and other similar programs.

**12. SIGNIFICANT PART 70 OPERATING PERMIT MODIFICATIONS**

**[COMAR 26.11.03.17]**

The Permittee may apply to the Department to make a significant modification to its Part 70 Permit as provided in COMAR 26.11.03.17 and in accordance with the following conditions:

- a. A significant modification is a revision to the federally enforceable provisions in the permit that does not qualify as an administrative permit amendment under COMAR 26.11.03.15 or a minor permit modification as defined under COMAR 26.11.03.16.
- b. This permit does not preclude the Permittee from making changes, consistent with the provisions of COMAR 26.11.03, that would make the permit or particular terms and conditions of the permit irrelevant, such as by shutting down or reducing the level of operation of a source or of an emissions unit within the source. Air pollution control equipment shall not be shut down or its level of operation reduced if doing so would violate any term of this permit.
- c. Significant permit modifications are subject to all requirements of COMAR 26.11.03 as they apply to permit issuance and renewal, including the requirements for applications, public participation, and review by affected states and EPA, except:
  - (1) An application need include only information pertaining to the proposed change to the source and modification of this permit, including a description of the change and modification, and any new applicable requirements of the Clean Air Act that will apply if the change occurs;

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- (2) Public participation, and review by affected states and EPA, is limited to only the application and those federally enforceable terms and conditions of the Part 70 permit that are affected by the significant permit modification.
- d. As provided in COMAR 26.11.03.15B(5), an administrative permit amendment may be used to make a change that would otherwise require a significant permit modification if procedures for enhanced preconstruction review of the change are followed that satisfy the requirements of 40 CFR 70.7(d)(1)(v).
- e. Before making a change that qualifies as a significant permit modification, the Permittee shall obtain all permits-to-construct and approvals required by COMAR 26.11.02.
- f. The Permittee shall not make a significant permit modification that results in a violation of any applicable requirement of the Clean Air Act.
- g. The permit shield in COMAR 26.11.03.23 applies to a final significant permit modification that has been issued by the Department, to the extent applicable under COMAR 26.11.03.23.

**13. MINOR PERMIT MODIFICATIONS**

**[COMAR 26.11.03.16]**

The Permittee may apply to the Department to make a minor modification to the federally enforceable provisions of this Part 70 permit as provided in COMAR 26.11.03.16 and in accordance with the following conditions:

- a. A minor permit modification is a Part 70 permit revision that:
  - (1) Does not result in a violation of any applicable requirement of the Clean Air Act;
  - (2) Does not significantly revise existing federally enforceable monitoring, including test methods, reporting, record keeping, or compliance certification requirements except by:
    - (a) Adding new requirements,

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- (b) Eliminating the requirements if they are rendered meaningless because the emissions to which the requirements apply will no longer occur, or
    - (c) Changing from one approved test method for a pollutant and source category to another;
  - (3) Does not require or modify a:
    - (a) Case-by-case determination of a federally enforceable emissions standard,
    - (b) Source specific determination for temporary sources of ambient impacts, or
    - (c) Visibility or increment analysis;
  - (4) Does not seek to establish or modify a federally enforceable permit term or condition for which there is no corresponding underlying applicable requirement of the Clean Air Act, but that the Permittee has assumed to avoid an applicable requirement to which the source would otherwise be subject, including:
    - (a) A federally enforceable emissions standard applied to the source pursuant to COMAR 26.11.02.03 to avoid classification as a Title I modification; and
    - (b) An alternative emissions standard applied to an emissions unit pursuant to regulations promulgated under Section 112(i)(5) of the Clean Air Act
  - (5) Is not a Title I modification; and
  - (6) Is not required under COMAR 26.11.03.17 to be processed as a significant modification to this Part 70 permit.
- b. Application for a Minor Permit Modification

The Permittee shall submit to the Department an application for a minor permit modification that satisfies the requirements of COMAR 26.11.03.03 which includes the following:

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- (1) A description of the proposed change, the emissions resulting from the change, and any new applicable requirements that will apply if the change is made;
  - (2) The proposed minor permit modification;
  - (3) Certification by a responsible official, in accordance with COMAR 26.11.02.02F, that:
    - (a) The proposed change meets the criteria for a minor permit modification, and
    - (b) The Permittee has obtained or applied for all required permits-to-construct required by COMAR 26.11.03.16 with respect to the proposed change;
  - (4) Completed forms for the Department to use to notify the EPA and affected states, as required by COMAR 26.11.03.07-.12.
- c. Permittee's Ability to Make Change
- (1) For changes proposed as minor permit modifications to this permit that will require the applicant to obtain a permit to construct, the permit to construct must be issued prior to the new change.
  - (2) During the period of time after the Permittee applies for a minor modification but before the Department acts in accordance with COMAR 26.11.03.16F(2):
    - (a) The Permittee shall comply with applicable requirements of the Clean Air Act related to the change and the permit terms and conditions described in the application for the minor modification.
    - (b) The Permittee is not required to comply with the terms and conditions in the permit it seeks to modify. If the Permittee fails to comply with the terms and conditions in the application during this time, the terms and conditions of both this permit and the application for modification may be enforced against it.
- d. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.16 is not within the scope of this regulation.



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- e. Minor permit modification procedures may be used for Part 70 permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, but only to the extent that the minor permit modification procedures are explicitly provided for in regulations approved by the EPA as part of the Maryland SIP or in other applicable requirements of the Clean Air Act.

**14. ADMINISTRATIVE PART 70 OPERATING PERMIT AMENDMENTS**

**[COMAR 26.11.03.15]**

The Permittee may apply to the department to make an administrative permit amendment as provided in COMAR 26.11.03.15 and in accordance with the following conditions:

- a. An application for an administrative permit amendment shall:
  - (1) Be in writing;
  - (2) Include a statement certified by a responsible official that the proposed amendment meets the criteria in COMAR 26.11.03.15 for an administrative permit amendment, and
  - (3) Identify those provisions of this part 70 permit for which the amendment is requested, including the basis for the request.
- b. An administrative permit amendment:
  - (1) Is a correction of a typographical error;
  - (2) Identifies a change in the name, address, or phone number of a person identified in this permit, or a similar administrative change involving the Permittee or other matters which are not directly related to the control of air pollution;
  - (3) requires more frequent monitoring or reporting by the Permittee;
  - (4) Allows for a change in ownership or operational control of a source for which the Department determines that no other revision to the permit is necessary and is documented as per COMAR 26.11.03.15B(4);

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- (5) Incorporates into this permit the requirements from preconstruction review permits or approvals issued by the Department in accordance with COMAR 26.11.03.15B(5), but only if it satisfies 40 CFR 70.7(d)(1)(v);
  - (6) Incorporates any other type of change, as approved by the EPA, which is similar to those in COMAR 26.11.03.15B(1)—(4);
  - (7) Notwithstanding COMAR 26.11.03.15B(1)—(6), all modifications to acid rain control provisions included in this Part 70 permit are governed by applicable requirements promulgated under Title IV of the Clean Air Act; or
  - (8) Incorporates any change to a term or condition specified as State-only enforceable, if the Permittee has obtained all necessary permits-to-construct and approvals that apply to the change.
- c. The Permittee may make the change addressed in the application for an administrative amendment upon receipt by the Department of the application, if all permits-to-construct or approvals otherwise required by COMAR 26.11.02 prior to making the change have first been obtained from the Department.
  - d. The permit shield in COMAR 26.11.03.23 applies to administrative permit amendments made under Section B(5) of COMAR 26.11.03.15 , but only after the Department takes final action to revise the permit.
  - e. The Permittee is subject to enforcement action if it is determined at any time that a change made under COMAR 26.11.03.15 is not within the scope of this regulation.

**15. OFF-PERMIT CHANGES TO THIS SOURCE**

**[COMAR 26.11.03.19]**

The Permittee may make off-permit changes to this facility as provided in COMAR 26.11.03.19 and in accordance with the following conditions:

- a. The Permittee may make a change to this permitted facility that is not addressed or prohibited by the federally enforceable conditions of this Part 70 permit without obtaining a Part 70 permit revision if:

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- (1) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;
  - (2) The change is not subject to any requirements under Title IV of the Clean Air Act;
  - (3) The change is not a Title I modification; and
  - (4) The change does not violate an applicable requirement of the Clean Air Act or a federally enforceable term or condition of the permit.
- b. For a change that qualifies under COMAR 26.11.03.19, the Permittee shall provide contemporaneous written notice to the Department and the EPA, except for a change to an emissions unit or activity that is exempt from the Part 70 permit application, as provided in COMAR 26.11.03.04. This written notice shall describe the change, including the date it was made, any change in emissions, including the pollutants emitted, and any new applicable requirements of the Clean Air Act that apply as a result of the change.
- c. Upon satisfying the requirements of COMAR 26.11.03.19, the Permittee may make the proposed change.
- d. The Permittee shall keep a record describing:
- (1) Changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement of the Clean Air Act , but not otherwise regulated under this permit; and
  - (2) The emissions resulting from those changes.
- e. Changes that qualify under COMAR 26.11.03.19 are not subject to the requirements for Part 70 revisions.
- f. The Permittee shall include each off-permit change under COMAR 26.11.03.19 in the application for renewal of the part 70 permit.
- g. The permit shield in COMAR 26.11.03.23 does not apply to off-permit changes made under COMAR 26.11.03.19.
- h. The Permittee is subject to enforcement action if it is determined that an off-permit change made under COMAR 26.11.03.19 is not within the scope of this regulation.

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**16. ON-PERMIT CHANGES TO SOURCES**

**[COMAR 26.11.03.18]**

The Permittee may make on-permit changes that are allowed under Section 502(b)(10) of the Clean Air Act as provided in COMAR 26.11.03.18 and in accordance with the following conditions:

- a. The Permittee may make a change to this facility without obtaining a revision to this Part 70 permit if:
  - (1) The change is not a Title I modification;
  - (2) The change does not result in emissions in excess of those expressly allowed under the federally enforceable provisions of the Part 70 permit for the permitted facility or for an emissions unit within the facility, whether expressed as a rate of emissions or in terms of total emissions;
  - (3) The Permittee has obtained all permits and approvals required by COMAR 26.11.02 and .03;
  - (4) The change does not violate an applicable requirement of the Clean Air Act;
  - (5) The change does not violate a federally enforceable permit term or condition related to monitoring, including test methods, record keeping, reporting, or compliance certification requirements;
  - (6) The change does not violate a federally enforceable permit term or condition limiting hours of operation, work practices, fuel usage, raw material usage, or production levels if the term or condition has been established to limit emissions allowable under this permit;
  - (7) If applicable, the change does not modify a federally enforceable provision of a compliance plan or schedule in this Part 70 permit unless the Department has approved the change in writing; and
  - (8) This permit does not expressly prohibit the change under COMAR 26.11.03.18.

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- b. The Permittee shall notify the Department and the EPA in writing of a proposed on-permit change under COMAR 26.11.03.18 not later than 7 days before the change is made. The written information shall include the following information:
  - (1) A description of the proposed change;
  - (2) The date on which the change is proposed to be made;
  - (3) Any change in emissions resulting from the change, including the pollutants emitted;
  - (4) Any new applicable requirement of the Clean Air Act; and
  - (5) Any permit term or condition that would no longer apply.
- c. The responsible official of this facility shall certify in accordance with COMAR 26.11.02.02F that the proposed change meets the criteria for the use of on-permit changes under COMAR 26.11.03.18.
- d. The Permittee shall attach a copy of each notice required by condition b. above to this Part 70 permit.
- e. On-permit changes that qualify under COMAR 26.11.03.18 are not subject to the requirements for part 70 permit revisions.
- f. Upon satisfying the requirements under COMAR 26.11.03.18, the Permittee may make the proposed change.
- g. The permit shield in COMAR 26.11.03.23 does not apply to on-permit changes under COMAR 26.11.03.18.
- h. The Permittee is subject to enforcement action if it is determined that an on-permit change made under COMAR 26.11.03.18 is not within the scope of the regulation or violates any requirement of the State air pollution control law.

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**17. FEE PAYMENT**

**[COMAR 26.11.02.16A(2) & (5)(b)]**

- a. The fee for this Part 70 permit is as prescribed in Regulation .19 of COMAR 26.11.02.
- b. The fee is due on and shall be paid on or before each 12-month anniversary date of the permit.
- c. Failure to pay the annual permit fee constitutes cause for revocation of the permit by the Department.

**18. REQUIREMENTS FOR PERMITS-TO-CONSTRUCT AND APPROVALS**

**[COMAR 26.11.02.09.]**

The Permittee may not construct or modify or cause to be constructed or modified any of the following sources without first obtaining, and having in current effect, the specified permits-to-construct and approvals:

- a. New Source Review source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;
- b. Prevention of Significant Deterioration source, as defined in COMAR 26.11.01.01, approval required, except for generating stations constructed by electric companies;
- c. New Source Performance Standard source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- d. National Emission Standards for Hazardous Air Pollutants source, as defined in COMAR 26.11.01.01, permit to construct required, except for generating stations constructed by electric companies;
- e. A stationary source of lead that discharges one ton per year or more of lead or lead compounds measured as elemental lead, permit to construct required, except for generating stations constructed by electric companies;

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- f. All stationary sources of air pollution, including installations and air pollution control equipment, except as listed in COMAR 26.11.02.10, permit to construct required;
- g. In the event of a conflict between the applicability of (a.— e.) above and an exemption listed in COMAR 26.11.02.10, the provision that requires a permit applies.
- h. Approval of a PSD or NSR source by the Department does not relieve the Permittee obtaining an approval from also obtaining all permits-to-construct required by (c. - g.) above.

**19. CONSOLIDATION OF PROCEDURES FOR PUBLIC PARTICIPATION**

**[COMAR 26.11.02.11C] and [COMAR 26.11.03.01K]**

The Permittee may request the Department to authorize special procedures for the Permittee to apply simultaneously, to the extent possible, for a permit to construct and a revision to this permit.

These procedures may provide for combined public notices, informational meetings, and public hearings for both permits but shall not adversely affect the rights of a person, including EPA and affected states, to obtain information about the application for a permit, to comment on an application, or to challenge a permit that is issued.

These procedures shall not alter any existing permit procedures or time frames.

**20. PROPERTY RIGHTS**

**[COMAR 26.11.03.06E(4)]**

This Part 70 permit does not convey any property rights of any sort, or any exclusive privileges.

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**21. SEVERABILITY**

**[COMAR 26.11.03.06A(5)]**

If any portion of this Part 70 permit is challenged, or any term or condition deemed unenforceable, the remainder of the requirements of the permit continues to be valid.

**22. INSPECTION AND ENTRY**

**[COMAR 26.11.03.06G(3)]**

The Permittee shall allow employees and authorized representatives of the Department, the EPA, and local environmental health agencies, upon presentation of credentials or other documents as may be required by law, to:

- a. Enter at a reasonable time without delay and without prior notification the Permittee's property where a Part 70 source is located, emissions-related activity is conducted, or records required by this permit are kept;
- b. Have access to and make copies of records required by the permit;
- c. Inspect all emissions units within the facility subject to the permit and all related monitoring systems, air pollution control equipment, and practices or operations regulated or required by the permit; and
- d. Sample or monitor any substances or parameters at or related to the emissions units at the facility for the purpose of determining compliance with the permit.

**23. DUTY TO PROVIDE INFORMATION**

**[COMAR 26.11.03.06E(5)]**

The Permittee shall furnish to the Department, within a reasonable time specified by the Department, information requested in writing by the Department in order to determine whether the Permittee is in compliance with the federally enforceable conditions of this Part 70 permit, or whether cause exists for revising or revoking the permit. Upon request, the Permittee shall also furnish to the Department records required to be kept under the permit.



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For information claimed by the Permittee to be confidential and therefore potentially not discloseable to the public, the Department may require the Permittee to provide a copy of the records directly to the EPA along with a claim of confidentiality.

The Permittee shall also furnish to the Department, within a reasonable time specified by the Department, information or records requested in writing by the Department in order to determine if the Permittee is in compliance with the State-only enforceable conditions of this permit.

**24. COMPLIANCE REQUIREMENTS**

**[COMAR 26.11.03.06E(1)] and [COMAR 26.11.03.06A(11)] and [COMAR 26.11.02.05]**

The Permittee shall comply with the conditions of this Part 70 permit. Noncompliance with the permit constitutes a violation of the Clean Air Act, and/or the Environment Article Title 2 of the Annotated Code of Maryland and may subject the Permittee to:

- a. Enforcement action,
- b. Permit revocation or revision,
- c. Denial of the renewal of a Part 70 permit, or
- d. Any combination of these actions.

The conditions in this Part 70 permit are enforceable by EPA and citizens under the Clean Air Act except for the State-only enforceable conditions.

Under Environment Article Section 2-609, Annotated Code of Maryland, the Department may seek immediate injunctive relief against a person who violates this permit in such a manner as to cause a threat to human health or the environment.

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**25. CREDIBLE EVIDENCE**

Nothing in this permit shall be interpreted to preclude the use of credible evidence to demonstrate noncompliance with any term of this permit.

**26. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE**

**[COMAR 26.11.03.06E(2)]**

The need to halt or reduce activity in order to comply with the conditions of this permit may not be used as a defense in an enforcement action.

**27. CIRCUMVENTION**

**[COMAR 26.11.01.06]**

The Permittee may not install or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total weight of emissions, conceals or dilutes emissions which would otherwise constitute a violation of any applicable air pollution control regulation.

**28. PERMIT SHIELD**

**[COMAR 26.11.03.23]**

A permit shield as described in COMAR 26.11.03.23 shall apply only to terms and conditions in this Part 70 permit that have been specifically identified as covered by the permit shield. Neither this permit nor COMAR 26.11.03.23 alters the following:

- a. The emergency order provisions in Section 303 of the Clean Air Act, including the authority of EPA under that section;
- b. The liability of the Permittee for a violation of an applicable requirement of the Clean Air Act before or when this permit is issued or for a violation that continues after issuance;
- c. The requirements of the Acid Rain Program, consistent with Section 408(a) of the Clean Air Act;

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- d. The ability of the Department or EPA to obtain information from a source pursuant to Maryland law and Section 114 of the Clean Air Act; or
- e. The authority of the Department to enforce an applicable requirement of the State air pollution control law that is not an applicable requirement of the Clean Air Act.

**29. ALTERNATE OPERATING SCENARIOS**

**[COMAR 26.11.03.06A(9)]**

For all alternate operating scenarios approved by the Department and contained within this permit, the Permittee, while changing from one approved scenario to another, shall contemporaneously record in a log maintained at the facility each scenario under which the emissions unit is operating and the date and time the scenario started and ended.

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**SECTION III PLANT WIDE CONDITIONS**

**1. PARTICULATE MATTER FROM CONSTRUCTION AND DEMOLITION**

**[COMAR 26.11.06.03D]**

The Permittee shall not cause or permit any building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.

**2. OPEN BURNING**

**[COMAR 26.11.07]**

Except as provided in COMAR 26.11.07.04, the Permittee shall not cause or permit an open fire from June 1 through August 31 of any calendar year. Prior to any open burning, the Permittee shall request and receive approval from the Department.

**3. AIR POLLUTION EPISODE**

**[COMAR 26.11.05.04]**

When requested by the Department, the Permittee shall prepare in writing standby emissions reduction plans, consistent with good industrial practice and safe operating procedures, for reducing emissions creating air pollution during periods of Alert, Warning, and Emergency of an air pollution episode.

**4. REPORT OF EXCESS EMISSIONS AND DEVIATIONS**

**[COMAR 26.11.01.07] and [COMAR 26.11.03.06C(7)]**

The Permittee shall comply with the following conditions for occurrences of excess emissions and deviations from requirements of this permit, including those in Section VI – State-only Enforceable Conditions:

- a. Report any deviation from permit requirements that could endanger human health or the environment, by orally notifying the Department immediately upon discovery of the deviation;

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- b. Promptly report all occurrences of excess emissions that are expected to last for one hour or longer by orally notifying the Department of the onset and termination of the occurrence;
- c. When requested by the Department the Permittee shall report all deviations from permit conditions, including those attributed to malfunctions as defined in COMAR 26.11.01.07A, within 5 days of the request by submitting a written description of the deviation to the Department. The written report shall include the cause, dates and times of the onset and termination of the deviation, and an account of all actions planned or taken to reduce, eliminate, and prevent recurrence of the deviation;
- d. The Permittee shall submit to the Department semi-annual monitoring reports that confirm that all required monitoring was performed, and that provide accounts of all deviations from permit requirements that occurred during the reporting periods. Reporting periods shall be January 1 through June 30 and July 1 through December 31, and reports shall be submitted within 30 days of the end of each reporting period. Each account of deviation shall include a description of the deviation, the dates and times of onset and termination, identification of the person who observed or discovered the deviation, causes and corrective actions taken, and actions taken to prevent recurrence. If no deviations from permit conditions occurred during a reporting period, the Permittee shall submit a written report that so states.
- e. When requested by the Department, the Permittee shall submit a written report to the Department within 10 days of receiving the request concerning an occurrence of excess emissions. The report shall contain the information required in COMAR 26.11.01.07D(2).

**5. ACCIDENTAL RELEASE PROVISIONS**

**[COMAR 26.11.03.03B(23)] and [40 CFR 68]**

Should the Permittee become subject to 40 CFR 68 during the term of this permit, the Permittee shall submit risk management plans by the date specified in 40 CFR 68.150 and shall certify compliance with the requirements of 40 CFR 68 as part of the annual compliance certification as required by 40 CFR 70.

The Permittee shall initiate a permit revision or reopening according to the procedures of 40 CFR 70.7 to incorporate appropriate permit conditions into the Permittee's Part 70 permit.

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**6. GENERAL TESTING REQUIREMENTS**

**[COMAR 26.11.01.04]**

The Department may require the Permittee to conduct, or have conducted, testing to determine compliance with this Part 70 permit. The Department, at its option, may witness or conduct these tests. This testing shall be done at a reasonable time, and all information gathered during a testing operation shall be provided to the Department.

**7. EMISSIONS TEST METHODS**

**[COMAR 26.11.01.04]**

Compliance with the emissions standards and limitations in this Part 70 permit shall be determined by the test methods designated and described below or other test methods submitted to and approved by the Department.

Reference documents of the test methods approved by the Department include the following:

- a. 40 CFR 60, appendix A
- b. 40 CFR 51, appendix M
- c. The Department's Technical Memorandum 91-01 "Test Methods and Equipment Specifications for Stationary Sources", (January 1991), as amended through Supplement 3, (October 1, 1997)

**8. EMISSIONS CERTIFICATION REPORT**

**[COMAR 26.11.01.05-1] and [COMAR 26.11.02.19C] and  
[COMAR 26.11.02.19D]**

The Permittee shall certify actual annual emissions of regulated pollutants from the facility on a calendar year basis.

- a. The certification shall be on forms obtained from the Department and submitted to the Department not later than April 1 of the year following the year for which the certification is required;

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- b. The individual making the certification shall certify that the information is accurate to the individual's best knowledge. The individual shall be:
  - (1) Familiar with each source for which the certifications forms are submitted, and
  - (2) Responsible for the accuracy of the emissions information;
- c. The Permittee shall maintain records necessary to support the emissions certification including the following information if applicable:
  - (1) The total amount of actual emissions of each regulated pollutant and the total of all regulated pollutants;
  - (2) An explanation of the methods used to quantify the emissions and the operating schedules and production data that were used to determine emissions, including significant assumptions made;
  - (3) Amounts, types and analyses of all fuels used;
  - (4) Emissions data from continuous emissions monitors that are required by this permit, including monitor calibration and malfunction information;
  - (5) Identification, description, and use records of all air pollution control equipment and compliance monitoring equipment including:
    - (a) Significant maintenance performed,
    - (b) Malfunctions and downtime, and
    - (c) Episodes of reduced efficiency of all equipment;
  - (6) Limitations on source operation or any work practice standards that significantly affect emissions; and
  - (7) Other relevant information as required by the Department.

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**9. COMPLIANCE CERTIFICATION REPORT**

**[COMAR 26.11.03.06G(6) and (7)]**

The Permittee shall submit to the Department and EPA Region III a report certifying compliance with each term of this Part 70 permit including each applicable standard, emissions limitation, and work practice for the previous calendar year by April 1 of each year.

- a. The compliance certification shall include:
  - (1) The identification of each term or condition of this permit which is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether the compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of each source, currently and over the reporting period; and
  - (5) Any other information required to be reported to the Department that is necessary to determine the compliance status of the Permittee with this permit.
- b. The Permittee shall submit the compliance certification reports to the Department and EPA simultaneously.

**10. CERTIFICATION BY RESPONSIBLE OFFICIAL**

**[COMAR 26.11.02.02F]**

All application forms, reports, and compliance certifications submitted pursuant to this permit shall be certified by a responsible official as to truth, accuracy, and completeness. The Permittee shall expeditiously notify the Department of an appointment of a new responsible official.

The certification shall be in the following form:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the



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information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

**11. SAMPLING AND EMISSIONS TESTING RECORD KEEPING**

**[COMAR 26.11.03.06C(5)]**

The Permittee shall gather and retain the following information when sampling and testing for compliance demonstrations:

- a. The location as specified in this permit, and the date and time that samples and measurements are taken;
- b. All pertinent operating conditions existing at the time that samples and measurements are taken;
- c. The date that each analysis of a sample or emissions test is performed and the name of the person taking the sample or performing the emissions test;
- d. The identity of the Permittee, individual, or other entity that performed the analysis;
- e. The analytical techniques and methods used; and
- f. The results of each analysis.

**12. GENERAL RECORDKEEPING**

**[COMAR 26.11.03.06C(6)]**

The Permittee shall retain records of all monitoring data and information that support the compliance certification for a period of five (5) years from the date that the monitoring, sample measurement, application, report or emissions test was completed or submitted to the Department.

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These records and support information shall include:

- a. All calibration and maintenance records;
- b. All original data collected from continuous monitoring instrumentation;
- c. Records which support the annual emissions certification; and
- d. Copies of all reports required by this permit.

**13. GENERAL CONFORMITY**

**[COMAR 26.11.26.09]**

The Permittee shall comply with the general conformity requirements of 40 CFR 93, Subpart B and COMAR 26.11.26.09.

**14. ASBESTOS PROVISIONS**

**[40 CFR 61, Subpart M]**

The Permittee shall comply with 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

**15. OZONE DEPLETING REGULATIONS**

**[40 CFR 82, Subpart F]**

The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the prohibitions and required practices pursuant to 40 CFR 82.154 and 82.156.
- b. Equipment used during the maintenance, service, repair or disposal of appliances shall comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

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- c. Persons performing maintenance, service, repairs or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- d. Persons performing maintenance, service, repairs or disposal of appliances shall certify with the Administrator pursuant to 40 CFR 82.162.
- e. Persons disposing of small appliances, MVACS, and MVAC-like appliances as defined in 40 CFR 82.152, shall comply with record keeping requirements pursuant to 40 CFR 82.166.
- f. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
- g. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

**16. ACID RAIN PERMIT**

Not applicable

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**SECTION IV PLANT SPECIFIC CONDITIONS**

This section provides tables that include the emissions standards, emissions limitations, and work practices applicable to each emissions unit located at this facility. The Permittee shall comply with all applicable emissions standards, emissions limitations and work practices included herein.

The tables also include testing, monitoring, record keeping and reporting requirements specific to each emissions unit. In addition to the requirements included here in **Section IV**, the Permittee is also subject to the general testing, monitoring, record keeping and reporting requirements included in **Section III – Plant Wide Conditions** of this permit.

Unless otherwise provided in the specific requirements for an emissions unit, the Permittee shall maintain at the facility for at least five (5) years, and shall make available to the Department upon request, all records that the Permittee is required under this section to establish. [COMAR 26.11.03.06C(5)(g)]

| <b>Table IV – 1</b> |  |
|---------------------|--|
| <b>1.0</b>          | <b><u>Emissions Unit Number(s)</u></b><br>Emission Units 010 (Reg. No. 5-1740) and 011 (Reg. No. 5-01739) – Two Kewanee boiler rated at 12.6 and 25.1 MM BTU/hour firing natural gas with No. 2 fuel oil as back-up fuel during natural gas supply interruptions.  |
| <b>1.1</b>          | <b><u>Applicable Standards/Limits:</u></b><br><br>A. <u>Visible Emissions</u><br><br><b>COMAR 26.11.09.05A(2)</b> - The Permittee shall not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an unconfined form, which is visible to human observers.<br><br><u>Exceptions</u> “Section A (1) and (2) does not apply to emissions during load changing, soot blowing, startup, or occasional cleaning of control equipment if:<br><br>(1) The visible emissions are not greater than 40 percent opacity; and<br>(2) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period. [ <b>COMAR 26.11.09.05A(3)</b> ]<br><br>B. <u>Sulfur Emissions</u><br><br><b>COMAR 26.11.09.07A(2)(b)</b> - The Permittee shall not burn, sell, or make available for sale any distillate fuel with sulfur content by weight by excess of 0.3 percent. |

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**Table IV – 1**

|            |   |
|------------|---|
| <b>1.2</b> | <p><b><u>Testing Requirements:</u></b></p> <p>A. <u>Visible Emissions</u>- See monitoring, record keeping, and reporting requirements.</p> <p>B. <u>Sulfur Emissions</u>- See record keeping and reporting requirements.</p>  |
| <b>1.3</b> | <p><b><u>Monitoring Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>(1) The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers unless the Permittee applies for and receives an approval or permit from the Department to burn alternate fuels.</p> <p style="padding-left: 40px;">A natural gas curtailment or supply interruption means any period during which the supply of natural gas to the affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or interruption. [40 CFR §63.11237]</p> <p>(2) If the Permittee wishes to burn No. 2 fuel oil in any of the two boilers at any other times other than allowed of this permit, the Permittee shall apply for and receives an approval or permit from the Department and comply with the requirements of 40 CFR 63, Subpart JJJJJJ. [40 CFR §63.11195(e)]</p> <p>(3) The Permittee shall operate and maintain the boilers in accordance with the operations training manual and preventive maintenance plan.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>(4) To verify no visible emissions when burning #2 fuel oil, an observer is required to perform a visual observation of stack exhaust gases to look for visible emissions for a 12 minute period once for each 168 hours that the boiler burns oil. If a boiler does not burn oil for more than 100 hours in a calendar year, this visible emission observation requirement is waived.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>(5) The permittee shall perform the following, if visible emissions are visible to human observer:</p> |

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**Table IV – 1**

|                   |   |
|-------------------|---|
|                   | <p>(a) Inspect combustion control system and the boiler’s operations;<br/>         (b) Perform all necessary adjustments and /or repairs to the boiler within 48 hours, so that visible emissions are eliminated;<br/>         (c) Document in writing the results of the inspections;<br/>         (d) After 48 hours, if the required adjustments and/or repairs have not eliminated the visible emissions, take additional remedial actions and continue to perform a Method 9 observation once daily for 18 minutes until corrective action has eliminated the visible emissions.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>B. <u>Sulfur Emissions</u> - See record keeping and reporting requirements.</p>   |
| <p><b>1.4</b></p> | <p><b><u>Record Keeping Requirements:</u></b></p> <p>A. <u>Visible Emissions</u></p> <p>The Permittee shall:</p> <p>(1) Maintain an operations manual and preventive maintenance plan on site;</p> <p>(2) Maintain a record of the maintenance performed that relates to combustion performance; and</p> <p>(3) Maintain a log of all visible emissions observations performed for at least five years and make it available to the Department upon request.<br/> <b>[COMAR 26.11.03.06C]</b></p> <p>B. <u>Sulfur Emissions</u></p> <p>(1) The Permittee shall maintain records of fuel supplier certifications for each shipment of fuel received. The fuel supplier certifications shall include the name of the supplier and a certified statement from the supplier that the oil complies with 0.3% or less by weight sulfur content limitation. <b>[COMAR 26.11.03.06C]</b></p> <p>(2) The Permittee shall keep annual records of the hours of operation that the boilers burned fuel oil, the amount of fuel oil burned each year, and documentation demonstrating that the fuel oil was burned only as a backup fuel during gas curtailment, gas supply emergency, or periodic testing, as allowed under the operational limitation. <b>[COMAR 26.11.03.06C]</b></p> |
| <p><b>1.5</b></p> | <p><b><u>Reporting Requirements:</u></b></p> <p>A and B</p>   |

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| <b>Table IV – 1</b> |   |
|---------------------|---|
|                     | The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". <b>[COMAR 26.11.03.06C]</b> |

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for Emissions Unit Nos. 0010 and 0011.**

| <b>Table IV – 2</b> |   |
|---------------------|---|
| <b>2.0</b>          | <p><b><u>Emissions Unit Number(s)</u></b></p> <p>Emission Unit 020 – Warehouse Aging<br/>           Emission Unit 030 – Empty Barrel Storage<br/>           Emission Unit 040 – Barrel Filling<br/>           Emission Unit 050 – Barrel Emptying<br/>           Emission Unit 060 – Product Filtering<br/>           Emission Unit 070 – Bottle Filling (currently inactive) /Product Packaging<br/>           Emission Unit 080 – Glues/Adhesives<br/>           Emission Unit 090 – Printing Inks<br/>           Emission Unit 100 – Tank Truck and Container Filling<br/>           Emission Units 110 to 119 – Storage<br/>           Emission Unit 120 – Off-spec Finished Case Goods Unloading</p> |
| <b>2.1</b>          | <p><b><u>Applicable Standards/Limits:</u></b></p> <p>Control of Volatile Organic Compounds</p> <p>(1) <b>COMAR 26.11.19.29</b> - Control of Volatile Organic Compounds from Distilled Spirits Facilities</p> <p>(2) <b>COMAR 26.11.19.16</b> - Control of Volatile Organic Compounds Equipment leaks</p>  |
| <b>2.2</b>          | <p><b><u>Testing Requirements:</u></b></p> <p>See monitoring, record keeping, and reporting requirements.</p>   |
| <b>2.3</b>          | <p><b><u>Monitoring Requirements:</u></b></p> <p>(1) The Permittee shall empty barrels using a pump-operated, bayonet type suction device, or comparable effective device that minimizes VOC evaporative losses when emptying barrels. <b>[COMAR 26.11.19.29C(1)(a)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 050 – Barrel Emptying.</b></p> <p>(2) The Permittee shall drain distilled spirits from filter plates that are located between the barrel unloading and storage tanks to either a recycling tank or</p>  |

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|     |   |
|-----|---|
|     | <p>to an enclosed collection system. <b>[COMAR 26.11.19.29C(1)(b)]</b><br/> <b>Note:</b> This requirement does not apply to plate and frame filter associated with beer production operation because “Distilled Spirits” does not include beer in accordance with COMAR 26.11.19.29B(d)(ii).</p>  |
| (3) | <p>The Permittee shall use a gravity and vacuum or pressure filling system or comparable effective system to minimize fugitive emissions from the bottling operations. <b>[COMAR 26.11.19.29C(1)(c)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 040 – Barrel Filling and Emission Unit 070 – Bottle Filling/Product Packaging.</b></p>  |
| (4) | <p>The Permittee, during warmer weather, periodically (at least weekly) wet used barrels that are stored in the outdoors awaiting disposal to reduce potential leakage and fugitive emissions. <b>[COMAR 26.11.19.29C(2)]</b><br/> <b>Note:</b> This requirement applies to <b>Emission Unit 030 – Empty Barrel Storage.</b></p>  |
| (5) | <p>The Permittee shall develop, maintain, and implement a good operating practices manual to minimize fugitive VOC emissions from distilled spirits facilities and beer production operation. <b>[COMAR 26.11.19.02I and COMAR 26.11.19.29D]</b></p>  |
| (6) | <p>The Permittee shall comply the following requirements:<br/>         (a) The Permittee may not load finished products to trucks from ECF Building;<br/>         (b) The Permittee shall convert Tank CA-1 in Rum processing from finished product storage to non-VOC storage;<br/>         (c) The Permittee shall not operate the basement tanks of Building 17, shall use mechanical agitators only, and shall use Tanks 123 and 125 in Building 17 for water storage only; and<br/>         (d) The Permittee shall not blend bulk product in Tanks 118 and 120 in Building 17.<br/> <b>[Permit to Construct Nos 055-0146-0307, 0308, and 0309; 8-0333 and 0334; and 9-1373 issued on July 29, 2011]</b></p> |
| (7) | <p>The Permittee shall perform a weekly inspection of each emissions unit to verify that the required procedures are being used and shall record the results of the inspections in a logbook. <b>[COMAR 26.11.03.06C]</b></p>   |
| (8) | <p>To reduce fugitive emission sources, the Permittee shall:<br/>         (a) inspect all empty barrels for mechanical integrity, cracked staves, dished heads, missing hoops and evidence of prior leakage;</p>  |



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|                   | <p>(b) discard failing barrels;</p> <p>(c) keep, in a logbook, a record of the number of barrels failing the inspection;</p> <p>(d) inspect all barrels as they are filled;</p> <p>(e) repair or empty and discard any leaking barrel identified;</p> <p>(f) place non-leaking barrels on pallets that are designed to provide stability to the barrels during transfer to and from the warehouse storage areas; and</p> <p>(g) keep a record of inspections in a logbook.<br/> <b>[COMAR 26.11.19.29D]</b></p> <p>(9) The Permittee shall:</p> <p>(a) Visually inspect all components on the premises for leaks at least once each calendar month;</p> <p>(b) Tag any leak immediately so that the tag is clearly visible. The tag shall be made of a material that will withstand any weather or corrosive conditions to which it may be normally exposed. The tag shall bear an identification number, the date the leak was discovered, and the name of the person who discovered the leak. The tag shall remain in place until the leak has been repaired;</p> <p>(c) Take immediate action to repair all observed VOC leaks that can be repaired within 48 hours;</p> <p>(d) Repair all other leaking components not later than 15 days after the leak is discovered. If a replacement part is needed, the part shall be ordered within 3 days after discovery of the leak, and the leak shall be repaired within 48 hours after receiving the part; and</p> <p>(e) Maintain a supply of components or component parts that are recognized by the source to wear or corrode, or that otherwise need to be routinely replaced.<br/> <b>[COMAR 26.11.19.16C]</b></p> <p>(10) Leaking components that cannot be repaired as required because they are inaccessible, or that cannot be repaired during operation of an installation, shall be identified in a log and included in the facility's maintenance schedule for repair during the next outage of the installation. <b>[COMAR 26.11.19.16D]</b></p> |
| <p><b>2.4</b></p> | <p><b><u>Record Keeping Requirements:</u></b></p> <p>(1) The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information:</p> <p>(a) Records of monthly fugitive emissions and supporting annual estimates of emissions for all emission units, including but not limiting to the following</p>  |

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| <b>Table IV – 2</b> |  |
|---------------------|--|
|                     | <p>units:</p> <ul style="list-style-type: none"> <li>(i) the Bohnert spirits handling system in Building 16;</li> <li>(ii) jumper connections blown out with each connection change required by flow transfer panels;</li> <li>(iii) proprietary blending process;</li> <li>(iv) loading station outside of M Warehouse and Building 17;</li> <li>(v) carbon filtration system; and</li> <li>(vi) SUPRApak filters.</li> </ul> <p><b>[Permits to Construct Nos. 005-0146-8-0418 issued on September 20, 2016, 005-0146-9-1525 issued on September 2, 2016, 005-0146-6-3137 issued on December 11, 2015, 005-0146-6-3137 issued on December 11, 2015, 005-0146-8-0307 and 005-0146-9-1373 issued on September 12, 2012]</b></p> <p>(b) The current, most recently revised GOP manual designed to minimize fugitive emissions of VOC as required by COMAR 26.11.19.29D.</p> <p>(2) The Permittee shall maintain a log that includes the name of the person conducting the inspection and the date on which leak inspections are made, the findings of the inspection, and a list of leaks by tag identification number. The log shall be made available to the Department upon request. Leak records shall be maintained for a period of not less than 2 years from the date of their occurrence. <b>[COMAR 26.11.19.16C(6)]</b></p> |
| <b>2.5</b>          | <p><b><u>Reporting Requirements:</u></b></p> <p>The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". <b>[COMAR 26.11.03.06C]</b></p>  |

**A permit shield shall cover the applicable requirements of the Clean Air Act that are listed in the table above for all Emissions Units except for 0010 and 0011.**

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**SECTION V      INSIGNIFICANT ACTIVITIES**

This section provides a list of insignificant emissions units that were reported in the Title V permit application. The applicable Clean Air Act requirements, if any, are listed below the insignificant activity.

- (1) No. 2      Stationary internal combustion engines (diesel fire pumps) with an output less than 500 brake horsepower (373 kilowatts) and which are not used to generate electricity for sale or for peak or load shaving;

The diesel pump engines are subject to the following requirements:

- (A) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.
- (B) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.
- (C) Exceptions:
  - (i) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.
  - (ii) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:
    - (a) Engines that are idled continuously when not in service:  
30 minutes
    - (b) all other engines: 15 minutes.
  - (iii) COMAR 26.11.09.05E(2) & (3) do not apply while maintenance, repair or testing is being performed by qualified mechanics.

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- (D) COMAR 26.11.36.03A(1), which establishes that the Permittee may not operate an emergency generator except for emergencies, testing and maintenance purposes.
- (E) COMAR 26.11.36.03A(5), which establishes that the Permittee may not operate an emergency generator for testing and engine maintenance purposes between 12:01 a.m. and 2:00 p.m. on any day on which the Department forecasts that the air quality will be a code orange, code red, or code purple unless the engine fails a test and engine maintenance and a re-test are necessary.
- (F) 40 CFR 63, Subpart ZZZZ which states that the Permittee must:
  - (i) Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - (ii) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iii) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iv) operate and maintain the engine and keep records as specified in Subpart ZZZZ; and
  - (v) keep records of the hours of operation of the engine as recorded through a non-resettable hour meter.
- (2)  Space heaters utilizing direct heat transfer and used solely for comfort heat;
- (3)  Water cooling towers and water cooling ponds unless used for evaporative cooling of water from barometric jets or barometric condensers, or used in conjunction with an installation requiring a permit to operate;
- (4) No. ~1000 Unheated VOC dispensing containers or unheated VOC rinsing containers of 60 gallons (227 liters) capacity or less;

The degreasers are subject to COMAR 26.11.19.09D, which requires that the Permittee control emissions of volatile organic compounds

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(VOC) from cold degreasing operations by meeting the following requirements:

- (a) COMAR 26.11.19.09D(2)(b), which establishes that the Permittee shall not use any VOC degreasing material that exceeds a vapor pressure of 1 mm Hg at 20 ° C;
- (b) COMAR 26.11.19.09D(3)(a—d), which requires that the Permittee implement good operating practices designed to minimize spills and evaporation of VOC degreasing material. These practices, which shall be established in writing and displayed such that they are clearly visible to operators, shall include covers (including water covers), lids, or other methods of minimizing evaporative losses, and reducing the time and frequency during which parts are cleaned;
- (c) COMAR 26.11.19.09D(4), which prohibits the use of any halogenated VOC for cold degreasing.

The Permittee shall maintain on site for at least five (5) years, and shall make available to the Department upon request, the following records of operating data:

- (a) Monthly records of the total VOC degreasing materials used; and
  - (b) Written descriptions of good operating practices designed to minimize spills and evaporation of VOC degreasing materials.
- 
- (5)  Equipment for drilling, carving, cutting, routing, turning, sawing, planing, spindle sanding, or disc sanding of wood or wood products;
  - (6)  Brazing, soldering, or welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals and not directly related to plant maintenance, upkeep and repair or maintenance shop activities;
  - (7)  Containers, reservoirs, or tanks used exclusively for electrolytic plating work, or electrolytic polishing, or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals;

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- (8) Containers, reservoirs, or tanks used exclusively for:
- (a)  Storage of butane, propane, or liquefied petroleum, or natural gas;
  - (b) No. 30 Storage of lubricating oils;
  - (c) No. 2 Unheated storage of VOC with an initial boiling point of 300 °F (149 °C) or greater- Two propylene Glycol storage areas in D Warehouse and Bldg 17.
  - (d) No. 4 Storage of Numbers 1, 2, 4, 5, and 6 fuel oil and aviation jet engine fuel- Two no. 2 oil tanks and two diesel fuel tanks.
  - (e) No. 1 Storage of motor vehicle gasoline and having individual tank capacities of 2,000 gallons (7.6 cubic meters) or less;
  - (f) No. 2 The storage of VOC normally used as solvents, diluents, thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins, or other surface coatings and having individual capacities of 2,000 gallons (7.6 cubic meters) or less- Number refers to storage locations (D warehouse and ECF maintenance);
- (9)  First aid and emergency medical care provided at the facility, including related activities such as sterilization and medicine preparation used in support of a manufacturing or production process;
- (10)  Potable water treatment equipment, not including air stripping equipment;
- (11)  Comfort air conditioning subject to requirements of Title VI of the Clean Air Act;
- (12)  Natural draft hoods or natural draft ventilators that exhaust air pollutants into the ambient air from manufacturing/industrial or commercial processes;
- (13)  Laboratory fume hoods and vents;

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*For the following, attach additional pages as necessary:*

- (14) any other emissions unit at the facility which is not subject to an applicable requirement of the Clean Air Act (list and describe):

No.   1   Spring Gardens Vacuum Batch Still (446 gal)

No.   1   Brewery system with annual beer production of 1,400 barrels

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**SECTION VI STATE-ONLY ENFORCEABLE CONDITIONS**

The Permittee is subject to the following State-only enforceable requirements:

The Diageo facility is subject to the following State-only enforceable requirements:

1. Applicable Regulations:

- (A) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (B) COMAR 26.11.15.05, which requires that the Permittee implement “Best Available Control Technology for Toxics” (T – BACT) to control emissions of toxic air pollutants.
- (C) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health

2. Record Keeping and Reporting:

The Permittee shall submit to the Department, by April 1 of each year during the term of this permit, a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee’s facility during the previous calendar year. The analysis shall include either:

- (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
- (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.



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**BACKGROUND**

The Diageo North America, Inc. (Diageo) facility, located in Relay, Baltimore County, blends, brews, and packages distilled spirits, Progressive Adult Beverages (PABs), and beer for consumer use. A variety of beverage materials are processed including grain neutral spirits, rums, whiskeys, and beer. Materials are received by truck and rail and stored in tanks. Processing steps include filtration, blending with other ingredients, and cutting with de-mineralized water. Finished product streams are packaged into bottles, cans, and other containers for distribution in commerce. Some products are shipped in bulk form to other sites using barrels, totes, railcars, and tank trucks. Most processing activities occur inside one of several buildings. The facility also has aging operations. Outside activities include temporary storage of empty oak barrels used in aging and several larger product storage tanks.

Diageo Global Supply has operated the Relay plant since December 21, 2001. The primary SIC code for this facility is 2085, with a secondary SIC code of 2082.

The following table summarizes the actual emissions from Diageo's Relay facility based on its Annual Emission Certification Reports:

**Table 1: Actual Emissions**

| Year | NO <sub>x</sub><br>(TPY) | SO <sub>x</sub><br>(TPY) | PM <sub>10</sub><br>(TPY) | CO<br>(TPY) | VOC<br>(TPY) | Total<br>HAP<br>(TPY) |
|------|--------------------------|--------------------------|---------------------------|-------------|--------------|-----------------------|
| 2012 | 2.11                     | 0.02                     | 0.04                      | 1.77        | 277          | 0                     |
| 2013 | 1.37                     | 0.01                     | 0.03                      | 1.16        | 94           | 0                     |
| 2014 | 0.96                     | 0.01                     | 0.02                      | 0.80        | 12.1         | 0                     |
| 2015 | 0.71                     | 0.07                     | 0.02                      | 0.57        | 9.42         | 0                     |
| 2016 | 0.81                     | 0.02                     | 0.02                      | 0.67        | 6.25         | 0                     |

The major source threshold for triggering Title V permitting requirements in Baltimore County is 25 tons per year of NO<sub>x</sub> or VOCs and 100 tons per year for any other criteria pollutant. Since the actual and potential VOC emissions from the facility are greater than the major source threshold, Diageo is required to obtain a Title V-Part 70 Operating Permit under COMAR 26.11.03.01.

The Department received a Part 70 permit renewal application for the facility on November 1, 2016 including three non-confidential copies and one digital CD of application with marked confidential in some parts of the attachments. On November 3, 2016, Diageo was asked to submit non-confidential copies and a brief discussion of CAM plan if applicable or why CAM plan does not apply. An updated T5 renewal

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application was received November 21, 2016. After an administrative completeness review, the Department informed Diageo on November 30, 2016 that the application was deemed to be administratively complete.

Since the last issuance of Title V operating permit, the Department has issued to the facility the following Permits to Construct:

1. Addition of one carbon filtration system consisting of nine 2,100 gallon sealed carbon wood filtration tanks and one 8,000 gallon rinse water tank in Building 11 (ARMA Registration NO. 005-0146- 9-1440); and relocation of six 4,300 gallon storage tanks from Building D (Spring Gardens) to Building 11 (3 tanks) and to the ECF Building (3 tanks) (ARMA Registration NO. 005-0146- 8-0307 issued March 8, 2013).
2. Modification of the existing loading station outside of M Warehouse and Building 17 by adding piping lines to allow for additional rail and truck loading. (ARMA Registration No. 005-0146-6-3137 issued December 18, 2015).
3. Modification of the existing product transfer systems associated with Building 16, 17, and Tank Farm including piping changes, relocation of flow panels, and implementation of a proprietary blending process (ARMA registration No. 005-0146-9-1525 issued September 2, 2016).
4. Installation of one Bohnert spirits handling system with maximum capacity of 3,180 gal/hr in Building 16. (ARMA registration No. 005-0146-8-0418 issued September 20, 2016).
5. Installation of one (1) Progressive Alcoholic Beverage (PAB)/Beer Packaging System, including one (1) bottle/canning system, and one (1) Carbo Cooler system in Building 49, relocation of one existing plate and frame filter to Building 50, and modification of the existing 13 tanks (in Building 11, 50, and 17) to support the PAB/Beer production. (ARMA registration No. 005-0146-8-0433 issued August 29, 2017).

Diageo's Relay facility reduced barrel aging operations, which were the major VOC emission units of the facility. In accordance with the Full Compliance Evaluation of Diageo's facility on August 2, 2016, the facility stopped aging Jamaican rum and light whiskey in January, 2011. Large scale aging of spirits in barrels had been reassigned to Diageo's sister facilities in Illinois and Tennessee, however, in coordination with MDE, per Diageo's September 16, 2015 letter regarding aging reactivation and the June 2, 2016 Permit-to Construct application to MDE the facility has resumed large scale aging operations, with a current inventory of approximately 20,000 barrels.

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Diageo no longer receives rum from Puerto Rico. The Cream Liqueur processing line (Godiva Chocolate Liqueurs) has been transferred to Plainfield, Illinois. The Perrier bottling system has also been removed. Products that arrive by ship in Seatainers as well as in other containers are pumped into storage tanks. Finished high proof spirits, PABs, and beer products are packaged and stored in the warehouse prior to shipment to the customer. The facility now produces high proof spirits, PABs, and beer products at high volume.

The changes to the facility are reflected in this permit renewal.

**GREENHOUSE GAS (GHG) EMISSIONS**

Diageo’s Relay facility emits the following greenhouse gases (GHGs) related to Clean Air Act requirements: carbon dioxide, methane, and nitrous oxide. These GHGs originate from fuel combustion processes (i.e., boilers) contained within the facility premises applicable to Diageo’s Relay facility. The facility has not triggered Prevention of Significant Deterioration (PSD) requirements for GHG emissions; therefore, there are no applicable GHG Clean Air Act requirements. Emission certifications reports for the years 2014, 2015, and 2016, show that Diageo’s Relay facility is a not a major source (threshold: 100,000tpy CO<sub>2</sub>e) for GHG's (see Table 2 shown below).

The following table summarizes the actual emissions from Diageo’s Relay Plant based on its Annual Emission Certification Reports:

**Table 2: Greenhouse Gases Emissions Summary**

| <b>GHG</b>                            | <b>Conversion factor</b> | <b>2014<br/>tpy CO<sub>2</sub>e</b> | <b>2015<br/>tpy CO<sub>2</sub>e</b> | <b>2016<br/>tpy CO<sub>2</sub>e</b> |
|---------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Carbon dioxide<br>CO <sub>2</sub>     | 1                        | 1,146                               | 842                                 | 970                                 |
| Methane CH <sub>4</sub>               | 25                       | 0.5                                 | 0.5                                 | 0.5                                 |
| Nitrous Oxide<br>N <sub>2</sub> O     | 300                      | 6                                   | 6                                   | 5                                   |
| <b>Total GHG<br/>CO<sub>2</sub>eq</b> |                          | <b>1152.5</b>                       | <b>848.5</b>                        | <b>975.5</b>                        |

**NESHAP/MACT APPLICABILITY**

Diageo’s Relay facility is not subject to NESHAP or MACT requirements.

**NSPS APPLICABILITY**

Diageo’s Relay facility is not subject to NSPS requirements

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**COMPLIANCE ASSURANCE MONITORING (CAM) REQUIREMENTS**

CAM is intended to provide a reasonable assurance of compliance with applicable requirements under the Clean Air Act for large emission units that rely on air pollution control (APC) equipment to achieve compliance. The CAM approach establishes monitoring for the purpose of: (1) documenting continued operation of the control measures within ranges of specified indicators of performance (such as emissions, control device parameters, and process parameters) that are designed to provide a reasonable assurance of compliance with applicable requirements; (2) indicating any excursions from these ranges; and (3) responding to the data so that the cause or causes of the excursions are corrected. In order for a unit to be subject to CAM, the unit must be located at a major source, be subject to an emission limitation or standard, use a control device to achieve compliance, have pre-control emissions of at least 100% of the major source amount, and must not otherwise be exempt from CAM. Applicability determinations are made on a pollutant-by-pollutant basis for each emissions unit.

Diageo is not subject to CAM because there are no emission units that rely on air pollution control (APC) equipment to achieve compliance.

**EMISSION UNIT IDENTIFICATION**

Diageo’s Relay facility has identified the following emission units as being subject to Title V permitting requirements and having applicable requirements.

**Table 3: Emission Unit Identification**

| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>  | <b>Date of Installation</b> |
|------------------------------|---------------------------------|---|-----------------------------|
| <b>010</b>                   | 005-0146-5-1740                 | <b>Boiler No. 1</b> – 25.1 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b> | 1986                        |
| <b>011</b>                   | 005-0146-5-1739                 | <b>Boiler No. 2</b> – 12.6 MM BTU/hour Kewanee boiler firing natural gas as the primary fuel with No. 2 fuel oil as back-up<br><b>Building 52</b> | 1986                        |
| <b>020</b>                   | 005-0146-8-0308                 | <b>Warehouse Aging</b> - Ethanol products are stored in barrels for   | 1937                        |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation          |
|-----------------------|--------------------------|---|-------------------------------|
|                       |                          | aging in<br><b>Warehouses E, G, and N</b><br><b>Note:</b> Warehouses D and H have not been used for barrel aging since the mid-1980's and 2000, respectively. Before Warehouses D and H are used for barrel aging, the Permittee must contact the Department to determine the appropriate permitting process. |                               |
| 030                   | (No Reg. No.)            | <b>Empty Barrel Storage</b> - Used empty oak barrels are temporarily stored on the grounds outside of <b>Warehouse G and Building 16</b> .  | 1937                          |
| 040                   | 005-0146-8-0418          | <b>Barrel Filling</b> (Bohnert spirits handling system in <b>Building 16</b> )  | 2016                          |
|                       | 005-0146-9-1525          | Proprietary Blending Process  | 2016                          |
| 050                   | (No Reg. No.)            | <b>Barrel Emptying</b> - Barrels are transferred from the aging warehouses to <b>Building J</b> where the aged product is recovered for further processing.   | 1937                          |
| 060                   | 005-0146-9-1373          | <b>Product Filtering</b> - Product is filtered to remove suspended materials. Fourteen (14) filters are currently located through the plant processing area (11 module depth filters and 3 plate/frame filters). Suprapaks can filter up to proofs specified in PTC applications.                             | <1970,<br>2009, 2011,<br>2012 |
|                       | 005-0146-8-0433          | One plate and frame filter in Building 50   | 2017                          |
| 070                   | 005-0146-8-0333          | <b>Bottle Filling</b> - Finished alcohol beverage product is dispensed into containers through seven  | 1960-2006,<br>2012            |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description   | Date of Installation |
|-----------------------|--------------------------|---|----------------------|
|                       | 005-0146-8-0433          | <p>automated filling lines in <b>Building 49.</b> – Inactive as of 2017.</p> <p><b>Product Packaging</b> - One PAB/ beer packaging system and one Carbo cooler system.</p>  | 2017                 |
| 080                   | (No Reg. No.)            | <b>Glues/Adhesives</b> - Hot melt glues and water-based adhesives used to assemble cartons and apply labels to package containers (located Near filling lines).   | 1937                 |
| 090                   | (No Reg. No.)            | <b>Printing Inks</b> – Fast drying solvent-based inks are used for product marking of cartons and containers (located near filling lines).  | 1937                 |
| 100                   | 005-0146-6-3137          | <p><b>Tank Truck and Container Filling</b> - 26,000 gallon railcars, 6000-gallon tank trucks, 350 gallon totes, and 55 gallon drums are used periodically to transfer beverage alcohol product between buildings or to ship processed products to other facilities (<b>Building/Tank Farm Locations</b>).</p> <p>Modification of piping lines for the existing rail and truck loading (outside M warehouse and Building 17)</p> | <1970<br><br>2015    |

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| Emissions Unit Number | ARMA Registration Number | Emissions Unit Name and Description  | Date of Installation  |
|-----------------------|--------------------------|--|---|
| 110                   | 005-0146-8-0307          | 38 Storage Tanks - <b>Building 11, Bulk/finished Product Processing Room</b><br>*Eight 15,900-gallon tanks<br>**Three 10,000-10,400 gallon tanks<br>**Two 8,400 gallon tanks<br>**One 4,000-gallon tank<br>**One 1,000-gallon tank<br>**Eight 2,100-gallon filter column tanks<br>**Two 4,100-4,200 gallon tanks<br>One 8,100-gallon recovery tank<br>** Six 4,300-gallon tank | <1970<br>1991<br>1991<br>2006<br>2006<br>2012<br>2012<br>2012<br>2013 |
|                       | 005-0146-9-1440          | One Carbon filtration system   | 2013  |
|                       | 005-0146-8-0433          | **Six 15,000-gallon receiving tanks  | 2017  |
| 111                   | 005-0146-8-0307          | 9 Storage Tanks - <b>Warehouse M</b><br>*Three 11,300 gallon tanks<br>**Three 10,000-10,300 gallon tanks<br>*One 4,300-gallon tank<br>*One 4,300-gallon tank<br>**One 1,000-gallon tank  | <1970<br>1991<br>1991<br>1991<br>1991<br>2006                         |
| 112                   | 005-0146-8-0307          | 19 Storage Tanks, 50 Shipping Totes and 1 Mixing Tank - <b>Building D, Spring Garden Flavor Facility</b><br>**One 7,500-gallon tank<br>**Four 4,300-4,500 gallon tanks<br>*Three 4,300-4,500 gallon tanks<br>**Two 2,100-gallon tanks<br>**One 1,500-gallon tank<br>**One 1,000-gallon tank<br>* One 1,000-gallon tank<br>* Six portable tanks <600 gallons                    | 1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992<br>1992          |

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| Emissions Unit Number | ARMA Registration Number               | Emissions Unit Name and Description  | Date of Installation  |
|-----------------------|--|--|---|
|                       |  | * 50 portable 350-gallon shipping totes<br>* 450-gallon mix tank   | 1992<br>2000  |
| 113                   | 005-0146-8-0307<br><br>005-0146-8-0334 | 19 Product Storage Tanks -<br><b>Outdoor Tank Farm</b><br>**One 100,000-gallon tank<br>**One 45,000-gallon tank<br>**Two 33,000-gallon tanks<br>**Three 40,000-gallon tanks<br>**Four 10,000-gallon tanks<br>**Two 100,000-gallon tanks<br>**Two 100,000-gallon tanks<br><br>**Four 100,000- gallon beverage alcohol storage tanks   | 2001<br>2001<br>2001<br>1991<br>1991<br>2006<br>2012<br><br>2007          |
| 114                   | 005-0146-8-0307<br><br>005-0146-8-0433 | 41 Product Storage Tanks –<br><b>Building 50, Bottling Tank Building</b><br>**Six 15,100-gallon tanks<br>**Twenty-one 11,500-gallon tanks<br>**One 11,500-gallon tank<br>**Four 1,000-gallon tank<br>**One 3,500-gallon tank<br>**Four<500 gallon tanks<br>** Two 4,100-4,300-gallon tanks<br><br>**Two 11,500-gallon blending tanks | 1990<br>1990<br><br>1995<br>1992-2012<br>1995<br>1976<br>1992<br><br>2017 |
| 115                   | 005-0146-8-0307                        | 24 Product Storage Tanks –<br><b>Building 17, Blending Building</b><br>*Twelve 11,200-gallon tanks<br>**Two 3,300-3,600-gallon tanks<br>*One 1,400 gallon-tank<br>*One 1,000 gallon-tank<br>*Two 520 gallon-tanks<br>*Three 450-gallon surge tanks<br>*One 450-gallon surge tank   | <1970<br>1976<br><1970<br>2012<br><1970<br>2006<br>1976                   |



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| <b>Emissions Unit Number</b> | <b>ARMA Registration Number</b> | <b>Emissions Unit Name and Description</b>   | <b>Date of Installation</b>               |
|------------------------------|---------------------------------|--|---|
|                              | 005-0146-8-0433                 | **Two 11,200-gallon ingredient tanks<br><br>The relocation of storage tanks within the premises is exempt from PTC approval if the change of operation does not cause change in the nature of emission or increase of emissions. | 2017                                      |
| <b>117</b>                   | 005-0146-8-0307                 | 3 Product Storage Tanks – <b>Building B</b><br>*Three 10,800 – 10,900-gallon tanks   | <1970                                     |
| <b>118</b>                   | 005-0146-8-0307                 | 4 Storage Tanks – <b>Building J, Bulk Regauge</b><br>*Two 16,500 – 16,600-gallon tanks<br>*Two 230 gallon tanks  | All tanks installed<br><1970<br><br><1970 |
| <b>119</b>                   | 005-0146-8-0307                 | 1 Storage Tank – <b>Spirits Tank Farm</b> , Spirits Storage Tank No. 6<br>**One 500,000-gallon tank equipped with two conservation vents   | <1970                                     |
| <b>120</b>                   | 005-0146-8-0379                 | One off-spec finished case goods unloading system  | 2012                                      |

Notes for tanks: \* Atmospheric vent      \*\* Conservation vent

**AN OVERVIEW OF THE PART 70 PERMIT**

The Fact Sheet is an informational document. If there are any discrepancies between the Fact Sheet and the Part 70 permit, the Part 70 permit is the enforceable document.

Section I of the Part 70 Permit contains a brief description of the facility and an inventory list of the emissions units for which applicable requirements are identified in Section IV of the permit.

Section II of the Part 70 Permit contains the general requirements that relate to administrative permit actions. This section includes the procedures for renewing,

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amending, reopening, and transferring permits, the relationship to permits to construct and approvals, and the general duty to provide information and to comply with all applicable requirements.

Section III of the Part 70 Permit contains the general requirements for testing, record keeping and reporting; and requirements that affect the facility as a whole, such as open burning, air pollution episodes, particulate matter from construction and demolition activities, asbestos provisions, ozone depleting substance provisions, general conformity, and acid rain permit. This section includes the requirement to report excess emissions and deviations, to submit an annual emissions certification report and an annual compliance certification report, and results of sampling and testing.

Section IV of the Part 70 Permit identifies the emissions standards, emissions limitations, operational limitations, and work practices applicable to each emissions unit located at the facility. For each standard, limitation, and work practice, the permit identifies the basis upon which the Permittee will demonstrate compliance. The basis will include testing, monitoring, record keeping, and reporting requirements. The demonstration may include one or more of these methods.

Section V of the Part 70 Permit contains a list of insignificant activities. These activities emit very small quantities of regulated air pollutants and do not require a permit to construct or registration with the Department. For insignificant activities that are subject to a requirement under the Clean Air Act, the requirement is listed under the activity.

Section VI of the Part 70 Permit contains State-only enforceable requirements. Section VI identifies requirements that are not based on the Clean Air Act, but solely on Maryland air pollution regulations. These requirements generally relate to the prevention of nuisances and implementation of Maryland's Air Toxics Program.

**REGULATORY REVIEW/TECHNICAL REVIEW/COMPLIANCE  
METHODOLOGY**

**Emission Units 010 and 011 – Two (2) Kewanee Boilers rated at 12.6 and 25.1 million Btu per hour firing natural gas with No. 2 fuel oil as back-up fuel**

Both boilers are located in Building 52 and are used for space heat. The boilers were installed in 1986 and are not subject to the NSPS requirements of 40 CFR 60, Subpart Dc that apply to boilers of 10 million Btu per hour or greater installed after June 9, 1989. The boilers burn natural gas as the primary fuel and No. 2 fuel oil as a back-up fuel only during periods of gas curtailment, gas supply emergencies, or periodic testing. Boilers

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that burn fuel oil as back-up in this manner are not subject to the NESHAP requirements of 40 CFR 63, Subpart JJJJJJ for fuel oil fired boilers.

As a preventative maintenance and repair effort for boiler No.1 (25.1 MM BTU/hour), the Permittee has scheduled in 2017 to replace the burner due to its advanced age. The new burner would also be equipped with automated burner controls. The existing boiler tube shows evidence of leaking and pitting and will also be replaced. The replacement of aging parts as general maintenance, and per COMAR 26.11.01.01.B(20), routine maintenance and routine repair are excluded from the definition of term 'modification'. Emissions are expected to decrease due to replacement of aging parts with more efficient parts. Additionally, the replacement of the burner and tubing do not meet the definition of 'reconstructed' as the estimated fixed capital cost of the one-for-one replacement of parts will not exceed 50 percent of the estimated fixed capital costs required to construct an entirely new comparable boiler.

**Applicable Standards/Limits**

**A. Visible Emissions Limitations**

**COMAR 26.11.09.05A(2)** which states, "a person may not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an unconfined form, which is visible to human observers."

Exceptions: COMAR 26.11.09.05A(2) does not apply to emissions during load changing, soot blowing, startup, or occasional cleaning of control equipment if:

- (1) The visible emissions are not greater than 40 percent opacity; and
- (2) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period. **[COMAR 26.11.09.05A(3)]**

***Compliance Demonstration***

1. The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers unless the Permittee applies for and receives an approval or permit from the Department to burn alternate fuels.

A natural gas curtailment or supply interruption means any period during which the supply of natural gas to the affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An

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increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or interruption. [40 CFR §63.11237]

2. If the Permittee wishes to burn No. 2 fuel oil in any of the two boilers at any other times other than allowed of this permit, the Permittee shall apply for and receives an approval or permit from the Department and comply with the requirements of 40 CFR 63, Subpart JJJJJJ. **[40 CFR §63.11195(e)]**
3. The Permittee shall operate and maintain the boilers in accordance with the operations training manual and preventive maintenance plan. **[COMAR 26.11.03.06C]**
4. To verify no visible emissions when burning #2 fuel oil, an observer is required to perform a visual observation of stack exhaust gases to look for visible emissions for a 12 minute period once for each 168 hours that the boiler burns oil. If a boiler does not burn oil for more than 100 hours in a calendar year, this visible emission observation requirement is waived. **[COMAR 26.11.03.06C]**
5. The permittee shall perform the following, if visible emissions are visible to human observer:
  - a. Inspect combustion control system and the boiler's operations;
  - b. Perform all necessary adjustments and /or repairs to the boiler within 48 hours, so that visible emissions are eliminated;
  - c. Document in writing the results of the inspections;
  - d. After 48 hours, if the required adjustments and/or repairs have not eliminated the visible emissions, take additional remedial actions and continue to perform a Method 9 observation once daily for 18 minutes until corrective action has eliminated the visible emissions.**[COMAR 26.11.03.06C]**
6. The Permittee shall:
  - a. Maintain an operations manual and preventive maintenance plan on site;
  - b. Maintain a record of the maintenance performed that relates to combustion performance; and
  - c. Maintain a log of all visible emissions observations performed for at least five years and make it available to the Department upon request.**[COMAR 26.11.03.06C]**
7. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". **[COMAR 26.11.03.06C]**

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***Rationale for Periodic Monitoring Strategy***

The Permittee shall burn only natural gas or No. 2 fuel oil only during periods of gas curtailment, gas supply emergencies, or periodic testing on No. 2 fuel oil (not to exceed 48 hours during any calendar year) in the two (2) boilers. Boilers that burn primarily natural gas in this size range are set up to operate in an automatic mode without oversight of an operator and require minimal preventative maintenance to maintain a level of combustion performance that does not cause visible emissions. If visible emissions occur, it would only occur when burning oil and only when the boiler has not been properly maintained and operated. Weekly observations when burning oil and follow-up maintenance when any visible emissions are observed are sufficient to demonstrate compliance.

**B. Control of Sulfur Dioxide Emissions**

**COMAR 26.11.09.07A(2)(b)**, which states that “a person may not burn, sell, or make available for sale any distillate fuel with sulfur content by weight by excess of 0.3 percent.”

***Compliance Demonstration***

1. The Permittee shall maintain records of fuel supplier certifications for each shipment of fuel received. The fuel supplier certifications shall include the name of the supplier and a certified statement from the supplier that the oil complies with 0.3% of less by weight sulfur content limitation. **[COMAR 26.11.03.06C]**
2. The Permittee shall keep annual records of the hours of operation that the boilers burned fuel oil, the amount of fuel oil burned each year, and documentation demonstrating that the fuel oil was burned only as a backup fuel during gas curtailment, gas supply emergency, or periodic testing, as allowed under the operational limitation. **[COMAR 26.11.03.06C]**
3. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, “Report of Excess Emissions and Deviations”. **[COMAR 26.11.03.06C]**

***Rationale for Compliance Demonstration***

Fuel supplier certifications are sufficient to demonstrate compliance with applicable fuel sulfur limits.

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**VOC Emissions Units Including:**

Emission Unit 020 – Warehouse Aging  
Emission Unit 030 – Empty Barrel Storage  
Emission Unit 040 – Barrel Filling  
Emission Unit 050 – Barrel Emptying  
Emission Unit 060 – Product Filtering  
Emission Unit 070 – Bottle Filling (currently inactive) /Product Packaging  
Emission Unit 080 – Glues/Adhesives  
Emission Unit 090 – Printing Inks  
Emission Unit 100 – Tank Truck and Container Filling  
Emission Units 110 to 119 – Storage  
Emission Unit 120 – Off-spec Finished Case Goods Unloading

**Applicable Standards/Limits**

Control of Volatile Organic Compounds

1. **COMAR 26.11.19.29** - Control of Volatile Organic Compounds from Distilled Spirits Facilities
  
2. **COMAR 26.11.19.16** - Control of Volatile Organic Compounds Equipment leaks

**Compliance Demonstration**

1. The Permittee shall empty barrels using a pump-operated, bayonet type suction device, or comparable effective device that minimizes VOC evaporative losses when emptying barrels. **[COMAR 26.11.19.29C(1)(a)]**  
**Note:** This requirement applies to **Emission Unit 050 – Barrel Emptying.**
  
2. The Permittee shall drain distilled spirits from filter plates that are located between the barrel unloading and storage tanks to either a recycling tank or to an enclosed collection system. **[COMAR 26.11.19.29C(1)(b)]**  
**Note:** This requirement does not apply to plate and frame filter associated with beer production operation because “Distilled Spirits” does not include beer in accordance with COMAR 26.11.19.29B(d)(ii).
  
3. The Permittee shall use a gravity and vacuum or pressure filling system or comparable effective system to minimize fugitive emissions from the bottle filling/product packaging operations. **[COMAR 26.11.19.29C(1)(c)]**  
**Note:** This requirement applies to **Emission Unit 040 – Barrel Filling and Emission Unit 070 – Bottle Filling/Product Packaging.**
  
4. The Permittee, during warmer weather, periodically (at least weekly) wet used barrels that are stored in the outdoors awaiting disposal to reduce potential leakage and fugitive emissions. **[COMAR 26.11.19.29C(2)]**

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**Note:** This requirement applies to **Emission Unit 030 – Empty Barrel Storage.**

5. The Permittee shall develop, maintain, and implement a good operating practices manual to minimize fugitive VOC emissions from distilled spirits facilities and beer production operation. **[COMAR 26.11.19.02I and COMAR 26.11.19.29D]**
6. The Permittee shall comply the following requirements:
  - a. The Permittee may not load finished products to trucks from ECF Building;
  - b. The Permittee shall convert Tank CA-1 in Rum processing from finished product storage to non-VOC storage;
  - c. The Permittee shall not operate the basement tanks of Building 17, shall use mechanical agitators only, and shall use Tanks 123 and 125 in Building 17 for water storage only; and
  - d. The Permittee shall not blend bulk product in Tanks 118 and 120 in Building 17. **[Permit to Construct Nos 055-0146-0307, 0308, and 0309; 8-0333 and 0334; and 9-1373 issued on July 29, 2011]**
7. The Permittee shall perform a weekly inspection of each emissions unit to verify that the required procedures are being used and shall record the results of the inspections in a logbook. **[COMAR 26.11.03.06C].**
8. To reduce fugitive emission sources, the Permittee shall:
  - a. inspect all empty barrels for mechanical integrity, cracked staves, dished heads, missing hoops and evidence of prior leakage;
  - b. discard failing barrels;
  - c. keep, in a logbook, a record of the number of barrels failing the inspection;
  - d. inspect all barrels as they are filled;
  - e. repair or empty and discard any leaking barrel identified;
  - f. place non-leaking barrels on pallets that are designed to provide stability to the barrels during transfer to and from the warehouse storage areas; and
  - g. keep a record of inspections in a logbook. **[COMAR 26.11.19.29D]**
9. The Permittee shall:
  - a. Visually inspect all components on the premises for leaks at least once each calendar month;
  - b. Tag any leak immediately so that the tag is clearly visible. The tag shall be made of a material that will withstand any weather or corrosive conditions to which it may be normally exposed. The tag shall bear an identification number, the date the leak was discovered, and the name of the person who discovered the leak. The tag shall remain in place until the leak has been repaired;

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- c. Take immediate action to repair all observed VOC leaks that can be repaired within 48 hours;
  - d. Repair all other leaking components not later than 15 days after the leak is discovered. If a replacement part is needed, the part shall be ordered within 3 days after discovery of the leak, and the leak shall be repaired within 48 hours after receiving the part; and
  - e. Maintain a supply of components or component parts that are recognized by the source to wear or corrode, or that otherwise need to be routinely replaced. **[COMAR 26.11.19.16C]**
10. Leaking components that cannot be repaired as required because they are inaccessible, or that cannot be repaired during operation of an installation, shall be identified in a log and included in the facility's maintenance schedule for repair during the next outage of the installation. **[COMAR 26.11.19.16D]**
11. The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information:
- a. Records of monthly fugitive emissions and supporting annual estimates of emissions for all emission units, including but not limiting to the following units:
    - (i) the Bohnert spirits handling system in Building 16;
    - (ii) jumper connections blown out with each connection change required by flow transfer panels;
    - (iii) proprietary blending process;
    - (iv) loading station outside of M Warehouse and Building 17;
    - (v) carbon filtration system; and
    - (vi) SUPRApak filters.**[Permits to Construct Nos. 005-0146-8-0418 issued on September 20, 2016, 005-0146-9-1525 issued on September 2, 2016, 005-0146-6-3137 issued on December 11, 2015, 005-0146-6-3137 issued on December 11, 2015, 005-0146-8-0307 and 005-0146-9-1373 issued on September 12, 2012]**
  - b. The current, most recently revised GOP manual designed to minimize fugitive emissions of VOC as required by COMAR 26.11.19.29D.
12. The Permittee shall maintain a log that includes the name of the person conducting the inspection and the date on which leak inspections are made, the findings of the inspection, and a list of leaks by tag identification number. The log shall be made available to the Department upon request. Leak records shall be maintained for a period of not less than 2 years from the date of their occurrence. **[COMAR 26.11.19.16C(6)]**



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13. The Permittee shall report incidences of excess emissions in accordance with permit condition 4, Section III, Plant Wide Conditions, "Report of Excess Emissions and Deviations". **[COMAR 26.11.03.06C]**

***Rationale for Compliance Demonstration***

The required good working practices listed above are very effective to reduce fugitive VOC emissions from each operation. The implementation of the leak inspection, detection and correction GOP manual will minimize excess emissions. The record keeping and reporting requirements are sufficient to document the compliance status.

**COMPLIANCE SCHEDULE**

The Diageo facility is currently in compliance with all applicable air quality regulations.

**TITLE IV – ACID RAIN**

The Diageo facility is not subject to Title IV requirements.

**TITLE VI – OZONE DEPLETING SUBSTANCES**

The Diageo facility is not subject to Title VI requirements.

**SECTION 112(r) – ACCIDENTAL RELEASE**

The Diageo facility is not subject to the requirements of Section 112(r).

**PERMIT SHIELD**

Diageo requested that a permit shield be expressly included in the Permittee's Part 70 permit. Permit shields are granted on an emission unit by emission unit basis. If an emission unit is covered by a permit shield, a permit shield statement will follow the emission unit table in Section IV - Plant Specific Conditions of the permit. In this case, a permit shield was granted for each emission unit covered by the permit.

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**INSIGNIFICANT ACTIVITIES**

This section provides a list of insignificant emissions units that were reported in the Title V permit application. The applicable Clean Air Act requirements, if any, are listed below the insignificant activity.

- (1) No. 2 Stationary internal combustion engines (diesel fire pumps) with an output less than 500 brake horsepower (373 kilowatts) and which are not used to generate electricity for sale or for peak or load shaving;

The diesel pump engines are subject to the following requirements:

- (A) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.
- (B) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.
- (C) Exceptions:
- (i) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.
- (ii) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:
- (a) Engines that are idled continuously when not in service:  
30 minutes
- (b) all other engines: 15 minutes.
- (iii) COMAR 26.11.09.05E(2) & (3) do not apply while maintenance, repair or testing is being performed by qualified mechanics.

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- (D) COMAR 26.11.36.03A(1), which establishes that the Permittee may not operate an emergency generator except for emergencies, testing and maintenance purposes.
- (E) COMAR 26.11.36.03A(5), which establishes that the Permittee may not operate an emergency generator for testing and engine maintenance purposes between 12:01 a.m. and 2:00 p.m. on any day on which the Department forecasts that the air quality will be a code orange, code red, or code purple unless the engine fails a test and engine maintenance and a re-test are necessary.
- (F) 40 CFR 63, Subpart ZZZZ which states that the Permittee must:
  - (i) Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - (ii) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iii) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;
  - (iv) operate and maintain the engine and keep records as specified in Subpart ZZZZ; and
  - (v) keep records of the hours of operation of the engine as recorded through a non-resettable hour meter.

- (2) ✓ Space heaters utilizing direct heat transfer and used solely for comfort heat;
- (3) ✓ Water cooling towers and water cooling ponds unless used for evaporative cooling of water from barometric jets or barometric condensers, or used in conjunction with an installation requiring a permit to operate;
- (4) No. ~1000 Unheated VOC dispensing containers or unheated VOC rinsing containers of 60 gallons (227 liters) capacity or less;

The degreasers are subject to COMAR 26.11.19.09D, which requires that the Permittee control emissions of volatile organic compounds

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(VOC) from cold degreasing operations by meeting the following requirements:

- (a) COMAR 26.11.19.09D(2)(b), which establishes that the Permittee shall not use any VOC degreasing material that exceeds a vapor pressure of 1 mm Hg at 20 ° C;
- (b) COMAR 26.11.19.09D(3)(a—d), which requires that the Permittee implement good operating practices designed to minimize spills and evaporation of VOC degreasing material. These practices, which shall be established in writing and displayed such that they are clearly visible to operators, shall include covers (including water covers), lids, or other methods of minimizing evaporative losses, and reducing the time and frequency during which parts are cleaned;
- (c) COMAR 26.11.19.09D(4), which prohibits the use of any halogenated VOC for cold degreasing.

The Permittee shall maintain on site for at least five (5) years, and shall make available to the Department upon request, the following records of operating data:

- (a) Monthly records of the total VOC degreasing materials used; and
- (b) Written descriptions of good operating practices designed to minimize spills and evaporation of VOC degreasing materials.

- (5) ✓ Equipment for drilling, carving, cutting, routing, turning, sawing, planing, spindle sanding, or disc sanding of wood or wood products;
- (6) ✓ Brazing, soldering, or welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals and not directly related to plant maintenance, upkeep and repair or maintenance shop activities;
- (7) ✓ Containers, reservoirs, or tanks used exclusively for electrolytic plating work, or electrolytic polishing, or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals;

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- (8) Containers, reservoirs, or tanks used exclusively for:
- (a)  Storage of butane, propane, or liquefied petroleum, or natural gas;
  - (b) No. 30 Storage of lubricating oils;
  - (c) No. 2 Unheated storage of VOC with an initial boiling point of 300 °F (149 °C) or greater- Two propylene Glycol storage areas in D Warehouse and Bldg 17.
  - (d) No. 4 Storage of Numbers 1, 2, 4, 5, and 6 fuel oil and aviation jet engine fuel- Two no. 2 oil tanks and two diesel fuel tanks.
  - (e) No. 1 Storage of motor vehicle gasoline and having individual tank capacities of 2,000 gallons (7.6 cubic meters) or less;
  - (f) No. 2 The storage of VOC normally used as solvents, diluents, thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins, or other surface coatings and having individual capacities of 2,000 gallons (7.6 cubic meters) or less- Number refers to storage locations (D warehouse and ECF maintenance);
- (9)  First aid and emergency medical care provided at the facility, including related activities such as sterilization and medicine preparation used in support of a manufacturing or production process;
- (10)  Potable water treatment equipment, not including air stripping equipment;
- (11)  Comfort air conditioning subject to requirements of Title VI of the Clean Air Act;
- (12)  Natural draft hoods or natural draft ventilators that exhaust air pollutants into the ambient air from manufacturing/industrial or commercial processes;
- (13)  Laboratory fume hoods and vents;

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*For the following, attach additional pages as necessary:*

(14) any other emissions unit at the facility which is not subject to an applicable requirement of the Clean Air Act (list and describe):

No.   1   Spring Gardens Vacuum Batch Still (446 gal)

No.   1   Brewery system with annual beer production of 1,400 barrels

**STATE ONLY ENFORCEABLE REQUIREMENTS**

This section of the permit contain state-only enforceable requirements. The requirements in this section will not be enforced by the U.S. Environmental Protection Agency. The requirements in this section are not subject to COMAR 26.11.03 10 - Public Petitions for Review to EPA Regarding Part 70 Permits.

The Diageo facility is subject to the following State-only enforceable requirements:

1. Applicable Regulations:

- (A) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (B) COMAR 26.11.15.05, which requires that the Permittee implement “Best Available Control Technology for Toxics” (T – BACT) to control emissions of toxic air pollutants.
- (C) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health

2. Record Keeping and Reporting:

The Permittee shall submit to the Department, by April 1 of each year during the term of this permit, a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee’s facility during the previous calendar year. The analysis shall include either:

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- (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
- (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.