

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION**

September 7, 2018

PERMIT TO INSTALL
102-14B

ISSUED TO
Bell's Brewery, Inc.

LOCATED AT
8938 Krum Avenue
Galesburg, Michigan

IN THE COUNTY OF
Kalamazoo

STATE REGISTRATION NUMBER
P0516

The Air Quality Division has approved this Permit to Install, pursuant to the delegation of authority from the Michigan Department of Environmental Quality. This permit is hereby issued in accordance with and subject to Section 5505(1) of Article II, Chapter I, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Pursuant to Air Pollution Control Rule 336.1201(1), this permit constitutes the permittee's authority to install the identified emission unit(s) in accordance with all administrative rules of the Department and the attached conditions. Operation of the emission unit(s) identified in this Permit to Install is allowed pursuant to Rule 336.1201(6).

DATE OF RECEIPT OF ALL INFORMATION REQUIRED BY RULE 203:

August 1, 2018

DATE PERMIT TO INSTALL APPROVED:

September 7, 2018

SIGNATURE:

DATE PERMIT VOIDED:

SIGNATURE:

DATE PERMIT REVOKED:

SIGNATURE:

PERMIT TO INSTALL

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Common Abbreviations / Acronyms

Common Acronyms		Pollutant / Measurement Abbreviations	
AQD	Air Quality Division	acfm	Actual cubic feet per minute
BACT	Best Available Control Technology	BTU	British Thermal Unit
CAA	Clean Air Act	°C	Degrees Celsius
CAM	Compliance Assurance Monitoring	CO	Carbon Monoxide
CEM	Continuous Emission Monitoring	CO _{2e}	Carbon Dioxide Equivalent
CFR	Code of Federal Regulations	dscf	Dry standard cubic foot
COM	Continuous Opacity Monitoring	dscm	Dry standard cubic meter
Department/ department	Michigan Department of Environmental Quality	°F	Degrees Fahrenheit
EU	Emission Unit	gr	Grains
FG	Flexible Group	HAP	Hazardous Air Pollutant
GACS	Gallons of Applied Coating Solids	Hg	Mercury
GC	General Condition	hr	Hour
GHGs	Greenhouse Gases	HP	Horsepower
HVLP	High Volume Low Pressure*	H ₂ S	Hydrogen Sulfide
ID	Identification	kW	Kilowatt
IRSL	Initial Risk Screening Level	lb	Pound
ITSL	Initial Threshold Screening Level	m	Meter
LAER	Lowest Achievable Emission Rate	mg	Milligram
MACT	Maximum Achievable Control Technology	mm	Millimeter
MAERS	Michigan Air Emissions Reporting System	MM	Million
MAP	Malfunction Abatement Plan	MW	Megawatts
MDEQ	Michigan Department of Environmental Quality	NMOC	Non-methane Organic Compounds
MSDS	Material Safety Data Sheet	NO _x	Oxides of Nitrogen
NA	Not Applicable	ng	Nanogram
NAAQS	National Ambient Air Quality Standards	PM	Particulate Matter
NESHAP	National Emission Standard for Hazardous Air Pollutants	PM ₁₀	Particulate Matter equal to or less than 10 microns in diameter
NSPS	New Source Performance Standards	PM _{2.5}	Particulate Matter equal to or less than 2.5 microns in diameter
NSR	New Source Review	pph	Pounds per hour
PS	Performance Specification	ppm	Parts per million
PSD	Prevention of Significant Deterioration	ppmv	Parts per million by volume
PTE	Permanent Total Enclosure	ppmw	Parts per million by weight
PTI	Permit to Install	psia	Pounds per square inch absolute
RACT	Reasonable Available Control Technology	psig	Pounds per square inch gauge
ROP	Renewable Operating Permit	scf	Standard cubic feet
SC	Special Condition	sec	Seconds
SCR	Selective Catalytic Reduction	SO ₂	Sulfur Dioxide
SNCR	Selective Non-Catalytic Reduction	TAC	Toxic Air Contaminant
SRN	State Registration Number	Temp	Temperature
TEQ	Toxicity Equivalence Quotient	THC	Total Hydrocarbons
USEPA/EPA	United States Environmental Protection Agency	tpy	Tons per year
VE	Visible Emissions	µg	Microgram
		µm	Micrometer or Micron
		VOC	Volatile Organic Compounds
		yr	Year

*For HVLP applicators, the pressure measured at the gun air cap shall not exceed 10 psig.

GENERAL CONDITIONS

1. The process or process equipment covered by this permit shall not be reconstructed, relocated, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule. **(R 336.1201(1))**
2. If the installation, construction, reconstruction, relocation, or modification of the equipment for which this permit has been approved has not commenced within 18 months, or has been interrupted for 18 months, this permit shall become void unless otherwise authorized by the Department. Furthermore, the permittee or the designated authorized agent shall notify the Department via the Supervisor, Permit Section, Air Quality Division, Michigan Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909-7760, if it is decided not to pursue the installation, construction, reconstruction, relocation, or modification of the equipment allowed by this Permit to Install. **(R 336.1201(4))**
3. If this Permit to Install is issued for a process or process equipment located at a stationary source that is not subject to the Renewable Operating Permit program requirements pursuant to R 336.1210, operation of the process or process equipment is allowed by this permit if the equipment performs in accordance with the terms and conditions of this Permit to Install. **(R 336.1201(6)(b))**
4. The Department may, after notice and opportunity for a hearing, revoke this Permit to Install if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of this permit or is violating the Department's rules or the Clean Air Act. **(R 336.1201(8), Section 5510 of Act 451, PA 1994)**
5. The terms and conditions of this Permit to Install shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by this Permit to Install. If the new owner or operator submits a written request to the Department pursuant to R 336.1219 and the Department approves the request, this permit will be amended to reflect the change of ownership or operational control. The request must include all of the information required by subrules (1)(a), (b), and (c) of R 336.1219 and shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environmental Quality. **(R 336.1219)**
6. Operation of this equipment shall not result in the emission of an air contaminant which causes injurious effects to human health or safety, animal life, plant life of significant economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property. **(R 336.1901)**
7. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the Department. The notice shall be provided not later than two business days after start-up, shutdown, or discovery of the abnormal condition or malfunction. Written reports, if required, must be filed with the Department within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal condition or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5). **(R 336.1912)**
8. Approval of this permit does not exempt the permittee from complying with any future applicable requirements which may be promulgated under Part 55 of 1994 PA 451, as amended or the Federal Clean Air Act.
9. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
10. Operation of this equipment may be subject to other requirements of Part 55 of 1994 PA 451, as amended and the rules promulgated thereunder.

11. Except as provided in subrules (2) and (3) or unless the special conditions of the Permit to Install include an alternate opacity limit established pursuant to subrule (4) of R 336.1301, the permittee shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of density greater than the most stringent of the following. The grading of visible emissions shall be determined in accordance with R 336.1303. **(R 336.1301)**
 - a) A six-minute average of 20 percent opacity, except for one six-minute average per hour of not more than 27 percent opacity.
 - b) A visible emission limit specified by an applicable federal new source performance standard.
 - c) A visible emission limit specified as a condition of this Permit to Install.

12. Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in R 336.1370(2). **(R 336.1370)**

13. The Department may require the permittee to conduct acceptable performance tests, at the permittee's expense, in accordance with R 336.2001 and R 336.2003, under any of the conditions listed in R 336.2001. **(R 336.2001)**

SPECIAL CONDITIONS

EMISSION UNIT SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Emission Unit ID	Emission Unit Description (Process Equipment & Control Devices)	Installation Date / Modification Date	Flexible Group ID
EUBREWING	Brewing process consisting of two brewing lines (50 bbl and 200 bbl). Brewing lines include wet mill, mash tun, lauter tun, pre-run tank, kettle, and whirlpool.	July 2003	FGBREWERY
EUFERMENTATION	Tanks for fermentation and aging process. Emissions from several vessels are combined and exhausted to the atmosphere through several common exhaust points.	July 2003	FGBREWERY
EUFILLING	Finished beer is dispensed into containers: bottles, cans, and kegs.	July 2003	FGBREWERY
EUDISPOSAL	Product not fit for sale is destroyed by crusher (glass bottles) or baler (cans). Crushing can take place inside or outside of the building.	July 2003	FGBREWERY
EUPRINTING	Containers (cans, bottles, kegs, and packaging material) are inked with date and lot number.	July 2003	NA
EUCOLDADHESIVE	Cold adhesive application, affixing labels to bottles.	July 2003	NA
EUDIGESTER	Anaerobic digestion system to process wastewater from the brewery operations. Includes several digesters and biogas storage. Biogas produced is combusted in an internal combustion engine, or in an enclosed flare when the engine is not operating. The engine is exempt from permitting but is subject to 40 CFR 60 Subpart JJJJ and 40 CFR 63 Subpart ZZZZ.	December 2014	NA
EUPILOT	Pilot brewing process consisting of one 12 bbl brewing line including dry mill, mash tun, lauter tun, tank, kettle, whirlpool, and 100 bottle per minute cleaning and filling process.	2018	FGBREWERY
EULOAD	Spent yeast storage and transfer, including loading spent yeast into tanker trucks.	2018	NA
Changes to the equipment described in this table are subject to the requirements of R 336.1201, except as allowed by R 336.1278 to R 336.1291.			

The following conditions apply to:
EUPRINTING

DESCRIPTION: Containers (cans, bottles, kegs, and packaging material) are inked with date and lot number.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT: NA

I. EMISSION LIMITS

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. VOC	1.0 tpy	12-month rolling time period as determined at the end of each calendar month	EUPRINTING	SC VI.3	R 336.1702(a)

II. MATERIAL LIMITS

NA

III. PROCESS/OPERATIONAL RESTRICTIONS

1. The permittee shall capture all waste ink and makeup fluid, and shall store them in closed containers. The permittee shall dispose of all waste materials in an acceptable manner in compliance with all applicable state rules and federal regulations. **(R 336.1224, R 336.1702(a))**
2. The permittee shall handle all VOC and/or HAP containing materials, including inks and makeup fluids, in a manner to minimize the generation of fugitive emissions. The permittee shall keep containers covered at all times except when operator access is necessary. **(R 336.1224, R 336.1225, R 336.1702(a))**

IV. DESIGN/EQUIPMENT PARAMETERS

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall determine the VOC content, water content and density of any coating, as applied and as received, using federal Reference Test Method 24. Upon prior written approval by the AQD District Supervisor, the permittee may determine the VOC content from manufacturer's formulation data. If the Method 24 and the formulation values should differ, the permittee shall use the Method 24 results to determine compliance. **(R 336.1702, R 336.2001, R 336.2003, R 336.2004, R 336.2040(5))**

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. The permittee shall keep all records on file at the facility and make them available to the Department upon request. **(R 336.1702(a))**
2. The permittee shall maintain a current listing from the manufacturer of the chemical composition of each material used in EUPRINTING, including the weight percent of each component. The data may consist of Material Safety Data Sheets, manufacturer's formulation data, or both as deemed acceptable by the AQD District Supervisor. **(R 336.1224, R 336.1225, R 336.1702(a))**
3. The permittee shall keep the following information on a calendar month basis for EUPRINTING:
 - a. Pounds of each ink and makeup fluid used.
 - b. VOC content of each material as applied.
 - c. VOC mass emission calculations determining the monthly emission rate in tons per calendar month.
 - d. VOC mass emission calculations determining the annual emission rate in tons per 12-month rolling time period as determined at the end of each calendar month.

The permittee shall keep the records using mass balance, or an alternative method and format acceptable to the AQD District Supervisor. **(R 336.1702(a))**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTIONS

NA

IX. OTHER REQUIREMENTS

NA

The following conditions apply to:
EUCOLDADHESIVE

DESCRIPTION: Cold adhesive application, affixing labels to bottles.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT: NA

I. EMISSION LIMITS

NA

II. MATERIAL LIMITS

Material	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. Adhesive applied	126,346 lb/yr	12-month rolling time period as determined at the end of each calendar month	EUCOLDADHESIVE	SC VI.3	R 336.1225, R 336.1702(a)

III. PROCESS/OPERATIONAL RESTRICTIONS

1. The permittee shall capture all waste adhesives and shall store them in closed containers. The permittee shall dispose of all waste adhesive in an acceptable manner in compliance with all applicable state rules and federal regulations. **(R 336.1224, (R 336.1702(a))**
2. The permittee shall handle all VOC and/or HAP containing materials, including adhesives, in a manner to minimize the generation of fugitive emissions. The permittee shall keep containers covered at all times except when operator access is necessary. **(R 336.1224, R 336.1225, R 336.1702(a))**

IV. DESIGN/EQUIPMENT PARAMETERS

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. The permittee shall keep all records on file at the facility and make them available to the Department upon request. **(R 336.1225, R 336.1702(a))**

2. The permittee shall maintain a current listing from the manufacturer of the chemical composition of each adhesive used in EUCOLDADHESIVE, including the weight percent of each component. The data may consist of Material Safety Data Sheets, manufacturer's formulation data, or both as deemed acceptable by the AQD District Supervisor. **(R 336.1225, R 336.1702(a))**
3. The permittee shall monitor and record, in a satisfactory manner, the amount of adhesive applied in EUCOLDADHESIVE on a monthly and 12-month rolling time period basis. **(R 336.1225, R 336.1702(a))**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTIONS

NA

IX. OTHER REQUIREMENTS

NA

The following conditions apply to:
EUDIGESTER

DESCRIPTION: Anaerobic digestion system to process wastewater from the brewery operations. Includes several digesters and biogas storage.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT: Biogas produced is combusted in an internal combustion engine, or in an enclosed flare when the engine is not operating. The engine is exempt from permitting but is subject to 40 CFR 60 Subpart JJJJ and 40 CFR 63 Subpart ZZZZ.

I. EMISSION LIMITS

NA

II. MATERIAL LIMITS

NA

III. PROCESS/OPERATIONAL RESTRICTIONS

1. The permittee shall not operate EUDIGESTER unless a malfunction abatement plan (MAP) as described in Rule 911(2), for satisfactory operation of the control devices that combust the biogas (internal combustion engine and enclosed flare), has been submitted within 90 days of permit issuance, and is implemented and maintained. If at any time the MAP fails to address or inadequately addresses an event that meets the characteristics of a malfunction, the permittee shall amend the MAP within 45 days after such an event occurs. The permittee shall also amend the MAP within 45 days, if new equipment is installed, or upon request from the District Supervisor. The permittee shall submit the MAP and any amendments to the MAP to the AQD District Supervisor for review and approval. If the AQD does not notify the permittee within 90 days of submittal, the MAP or amended MAP shall be considered approved. Until an amended plan is approved, the permittee shall implement corrective procedures or operational changes to achieve compliance with all applicable emission limits. **(R 336.1225, R 336.1702(a), R 336.1910, R 336.1911)**
2. The permittee shall not release biogas produced by EUDIGESTER unless the biogas is routed to either an internal combustion engine or an enclosed flare. While biogas from EUDIGESTER is routed to the internal combustion engine or enclosed flare, the control device shall be installed, maintained, and operated in a satisfactory manner. Satisfactory operation of the internal combustion engine or enclosed flare includes maintaining them according to the MAP. **(R 336.1224, R 336.1225, R 336.1702, R 336.1910)**
3. The permittee shall not route biogas to the flare unless a minimum temperature of 1500 °F in the combustion chamber is maintained. **(R 336.1224, R 336.1225, R 336.1702(a), R 336.1910)**

IV. DESIGN/EQUIPMENT PARAMETERS

1. The permittee shall install, calibrate, maintain and operate in a satisfactory manner, a device to monitor the temperature of the enclosed flare. **(R 336.1224, R 336.1225, R 336.1702(a), R 336.1910)**
2. The permittee shall install, calibrate, maintain and operate in a satisfactory manner, a device to monitor the volumetric flow rate of digester gas burned in the enclosed flare, on a continuous basis. **(R 336.1225, R 336.1702(a))**

3. The permittee shall install, calibrate, maintain and operate in a satisfactory manner, a device to monitor the volumetric flow rate of digester gas burned in the internal combustion engine, on a continuous basis. **(R 336.1225, R 336.1702(a))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall monitor and record, in a satisfactory manner, the temperature in the combustion chamber of the flare on a continuous basis (at least every 15 minutes). **(R 336.1224, R 336.1225, R 336.1702(a), R 336.1910)**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTIONS

NA

IX. OTHER REQUIREMENTS

NA

The following conditions apply to: EULOAD

DESCRIPTION: Spent yeast storage and transfer, including loading spent yeast into tanker trucks.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT: NA

I. EMISSION LIMITS

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. VOC	1.09 tpy	12-month rolling time period as determined at the end of each calendar month	EULOAD	SC VI.3	R 336.1702(a)

II. MATERIAL LIMITS

Material	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. Spent yeast throughput	60,000 bbl ^a per year	12-month rolling time period as determined at the end of each calendar month	EULOAD	SC VI.2	R 336.1225 R 336.1702(a)

^a 1 bbl beer = 31 gallons

III. PROCESS/OPERATIONAL RESTRICTIONS

NA

IV. DESIGN/EQUIPMENT PARAMETERS

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. (R 336.1201(3))

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. (R 336.1201(3))

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. The permittee shall keep all records on file at the facility and make them available to the Department upon request. (R 336.1702(a))
2. The permittee shall monitor and record, in a satisfactory manner, the amount spent yeast loaded into tanker trucks in EULOAD on a monthly and 12-month rolling time period basis. (R 336.1225, R 336.1702(a))

3. The permittee shall calculate the annual VOC emission rate from EULOAD on a monthly and 12-month rolling time period basis. Calculations shall be based on throughput records and AP-42 emission factors, or other calculation methods, as approved by the AQD District Supervisor. **(R 336.1702(a))**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTIONS

NA

IX. OTHER REQUIREMENTS

NA

Footnotes:

¹This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

FLEXIBLE GROUP SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Flexible Group ID	Flexible Group Description	Associated Emission Unit IDs
FGBREWERY	All processes related directly to beer production. This flexible group includes the initial brewing processes, fermentation and aging, container filling, waste product disposal, and the pilot brewing process.	EUBREWING, EUFERMENTATION, EUFILLING, EUDISPOSAL, EUIPILOT

The following conditions apply to: FGBREWERY

DESCRIPTION: All processes related directly to beer production. This flexible group includes the initial brewing processes, fermentation and aging, container filling, waste product disposal, and the pilot brewing process.

Emission Units: EUBREWING, EUFERMENTATION, EUFILLING, EUDISPOSAL, EUIPILOT

POLLUTION CONTROL EQUIPMENT: NA

I. EMISSION LIMITS

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. VOC	26.5 tpy	12-month rolling time period as determined at the end of each calendar month	FGBREWERY	SC VI.3	R 336.1702(a)

II. MATERIAL LIMITS

Material	Limit	Time Period / Operating Scenario	Equipment	Testing / Monitoring Method	Underlying Applicable Requirements
1. Beer brewed	1,200,000 bbl ^a per year	12-month rolling time period as determined at the end of each calendar month	FGBREWERY	SC VI.2	R 336.1225, R 336.1702(a)

^a 1 bbl beer = 31 gallons

III. PROCESS/OPERATIONAL RESTRICTIONS

NA

IV. DESIGN/EQUIPMENT PARAMETERS

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. The permittee shall keep all records on file at the facility and make them available to the Department upon request. **(R 336.1702(a))**
2. The permittee shall monitor and record, in a satisfactory manner, the amount of beer brewed, fermented, packaged, and disposed in FGBREWERY, on a monthly and 12-month rolling time period basis. **(R 336.1225, R 336.1702(a))**
3. The permittee shall calculate the annual VOC emission rate from FGBREWERY on a monthly and 12-month rolling time period basis. Calculations shall be based on production records and AP-42 emission factors, or other calculation methods, as approved by the AQD District Supervisor. **(R 336.1702(a))**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTIONS

NA

IX. OTHER REQUIREMENTS

NA

Footnotes:

¹This condition is state only enforceable and was established pursuant to Rule 201(1)(b).