INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: June 29, 2006

RE: Cokenergy, LLC / 089-11135-00383

FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impractible to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

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

Enclosures
FNTVOP.dot 03/23/06

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PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY

Cokenergy LLC,
a contractor of Mittal Steel USA Inc. - Indiana Harbor East
3210 Watling Street, MC 2-991
East Chicago, Indiana 46312

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-10.5, applicable to those conditions.

Operation Permit No.: T089-11135-00383	
Issued by: Original Signed By: Nisha Sizemore, Branch Chief Office of Air Quality	Issuance Date: June 29, 2006 Expiration Date: June 29, 2011

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cleaning degreasers)

SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1, A.2, A.3, and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a heat recovery system for coal carbonization operation used to produce steam and electricity for use at Mittal Steel USA Inc.-Indiana Harbor East.

Responsible Official:	John Prunkl
Source Address:	3210 Watling Street MC 2-991, East Chicago, Indiana 46312
Mailing Address:	2000 York Road, Suite 129, Oak Brook, IL 60523
General Source Phone Number:	(219) 397-3970
SIC Code:	4911
County Location:	Lake
Source Location Status:	Nonattainment for SO_2, 1-hour ozone standard, 8-hour ozone standard and PM2.5
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories under PSD and Emission Offset Rules

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

Mittal Steel USA Inc.-Indiana Harbor East is an integrated steel mill consisting of a source with on-site contractors:

(a) Mittal Steel USA Inc. - Indiana Harbor East (Plant ID 089-00316), the primary operation, is located at, 3210 Watling Street, East Chicago, Indiana and

(b) Cokenergy LLC, the on-site contractor, is located at 3210 Watling Street MC 2-991, East Chicago, Indiana 46312.

Separate Part 70 permits will be issued to Mittal Steel USA Inc.-Indiana Harbor East and Cokenergy LLC, solely for administrative purposes. For permitting purposes, Mittal Steel USA Inc.-Indiana Harbor East is assigned Permit No. 089-6577-00316 and Cokenergy LLC, is assigned Permit No. 089-11135-00383.

A.3 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(15)

Cokenergy LLC, consists of the following permitted emission units and pollution control devices:

(a) Two (2) lime storage silos, identified as ES220, each with a maximum capacity of 29,255 cubic feet, each controlled by dry filters for each silo, and exhausting through two stacks Stack ID 220;

(b) Two (2) Flue Gas Desulfurization (FGD) product storage silos, identified as ES221 and ES222, each with a maximum capacity of 16,775 cubic feet, each controlled by dry filters, and exhausting through Stack IDs 221 and 222, respectively; and

(c) One (1) lime spray dryer Flue Gas Desulfurization unit and baghouse system, utilized as control for sulfur dioxide and particulate matter emissions from the heat recovery coal

carbonization facility (HRCC) waste gas stream, operated by Indiana Harbor Coke Company (IHCC), which exhausts to Stack ID 201.

A.4 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)][326 IAC 2-7-5(15)]

Cokenergy LLC also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

(a) A petroleum fuel, other than gasoline, dispensing facility having a storage capacity less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month. [326 IAC 8-9-1]

(b) The following VOC and HAP storage containers:

(1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons. [326 IAC 8-9-1]

(c) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2] [326 IAC 8-3-5]

(d) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6.8-1-2 (formerly 326 IAC 6.8-1-2)]

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

Cokenergy LLC, is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

(a) It is a major source, as defined in 326 IAC 2-7-1(22);

(b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)][13-15-3-6(a)]

(a) This permit, T089-11135-00383, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.3 Enforceability [326 IAC 2-7-7]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.4 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

This permit does not convey any property rights of any sort or any exclusive privilege.

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Cokenergy will certify, as required in this section, to those portions of the source that are under its control which include the operation of and requirements associated with the flue gas desulfurizer, the baghouse and the CEMs associated with the HRCC main stack, including insignificant

activities.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) A responsible official is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

(b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

(b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) To the extent the Permittee is required by 40 CFR Part 60 or Part 63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.11 Emergency Provisions [326 IAC 2-7-16]

(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865
Northwest Regional Office Telephone Number: (219) 757-0265
Northwest Regional Office Facsimile Number: (219) 757-0267

(5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue

Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(6) The Permittee immediately took all reasonable steps to correct the emergency.

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

(g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

(a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new

requirements.

(c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]

(h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to T089-11135-00383 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

(a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality

100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.18 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12 (b)(2)]

(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.19 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air

Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

(5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

(1) A brief description of the change within the source;

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating

scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Source Modification Requirement [326 IAC 2-7-10.5] [326 IAC 2-2-2][326 IAC 2-3-2]

(a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and/or 326 IAC 2-3-2.

B.21 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The application, which shall be submitted by the Permittee, does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. In the event that the source is a sub-contractor and is combined with a larger Part 70 source, the larger Part 70 source may pay the Permittees' annual fees as part of the larger source billing and subject to the fee cap of the larger source. If, however, the larger Part 70 source does not pay its annual Part 70 permit fee, IDEM, OAQ will assess a separate fee in accordance with 326 IAC 2-7-19(c) to be paid by the Permittee. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

B.25 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) the emission unit to which the condition pertains permanently ceases operation.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

C.1 Opacity [326 IAC 5-1]

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

(a) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

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

C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

C.4 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is state-enforceable only.

C.5 Fugitive Dust Emissions [326 IAC 6.8-10]

(a) Pursuant to 326 IAC 6.8-10 (formerly 326 IAC 6-1-11.1) (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

(1) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).

(2) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).

(3) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).

(4) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.

(5) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.

(6) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.

(7) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).

(8) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.

(9) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.

(10) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).

(11) Any facility or operation not specified in 326 IAC 6.8-10-3 (formerly 326 IAC 6-1-11.1(d)) shall meet a twenty percent (20%), three (3) minute average opacity standard.

(12) PM10 emissions from each material processing stack shall not exceed 0.022 grains per dry standard cubic foot and ten percent (10%) opacity

(13) Fugitive particulate matter from the material processing facilities shall not exceed ten percent (10%) opacity

(b) The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan. Pursuant to Significant Source Modification 089-14243-00383 issued on November 30, 2001, Cokenergy shall implement their Fugitive Dust Control Plan in those areas within the Cokenergy fence line and roads used primarily by Cokenergy, such that paved roads, parking lots, unpaved roads, traveled open areas and storage pile emissions are reduced and comply with applicable rules. The Fugitive Dust Control Plan is attached to this permit.

(c) The Permittee is subject to 326 IAC 6.8-11-4, 326 IAC 6.8-11-5 and 326 IAC 6.8-11-6 (formerly 326 IAC 6-1-11.2(h), (i), (k), (l), (m), (o), (p) and (q) (Lake County Particulate Matter Contingency Measures) because it is subject to the requirements of 326 IAC 6.8-10 (formerly 326 IAC 6-1-11.1).

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.8 Performance Testing [326 IAC 3-6]

(a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue

Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ, not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification, which shall be submitted by the Permittee, does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Continuous Compliance Plan [326 IAC 6.8-8-1] [326 IAC 6.8-8-8]

(a) Pursuant to 326 IAC 326 IAC 6.8-8-1 (formerly 326 IAC 6-1-10.1(l)), the Permittee shall submit to IDEM and maintain at source a copy of the Continuous Compliance Plan (CCP). The Permittee shall perform the inspections, monitoring and record keeping in accordance with the information in 326 IAC 6.8-8-5 (formerly 326 IAC 6-1-10.1 (p)) through 326 IAC 6.8-8-7 (formerly 326 IAC 6-1-10.1 (r)) or applicable procedures in the CCP.

(b) Pursuant to 326 IAC 6.8-8-8 (formerly 326 IAC 6-1-10.1(u)), the Permittee shall update the CCP, as needed, retain a copy any changes and updates to the CCP at the source and

make the updated CCP available for inspection by the department. The Permittee shall submit the updated CCP to IDEM, OAQ within thirty (30) days of the update.

(c) Pursuant to 326 IAC 6.8-8 (formerly 326 IAC 6-1-10.1), failure to submit a CCP, maintain all information required by the CCP at the source, or submit update to a CCP is a violation of 326 IAC 6.8-8 (formerly 326 IAC 6-1-10.1).

C.12 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

(a) The Permittee shall calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment.

(b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.

(c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

(d) Whenever a COMS is malfunctioning or is down for maintenance, or repairs for a period of twenty-four (24) hours or more, and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the unit stack.

(1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.

(2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until COMS is online.

(3) Method 9 readings may be discontinued once a COMS is online.

(4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.

(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and construction permit 089-9237-00383, issued on February 26, 1998.

C.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

C.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

within ninety (90) days after the date of issuance of this permit.

The ERP does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.
[326 IAC 1-5-3]

C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.17 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as

applicable.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records;

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.19 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

(a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

(2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management

Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

(c) If there is a reasonable possibility that a "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, other than projects at a Clean Unit (or at a source with Plant-wide Applicability Limitation (PAL)), which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee) and/or 326 IAC 2-3-1 (z) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-1 (mm), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, document and maintain the following records:
  (A) A description of the project.
  (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
  (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
    (i) Baseline actual emissions;
    (ii) Projected actual emissions;
    (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3)); and
    (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of

or the potential to emit that regulated NSR pollutant at the emissions unit.

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

(g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326

IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management
Air Compliance Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(h) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM,. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.22 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

(b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

(c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]

(a) Two (2) lime storage silos, identified as ES220, each with a maximum capacity of 29,255 cubic feet, each controlled by dry filters for each silo, and exhausting through two stacks Stack ID 220;

(b) Two (2) Flue Gas Desulfurization (FGD) product storage silos, identified as ES221 and ES222, each with a maximum capacity of 16,775 cubic feet, each controlled by dry filters, and exhausting through Stack IDs 221 and 222, respectively; and

(c) One (1) lime spray dryer Flue Gas Desulfurization unit and baghouse system, utilized as control for sulfur dioxide and particulate matter emissions from the heat recovery coal carbonization facility (HRCC) waste gas stream, operated by Indiana Harbor Coke Company (IHCC), which exhausts to Stack ID 201.

The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Particulate Matter Emission Offset Minor Modification Limit [326 IAC 2-3]

Pursuant to Significant Modification 089-14243, issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 (Emission Offsets) not applicable, particulate matter (PM) (filterable and condensable) emissions from the HRCC waste gas stack (Stack ID 201) shall be limited to less than 50.0 lbs/hr, averaged over a 24 hour period.

D.1.2 Sulfur Dioxide Emission Limit [326 IAC 7-4.1-7]

Pursuant to 326 IAC 7-4.1-7, Cokenergy, Inc. Source Identification number 00383, shall comply with the sulfur dioxide emission limit in pounds per hour for the heat recovery coke carbonization waste gas stack, identified as Stack ID 201, combined with the sixteen (16) vents from Indiana Harbor Coke Company of a twenty-four (24) hour average emission rate of one thousand six hundred fifty-six (1,656) pounds per hour.

D.1.3 Nonattainment Area Particulate Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2) (Nonattainment Area Particulate Limitations), the particulate matter emissions from lime silos (220), FGD product storage silos (221 and 222) and lime spray dryer FGD unit and baghouse system (201) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

D.1.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and any control devices.

Compliance Determination Requirements

D.1.5 Particulate Control and Sulfur Dioxide [326 IAC 2-7-6(6)]

(a) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the baghouse for lime spray dryer FGD unit (201) shall be in operation at all times the Heat Recovery Coal Carbonization facility is in operation, except during times of required facility maintenance in accordance with the Preventive Maintenance Plan as long as SO2 emission limits found in condition D.1.2 are not exceeded. Facility maintenance shall be performed in accordance with the Preventive Maintenance Plan set forth in Section B.10 of this permit.

(b) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the dry filters shall be in operation at all times the lime silos (220) and FGD product storage silo vents (221 and 222) are in operation.

(c) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired, replaced, blanked or isolated, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.1. 6 Testing Requirements [326 IAC 2-7-6(1), (6)][326 IAC 2-1.1-11]

(a) Within thirty-six (36) months of issuance of this permit or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall perform PM and PM10 testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.1. Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack include both filterable and condensable particulate matter. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance. Testing shall be conducted in accordance with Section C - Performance Testing.

(b) Within thirty-six (36) months of issuance of this permit or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall grant access and otherwise cooperate with Indiana Harbor Coke Company (IHCC), who shall perform NOx testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.10 (found in IHCC Part 70 permit 089-11311-00382). IHCC shall repeat these tests at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with IHCC's permit and IDEM regulations.

Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

D.1.7 Sulfur Dioxide Monitoring [326 IAC 3-5]

(a) Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous emissions monitoring systems (CEMS) for measuring SO_2 and O_2 concentrations and pound per hour emission rate on a 24 hour average basis downstream of the lime spray dryer and the baghouse on stack 201 and shall record the output of the systems. The Permittee shall provide record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7. The output from CEMS shall be available to Indiana Harbor Coke Company for utilization in the emission tracking program that calculates the combined emissions of SO_2.

(b) Cokenergy shall maintain the lime feed rate to the FGD at the same rate it was operating at the time of a CEM breakdown until such time as the CEM is returned to service.

D.1.8 Opacity Monitoring [326 IAC 3-5]

Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous opacity monitoring systems (COMS) for measuring opacity at the outlet of the baghouse on stack 201 and shall record the output of the systems. The Permittee shall provide record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7.

D.1.9 Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across each baghouse used in conjunction with the lime spray dryer FGD unit (201) at least once per day when the heat recovery coal carbonization facility (HRCC) is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 4.0 and 11.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C-

Response to Excursions or Exceedances. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.10 Record Keeping Requirements

(a) To document compliance with operation condition D.1.7 and D.1.8, the Permittee shall maintain records required under 326 IAC 3-5-6 at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA., if so requested or required.

(b) In order to document compliance with condition D.1.9, the Permittee shall maintain records of the pressure drop across the baghouse during normal operation when venting to the atmosphere.

(c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.11 Reporting Requirements

(a) The Permittee shall submit a quarterly excess emissions report, if applicable, based on the continuous emissions monitor (CEM) data for SO_2 and O_2 concentrations and pound per hour emission rate on 24 hour average basis, pursuant to 326 IAC 3-5-7. These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(b) The Permittee shall submit a quarterly excess emissions report, based on the continuous opacity monitor (COM) data for opacity, pursuant to 326 IAC 3-5-7. These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

Insignificant Activities:

(a) A petroleum fuel, other than gasoline, dispensing facility having a storage capacity less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month. [326 IAC 8-9-1]

(b) The following VOC and HAP storage containers:

(1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons. [326 IAC 8-9-1]

(c) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2] [326 IAC 8-3-5]

(d) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2)]

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.2.1 Nonattainment Area Particulate Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2) (Nonattainment Area Particulate Limitations), the particulate matter emissions from the brazing equipment, cutting torches, soldering equipment and welding equipment shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

D.2.2 Volatile Organic Liquid Storage Vessels [326 IAC 8-9-1]

Pursuant to 326 IAC 8-9-1, the Permittee is required to keep records on the information in 326 IAC 8-9-6(a)-(b) for all storage vessels.

D.2.3 Volatile Organic Compounds (VOC) [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), for cold cleaning operations built after January 1, 1980, located in Lake County and which have potential emissions of one hundred (100) tons per year or greater of VOC, the Permittee shall:

(a) Equip the cleaner with a cover;

(b) Equip the cleaner with a facility for draining cleaned parts;

(c) Close the degreaser cover whenever parts are not being handled in the cleaner;

(d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;

(e) Provide a permanent, conspicuous label summarizing the operation requirements;

(f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

D.2.4 Volatile Organic Compounds (VOC) [326 IAC 8-3-5]

Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaner degreaser operations without remote solvent reservoirs built after July 1, 1990, located in Lake County, the Permittee shall ensure that the following requirements are met:

(1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:

(A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius ($38^{O}C$) (one hundred degrees Fahrenheit ($100^{O}F$));

(B) The solvent is agitated; or

(C) The solvent is heated.

(2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius ($38^{O}C$) (one hundred degrees Fahrenheit ($100^{O}F$)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).

(4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

(5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius ($38^{O}C$) (one hundred degrees Fahrenheit ($100^{O}F$)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius ($48.9^{O}C$) (one hundred twenty degrees Fahrenheit ($120^{O}F$)):

(A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
(B) A water cover when solvent is used is insoluble in, and heavier than, water.

(C) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.5 Record Keeping Requirements

Pursuant to 326 IAC 8-9, the Permittee must keep records of the following:

(a) The vessel identification number;

(b) The vessel dimensions; and

(c) The vessel capacity.

Records shall be maintained for the life of the vessel.

D.2.6 Volatile Organic Compounds (VOC) [326 IAC 8-3-8] (Material requirements for cold cleaning degreasers)

Pursuant to 326 IAC 8-3-8 (Material requirements for cold cleaning degreasers), the users, providers, and manufacturers of solvents for use in cold cleaning degreasers in Lake County, except for solvents intended to be used to clean electronic components shall do the following:

(a) On and after November 1, 1999, no person shall Operate a cold cleaning degreaser with a solvent vapor pressure that exceeds two (2) millimeters of mercury (thirty-eight thousandths (0.038) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(b) On and after May 1, 2001, no person shall Operate a cold cleaning degreaser with a solvent vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(c) On and after November 1, 1999, all persons subject to the requirements of 326 IAC 8-3-8 (c)(1)(B) and (c)(2)(B) shall maintain each of the following records for each purchase:

(1) The name and address of the solvent supplier.

(2) The date of purchase.

(3) The type of solvent.

(4) The volume of each unit of solvent.

(5) The total volume of the solvent.

(6) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(d) All records required by 326 IAC 8-3-8 (d) shall be retained on-site for the most recent three (3) year period and shall be reasonably accessible for an additional two (2) year period.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Cokenergy, LLC, a contractor of Mittal Steel USA Inc.-Indiana Harbor East
Source Address: 3210 Watling Street MC 2-991, East Chicago, Indiana 46312
Mailing Address: 2000 York Road, Suite 129, Oak Brook, IL 60523
Part 70 Permit No.: T089-11135-00383

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

Please check what document is being certified:

Annual Compliance Certification Letter

Test Result (specify)

Report (specify)

Notification (specify)

Affidavit (specify)

Other (specify)

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

Signature:
Printed Name:
Title/Position:
Phone:
Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: Cokenergy, LLC, a contractor of Mittal Steel USA Inc.-Indiana Harbor East
Source Address: 3210 Watling Street MC 2-991, East Chicago, Indiana 46312
Mailing Address: 2000 York Road, Suite 129, Oak Brook, IL 60523
Part 70 Permit No.: T089-11135-00383

This form consists of 2 pages **Page 1 of 2**

☐ This is an emergency as defined in 326 IAC 2-7-1(12)

- C The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
- C The Permittee must submit notice in writing or by facsimile within two (**2**) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:

Title / Position:

Date:

Phone:

A certification is not required for this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION

PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Cokenergy, LLC, a contractor of Mittal Steel USA Inc.-Indiana Harbor East
Source Address: 3210 Watling Street MC 2-991, East Chicago, Indiana 46312
Mailing Address: 2000 York Road, Suite 129, Oak Brook, IL 60523
Part 70 Permit No.: T089-11135-00383

Months: _____ to _____ Year: _____

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By:

Title/Position:

Date:

Phone:

Attach a signed certification to complete this report.

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the
Technical Support Document for a Part 70 Operating Permit

Source Name:	Cokenergy, LLC, a contractor of Mittal Steel USA Inc.-Indiana Harbor East
Source Location:	3210 Watling Street, East Chicago, Indiana
County:	Lake
SIC Code:	4911
Operation Permit No.:	T089-11135-00383
Permit Reviewer:	Teresa Freeman

On February 25, 2004, the Office of Air Quality (OAQ) had a notice published in The Post Tribune in Merrillville, Indiana and The Times in Munster, Indiana, stating that Cokenergy, LLC had applied for a Part 70 Operating Permit relating to the operation of a heat recovery system for coal carbonization operation used to produce steam and electricity for use at Mittal Steel USA Inc.-Indiana Harbor East The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of sixty (60) days to provide comments on whether or not this permit should be issued as proposed.

Upon further review, the OAQ has made the following revisions to the permit (bolded language has been added and the language with a line through it has been deleted). The Table of Contents has been modified to reflect these changes. Miscellaneous grammar and spelling corrections have been made throughout the permit also.

Change 1:

On December 31, 2003, IDEM adopted a revision to 326 IAC 1-4-1 redesignating Lake County as attainment for PM10.

Additionally, on April 15, 2004, the United States Environmental Protection Agency (U.S. EPA) named 23 Indiana counties and one partial county nonattainment for the new 8-hour ozone standard. The designations became effective on June 15, 2004. Lake County has been designated as nonattainment for the 8-hour ozone standard. Lake County has also been designated as nonattainment in Indiana for the 1-hour ozone standard.

Lake County has been designated as non-attainment for PM2.5 in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM2.5 Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM2.5 major NSR regulations, states should assume that a major stationary source's PM10 emissions represent PM2.5 emissions. IDEM will use the PM-10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM2.5 NAAQS.

Therefore, Condition A.1 is revised as follows:

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

Source Location Status:	Nonattainment for ~~PM_{10} *,~~ SO_2, **1-hour ozone standard, 8-hour ozone standard and PM2.5**
	Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program
	Major Source, under PSD **and** Emission Offset Rules
	Major Source, Section 112 of the Clean Air Act
	1 of 28 Source Categories under PSD and Emission Offset Rules

Although the TSD itself will not be revised as it is a historical document and the TSD was correct at the time of public notice, the following is being provided to show how the county attainment status has been affected as a result of the 8-hour ozone, 1-hour ozone and PM2.5 standard designations.

County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM-10	attainment
PM2.5	nonattainment
SO_2	nonattainment
NO_2	attainment
1-hour Ozone	nonattainment
8-hour Ozone	nonattainment
CO	attainment

(a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are precursors for the formation of ozone.

(1) On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Lake County has been designated as nonattainment in Indiana for the 1-hour ozone standard. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.

(2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for nonattainment new source review.

(b) Lake County has been classified as nonattainment for SO2. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

(c) Lake County has been classified as nonattainment for PM2.5 in 70 FR 943 dated has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions pursuant to the Non-attainment New Source Review requirements. See the State Rule Applicability for the source section.

(d) Lake County has been classified as attainment or unclassifiable for all other pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(e) Fugitive Emissions
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Change 2:

The word “consists” has been changed to “consisting” in Section A.2 as follows:

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

Mittal Steel USA Inc.-Indiana Harbor East is an integrated steel mill consist~~s~~**ing** of a source with on-

site contractors:

(a) Mittal Steel USA Inc.-Indiana Harbor East (Plant ID 089-00316), the primary operation, is located at, 3210 Watling Street, East Chicago, Indiana and

(b) Cokenergy LLC, the on-site contractor, is located at 3210 Watling Street, East Chicago, Indiana 46312.

Change 3:

The mailing address for IDEM has changed and has been changed throughout the permit as follows:

100 North Senate Avenue~~, P.O. Box 6015~~
Indianapolis, Indiana 4620**4-2251** ~~6-6015~~

Change 4:

Condition B.2 has been revised to clarify the permit and condition terms.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] **[326 IAC 2-7-4(a)(1)(D)]** ~~[IC 15-13-6(a)]~~**[13-15-3-6(a)]**

(a) This permit, **T089-11135-00383**, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

Change 5:

IDEM has determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request, records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM has deleted paragraph (b) of Section B – Preventive Maintenance, and has amended the Section B – Emergency Provisions condition.

Condition B.11 has also been changed to include the current phone numbers for the Northwest Regional Offices that recently moved to 8315 Virginia Street, Suite 1, Merrillville, IN 46410-9201.

The phone number and the fax number listed in Condition B.11 Emergency Provisions and on the Emergency Occurrence Report have been corrected.

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection

schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

~~(b) The Permittee shall implement the PMPs, including any required record keeping as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.~~

~~(c)~~ **(b)** A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP**s** do~~es~~ not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

~~(d)~~**(c)** To the extent the Permittee is required by 40 CFR Part 60~~,~~ **or Part** 63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.11 Emergency Provisions [326 IAC 2-7-16]

(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone No.: 317-233-~~5674~~**0178** (ask for Compliance Section)
Facsimile No.: 317-233-~~5967~~**6865**
Northwest Regional Office Telephone Number: ~~219-881-6712~~**(219) 757-0265**
Northwest Regional Office Facsimile Number: ~~219-881-6745~~ **(219) 757-0267**

(5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(6) The Permittee immediately took all reasonable steps to correct the emergency.

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) **The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However,** IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

(g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-~~5674~~0178
Fax: 317-233-~~5967~~6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: Cokenergy LLC, a contractor of Mittal Steel USA Inc. - Indiana Harbor East
Source Address: 3210 Watling Street MC 2-991, East Chicago, Indiana 46312
Mailing Address: 2000 York Road, Suite 129, Oak Brook, IL 60523

Part 70 Permit No.: T089-11135-00383

This form consists of 2 pages **Page 1 of 2**

This is an emergency as defined in 326 IAC 2-7-1(12)

- The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-~~5674~~**0178** ask for Compliance Section); and
- The Permittee must submit notice in writing or by facsimile within two (**2**) working days (Facsimile Number: 317-233-~~5967~~**6865**), and follow the other requirements of 326 IAC 2-7-16.

Change 6:

Condition B.13 has been revised to clarify the permit and condition terms.

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5] **[326 IAC 2-7-10.5]**

(a) All terms and conditions of ~~previous~~ permits **established prior to T089-11135-00383 and** issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised **under 326 IAC 2-7-10.5**, or

(3) deleted **under 326 IAC 2-7-10.5.**

~~by this permit.~~

(b) **Provided that all terms and conditions are accurately reflected in this combined permit,** all previous registrations and permits are superseded by this **Part 70 operating** permit.

Change 7:

"326 IAC 2-7-3" was added to the authority line for B.16 Permit Renewal. Upon further review, IDEM has decided to include the following updates to B.16 (b) to further address and clarify the permit renewal.

B.16 Permit Renewal [**326 IAC 2-7-3]**[326 IAC 2-7-4]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(b) ~~Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]~~

~~(1) A~~ timely renewal application is one that is:

~~(A)~~ **(1)** Submitted at least nine (9) months prior to the date of the expiration of this permit; and

~~(B)~~ **(2)** If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

~~(2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

(c) ~~Right to Operate After Application for Renewal [326 IAC 2-7-3]~~
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.

~~(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~
~~If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

Change 8:

IDEM has clarified the Section B Operational Flexibility condition as follows:

B.19 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the ~~emissions allowable under~~ **limitations provided in** this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard

Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

(5) The Permittee maintains records on-site**, on a rolling five (5) year basis,** which document~~, on a rolling five (5) year basis,~~ all such changes and emission~~s trading~~ **trades** that are subject to 326 IAC 2-7-20(b), (c), or (e)**.** ~~and makes~~ **The Permittee shall make** such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

(1) A brief description of the change within the source;

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade **emissions** increases and decreases ~~in emissions in~~ **at** the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

Change 9:

Condition B.20 has been updated to include a new "b" to concerning modifications to a major source. This is also a change due to the NSR reform.

B.20 Source Modification Requirement [326 IAC 2-7-10.5] **[326 IAC 2-2-2][326 IAC 2-3-2]**

(a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and/or 326 IAC 2-3-2.

Change 10:

Indiana was required to incorporate credible evidence provisions into state rules consistent with the SIP call published by U.S. EPA in 1997 (62 FR 8314). Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule is effective March 16, 2005; therefore, the condition reflecting this rule will be incorporated into your permit as follows:

B.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

~~Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.~~

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

Change 11:

Condition B.25 has been created to clarify the permit and condition terms.

B.25 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) the emission unit to which the condition pertains permanently ceases operation.

Change 12:

IDEM has determined that Condition C.6 (Operation of Equipment is a duplicate requirement. This condition is included in the D sections and therefore it is not necessary to list in Section C. Subsequent conditions have been renumbered.

~~C.6 Operation of Equipment [326 IAC 2-7-6(6)]~~

~~Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission unit(s) vented to the control equipment are in operation.~~

Change 13:

IDEM OAQ has decided to add a condition into Section C of the Part 70 Permit for the requirements regarding a Continuous Compliance Plan (CCP), subsequently all remaining Section C conditions have been renumbered. In addition Condition D.1.9 has been removed and all subsequent conditions have been renumbered. The following changes have been made:

C.11 Continuous Compliance Plan [326 IAC 6.8-8-1] [326 IAC 6.8-8-8]

(a) Pursuant to 326 IAC 326 IAC 6.8-8-1 (formerly 326 IAC 6-1-10.1(l)), the Permittee shall submit to IDEM and maintain at source a copy of the Continuous Compliance Plan (CCP). The Permittee shall perform the inspections, monitoring and record keeping in accordance with the information in 326 IAC 6.8-8-5 (formerly 326 IAC 6-1-10.1 (p))

through 326 IAC 6.8-8-7 (formerly 326 IAC 6-1-10.1 (r)) or applicable procedures in the CCP.

(b) Pursuant to 326 IAC 6.8-8-8 (formerly 326 IAC 6-1-10.1(u)), the Permittee shall update the CCP, as needed, retain a copy any changes and updates to the CCP at the source and make the updated CCP available for inspection by the department. The Permittee shall submit the updated CCP to IDEM, OAQ within thirty (30) days of the update.

(c) Pursuant to 326 IAC 6.8-8 (formerly 326 IAC 6-1-10.1), failure to submit a CCP, maintain all information required by the CCP at the source, or submit update to a CCP is a violation of 326 IAC 6.8-8 (formerly 326 IAC 6-1-10.1).

~~D.1.9 Continuous Compliance Plan [326 IAC 6-1-10.1]~~

~~Pursuant to 326 IAC 6-1-10.1(l), the Permittee shall submit to IDEM OAQ and maintain at the source a copy of the Continuous Compliance Plan (CCP).~~

~~(a) Pursuant to 326 IAC 6-1-10.1(p) the Permittee shall include the following information or applicable procedures, or commit to the following actions:~~

~~(1) Pursuant to 326 IAC 6-1-10.1(q), the plans for the particulate matter control equipment shall provide that the following control equipment related information will be maintained at the source's property and will be available for inspection by department personnel:~~

~~(A) Startup, shutdown, and emergency shutdown procedures.~~
~~(B) Sources shall notify the department fifteen (15) days in advance of startup of either new control equipment or control equipment to which major modifications have been made.~~
~~(C) Manufacturer's recommended inspection procedures, preventive and corrective maintenance procedures, and safety devices and procedures, such as sensors, alarm systems, and bypass systems. If manufacturer's recommendations are not available, procedures shall be developed by the source.~~
~~(D) Contents of the operator's training program and the frequency with which the training is held.~~
~~(E) A list of spare parts available at the facility.~~
~~(F) A list of control equipment safety devices, for example, high temperature sensors and alarm systems, exhaust gas stream bypass system, or safety interlock system.~~
~~(G) Monitoring and recording devices and/or instruments to monitor and record control equipment operating parameters specified in subsection (n)(4).~~

~~(2) Pursuant to 326 IAC 6-1-10.1(r)(1), the plans for a facility controlled with a baghouse shall include the recording, inspection, and maintenance procedures to be consistent with the requirements of subsection 326 IAC 6-1-10.1(m), such as the following:~~
~~(A) Operating parameters, such as the following:~~
~~(i) Pressure drop across the baghouse.~~
~~(ii) Gas flow rate at baghouse inlet.~~
~~(iii) Gas temperatures at inlet.~~
~~A CCP shall identify the monitors and instrumentation, and their location, accuracy, precision, and calibration frequency. A CCP shall also include a description of any visible emission evaluation program.~~
~~(B) Baghouse cleaning system. A complete description of the cleaning system, including such information as intensity, duration, frequency, and method of activation.~~
~~(C) Baghouse inspection and maintenance schedule. The inspection schedule logs or records shall be available for inspection by the department for up to~~

~~one (1) year after the date of inspection. The inspection shall include the activities and frequency of the activities. A source may request an alternative schedule based on manufacturer's recommendations or alternatives documented by the company. The revised schedule must be approved by the department. Inspections shall include the following:~~

~~(i) Daily inspections shall include the following:~~
~~(AA) Pressure drop.~~
~~(BB) Fan amperage.~~
~~(CC) Cleaning cycle.~~
~~(DD) Compressed air on pulse jet baghouses for values outside of the operating ranges.~~
~~(EE) Dust discharge equipment for proper operation.~~
~~(FF) General check for abnormal audible and visual conditions.~~

~~(ii) Weekly inspections of the following:~~
~~(AA) Moving parts on discharge system.~~
~~(BB) Bypass and isolation damper operation.~~
~~(CC) Bag tension.~~
~~(DD) Compressed air lines, oilers, and filters.~~
~~(EE) Manometer lines.~~
~~(FF) Temperature indicating equipment.~~
~~(GG) Bag cleaning sequence.~~
~~(HH) Drive components on fans.~~

~~(iii) Monthly inspections of the following:~~
~~(AA) Bag seating condition.~~
~~(BB) Moving parts on shaker baghouses.~~
~~(CC) Fan corrosion and blade wear.~~
~~(DD) Hoses and clamps.~~
~~(EE) Bags for leaks and holes.~~
~~(FF) Bag housing for corrosion.~~

~~(iv) Quarterly inspections of the following:~~
~~(AA) Bags.~~
~~(BB) Ducts for dust build-up.~~
~~(CC) Damper valves for proper setting.~~
~~(DD) Door gaskets.~~
~~(EE) Baffle plate for wear.~~

~~(v) Annual inspection of the following:~~
~~(AA) Welds and bolts.~~
~~(BB) Hoppers for wear.~~
~~(CC) Cleaning parts for wear.~~

Change 14:

IDEM realizes that these specifications can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition, and Condition C.14 (previously C.15) has been revised as follows:

C.14 ~~Pressure Gauge and Other~~ Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

(a) ~~Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed~~ **When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device** shall have a scale such that the expected ~~normal~~ **maximum** reading **for the normal range** shall be no less than twenty percent (20%) of full scale ~~and be accurate within plus or minus two percent (2%) of full scale reading~~.

~~(b) Whenever a condition in this permit requires the measurement of voltage or current across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two five percent (2%) of full scale reading.~~

~~(c) Whenever a condition in this permit requires the measurement of a temperature or flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (2%) of full scale reading.~~

~~(d) The Preventive Maintenance Plan for the pH meter shall include calibration using known standards. The frequency of calibration shall be adjusted such that the typical error found at calibration is less than one pH point.~~

~~(e)~~ **(b)** The Permittee may request **that** the IDEM, OAQ approve the use of ~~a pressure gauge or other~~ **an** instrument that does not meet the above specifications provided the Permittee can demonstrate **that** an alternative ~~pressure gauge or other~~ instrument specification will adequately ensure compliance with permit conditions requiring the measurement of ~~pressure drop or other~~ **the** parameters.

In addition the following changes have been made to Condition D.1.11:

The instrument used for determining the pressure shall comply with Section C - ~~Pressure Gauge and Other~~ Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated at least once every six (6) months.

Change 15:

IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated.

The Section D conditions that refer to a Compliance Response Plan have been revised to reflect the new condition, Response to Excursions or Exceedances.

The following changes have been made to Condition C.17 (previously C.18) has been revised as follows:

C.17 ~~Compliance Response Plan - Preparation, Implementation, Records, and Reports~~
Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:~~

~~(1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.~~

~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth~~

~~in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) to include such response steps taken.~~

~~[The OMM Plan (or Parametric Monitoring and SSM Plan) shall be submitted within the time frames specified by the applicable 40 CFR60/63 requirements.]~~

~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~

~~(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan); or~~

~~(2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~

~~(3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.~~

~~(4) Failure to take reasonable response steps shall be considered a deviation from the permit.~~

~~(c) The Permittee is not required to take any further response steps for any of the following reasons:~~

~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~

~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~

~~(3) An automatic measurement was taken when the process was not operating.~~

~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~

~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit~~

~~Requirements and Conditions.~~

~~(e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~

~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~

(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records;

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

Change 16:

The following revisions were made to the Emission Statement condition to incorporate the revisions to 326 IAC 2-6 that became effective March 27, 2004. The revised rule was published in the April 1, 2004 Indiana Register. Since this source is required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program, this source is subject to 326 IAC 2-6 (Emission Reporting). This Part 70

source located in Lake County has the potential to emit above threshold emissions in 326 IAC 2-6-3(a)(1); therefore, the source is required to submit an emission statement by July 1st each year. Condition C.19 (previously C.20) is revised as follows:

C.19 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

~~(a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:~~

(a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of ~~criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting)~~ **all pollutants listed in 326 IAC 2-6-4(a);**

(2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

~~(b) The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:~~

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(~~c~~**b**) The ~~annual~~ emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

~~(d) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~

Change 17:

The Condition C.20 (previously C.21) recordkeeping requirements have been revised to include new requirements for major NSR sources.

C.20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] **[326 IAC 2-2] [326 IAC 2-3]**

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring

sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

(c) If there is a reasonable possibility that a "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, other than projects at a Clean Unit (or at a source with Plant-wide Applicability Limitation (PAL)), which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee) and/or 326 IAC 2-3-1 (z) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-1 (mm), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, document and maintain the following records:

(A) A description of the project.

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(iii)); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

Change 18:

Comments have been received questioning what calendar year means, so clarification has been added to (e) of C.20 General Reporting Requirements. The Condition C.21 (previously C.22) reporting requirements have been revised to include new requirements for major NSR sources.

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] **[326 IAC 2-2] [326 IAC 2-3]**

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years**, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to**

December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

(g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management
Air Compliance Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(h) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM,. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Change 19:

A change has been made to the Quarterly Deviation and Compliance Monitoring Report to clarify which deviations should be reported on the form and which should be reported per an applicable requirement as follows:

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. ~~Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report.~~ **A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this**

report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

Change 20:

The 6-1 rules have been repealed. All non-Lake County PM limitations have been placed into 6.5 All Lake County PM limitations have been put into 6.8

These changes were published in the September 1, 2005 Indiana Register. The following changes have been made throughout the Part 70 Operating Permit:

Previous Rule number	New Rule number
326 IAC 6-1-2	326 IAC 6.8-1-2
326 IAC 6-1-10.1	326 IAC 6.8-8
326 IAC 6-1-10.1(l)	326 IAC 6.8-8-1
326 IAC 6-1-10.1(p)	326 IAC 6.8-8-5
326 IAC 6-1-10.1(r)	326 IAC 6.8-8-7
326 IAC 6-1-10.1(u)	326 IAC 6.8-8-8
326 IAC 6-1-11.1	326 IAC 6.8-10
326 IAC 6-1-11.1(d)	326 IAC 6.8-10-3
326 IAC 6-1-11.2(h),(i)	326 IAC 6.8-11-4
326 IAC 6-1-11.2(j)	326 IAC 6.8-11-5
326 IAC 6-1-11.2(k)(l)(m)(n)(o)(p)	326 IAC 6.8-11-6

Change 21:

Ispat Inland, Inc. was purchased by Mittal Steel and will now be named Mittal Steel USA Inc.- Indiana Harbor East. All references to Ispat Inland have been changed to reflect the new name throughout the Part 70 Permit.

Change 22:

IDEM, OAQ has decided to add condition A.2 to the first paragraph of Section A to clarify that the Part 70 Source Definition is not federally enforceable. Additionally the paragraph discussing common control was included in the Technical Support Document (TSD) and does not need to be included in the Part 70 Permit. The following changes have been made:

SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1, **A.2,** A.3, and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

Mittal Steel USA Inc. - Indiana Harbor East is an integrated steel mill consisting of a source with on-site contractors:

(a) Mittal Steel USA Inc. - Indiana Harbor East (Plant ID 089-00316), the primary operation, is located at, 3210 Watling Street, East Chicago, Indiana and

(b) Cokenergy LLC, the on-site contractor, is located at 3210 Watling Street MC 2-991, East Chicago, Indiana 46312.

~~IDEM has determined that Ispat Inland, Inc. and Heckett MultiServ are under the common control of~~

~~Ispat Inland Inc. These two plants are considered one source due to contractual control. Therefore, the term "source" in the Part 70 documents refers to both Ispat Inland, Inc. and Heckett MultiServ as one source~~.

Separate Part 70 permits will be issued to Mittal Steel USA Inc. - Indiana Harbor East and Cokenergy LLC solely for administrative purposes. For permitting purposes, Mittal Steel USA Inc.-Indiana Harbor East is assigned Permit No. 089-6577-00316 and Cokenergy LLC is assigned Permit No. 089-11135-00383.

Change 23:

On the cover page the signature box was changed to reflect the new Branch Chief for the OAQ Permits Branch.

Operation Permit No.: T089-11135-00383	
Issued by: ~~Paul Dubenetzky, Assistant Commissioner~~ Nisha Sizemore, Branch Chief Office of Air Quality	Issuance Date: Expiration Date:

Change 24:

B.9(a) Annual Compliance Certification is being revised to remove "in letter form" in order to clarify the intent of the condition.

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted ~~in letter form~~ no later than April 15 of each year to:

Change 25:

In Condition B.12, the word "in" has been removed from the second sentence to be consistent with 326 IAC 2-7-15(a).

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

(a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed ~~in~~ compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

Change 26:

Upon further review, IDEM has decided to remove (d) concerning nonroad engines from B.17 Permit Amendment and Modification. 40 CFR 89, Appendix A specifically indicates that states are not precluded from regulating the use and operation of nonroad engines, such as regulations on hours of usage, daily mass emission limits, or sulfur limits on fuel; nor are permits regulating such operations precluded, once the engine is no longer new. Condition B.17 (d) has been removed as follows:

B.17 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

~~(d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.~~

On April 23, 2004, Cokenergy, LLC submitted comments on the proposed Part 70 permit. The comments and IDEM responses (with language added shown in bold and deleted language in strikeout) are as follows:

Comment 1:

Section A.1
In accordance with the letter sent to the IDEM Permits Branch on November 4, 2003 regarding change in ownership and operation of the Cokenergy facility, the Source Address and General Source Phone Number are as follows:

3210 Watling Street
MC 2-991
East Chicago, Indiana 46312
(219)397-3970

Response 1:

The following changes have been made to Section A.1 and A.2(b) as a result of this comment:

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a heat recovery system for coal carbonization operation used to produce steam and electricity for use at Mittal Steel USA Inc.-Indiana Harbor East

Responsible Official:	John Prunkl
Source Address:	3210 Watling Street **MC 2-991**, East Chicago, Indiana 46312
Mailing Address:	2000 York Road, Suite 129, Oak Brook, IL 60523

General Source Phone Number:	~~(630) 371-0573 (Mark Hall)~~ **(219) 397-3970**
SIC Code:	4911
County Location:	Lake

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

(b) Cokenergy LLC, the on-site contractor, is located at 3210 Watling Street **MC 2-991**, East Chicago, Indiana 46312.

Comment 2:

Section A.3
Cokenergy requests that the items in A.3 (a) and (b) be corrected based on as-built conditions and follow up inspections. These corrections also affect the Facility Description in Section D.1:

Cokenergy LLC, consists of the following permitted emission units and pollution control devices:

(a) Two (2) lime storage silos, identified as ES220, each with a maximum capacity of ~~30,207~~ 29,255 cubic feet, each controlled by dry filters for each silo, and exhausting through two stacks Stack ID 220;

(b) Two (2) Flue Gas Desulfurization (FGD) product storage silos, identified as ES221 and ES222, each with a maximum capacity of ~~19,242~~ 16,775 cubic feet, each controlled by dry filters, and exhausting through Stack IDs 221 and 222, respectively;

Response 2:

The following changes have been made to Condition A.3 and description box in Section D as a result of this comment:

(a) Two (2) lime storage silos, identified as ES220, each with a maximum capacity of ~~30,207~~ **29,255** cubic feet, each controlled by dry filters **for each silo**, and exhausting through **two stacks** Stack ID 220;

(b) Two (2) Flue Gas Desulfurization (FGD) product storage silos, identified as ES221 and ES222, each with a maximum capacity of ~~19,242~~ **16,775** cubic feet, each controlled by dry filters, and exhausting through Stack IDs 221 and 222, respectively; and

Comment 3:

Section B.8
Because Cokenergy, Ispat Inland and IHCC are three entities that are considered a single source, Cokenergy will certify, as required in this section, to those portions of the source that are under its control which include the operation of and requirements associated with the flue gas desulfurizer, the baghouse and the main stack CEMs. We request the following change to (a) of this section as follows:

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Cokenergy will certify, as required in this section, to those portions of the source that are under its control which include the operation of and requirements associated with the flue gas desulfurizer, the baghouse and the CEMs associated with the HRCC main stack.

Response 3:

IDEM agrees that Cokenergy should only certify those portions of the source that are under its control. A statement was also added in order to clarify that the certification form may cover more than one document that is submitted. (We have received requests from various source categories requesting clarification on this.) Condition B.8 has been changed as follows:

B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. **Cokenergy will certify, as required in this section, to those portions of the source that are under its control which include the operation of and requirements associated with the flue gas desulfurizer, the baghouse and the CEMs associated with the HRCC main stack, including insignificant activities.**

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. **One (1) certification may cover multiple forms in one (1) submittal.**

(c) A responsible official is defined at 326 IAC 2-7-1(34).

Comment 4:

Section B.23
In accordance with IDEM's determination in Section A.2 of the draft permit that IHCC and Cokenergy are under the common control of Ispat Inland, Inc. and thus a single source, and further in accordance with 326 IAC 2-7-19 related to Part 70 Annual Fees, Cokenergy is not required to pay a separate Annual Fee.

Response 4:

Recognizing that on-site contractors may find one Part 70 Permit encompassing the entire major source cumbersome to use, IDEM is issuing separate Part 70 Permits for the on-site contractors and the primary source for administrative purposes only. The permits are issued based on a logical division of operations, with the operations of the on-site contractors segregated from the operations of the primary source. Each Permittee receiving a Part 70 Permit is also responsible for payment of an annual fee. Therefore, when a source consists of a Primary Part 70 source and sub-contractors, IDEM has laid the responsibility of fee payment on the Primary Part 70 source, subject to the fee cap of the entire Part 70 source. However, 326 IAC 2-7-19 is an applicable requirement for all Part 70 operations and it is included in this permit. If the Primary Part 70 source fails to pay it's annual fee, a separate fee will be billed to the on-site contractors.

The section's name that collects operating fees has changed; this has been updated in B.23 Annual Fee Payment. The current name is the Billing, Licensing, and Training Section.

The following changes have been made to condition B.23:

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. **In the event that the source is a sub-contractor and is combined with a larger Part 70 source, the larger Part 70 source may pay the Permittees' annual fees as part of the larger source billing and subject to the fee cap of the larger source. If, however, the larger Part 70 source does not pay its annual Part 70 permit fee, IDEM, OAQ will assess a separate fee in accordance with 326 IAC 2-7-19(c) to be paid by the Permittee.** Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, ~~I/M &~~ Billing**, Licensing, and Training** Section), to determine the appropriate permit fee.

Comment 5:

Section C.4
This condition should be modified to clarify that 326 IAC 6-4-2(4) has never been approved into the SIP. Accordingly, 326 IAC 6-4-2 (4) should be designated as state-enforceable only. Accordingly, this condition should be modified as follows:

Fugitive Dust Emissions [326 IAC 6-4]
The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is state-enforceable only.

Response 5:

IDEM agrees that 326 IAC 6-4-2 (4) is state-enforceable only and has made the following change to condition C.4:

C.4 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). **326 IAC 6-4-2(4) is state-enforceable only.**

Comment 6:

Section C.5
In accordance with the permit requirement as described in operating condition 8 of the Addendum to the Technical Support Document for the Significant Modification to a Construction Permit, Cokenergy requests that (b) be revised as follows:

(b) The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan. Cokenergy shall implement their Fugitive Dust Control Plan in those areas within the Cokenergy fence line and roads used primarily by Cokenergy, such that paved roads, parking lots, unpaved roads, traveled open areas and storage pile emissions are reduced and comply with applicable rules.

Response 6:

Updated language in Condition C.5 to reflect the attachment of the Fugitive Dust Control Plan to the Part 70 Permit.

Condition C.5 has been changed to reflect language change found in Significant Source Modification 089-14243-00383 issued on November 30, 2001 as follows:

C.5 Fugitive Dust Emissions [326 IAC 6.8-10]

(b) The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan. **Pursuant to Significant Source Modification 089-14243-00383 issued on November 30, 2001, Cokenergy shall implement their Fugitive Dust Control Plan in those areas within the Cokenergy fence line and roads used primarily by Cokenergy, such that paved roads, parking lots,**

unpaved roads, traveled open areas and storage pile emissions are reduced and comply with applicable rules. The Fugitive Dust Control Plan is attached to this permit.

Comment 7:

Section C.12

We request that section C.12(c) be deleted because there is no legal or factual basis to require a backup COM within 4 hours of shutdown of the primary COM in IDEM (or U.S. EPA) regulation or the Technical Support Document. Although Cokenergy's processes are not subject to New Source Performance Standards for Industrial-Commercial-Institutional steam generating units (40 CFR Subpart Db), IDEM's provisions in the section C.12(c) conflict with Subpart Db's requirement that continuous monitoring systems be operated at all times except for "breakdowns and repairs." See 40 CFR § 60.48(c). Similarly, the Compliance Assurance Monitoring rule requires the continued operation of monitoring equipment "[e]xcept for monitoring malfunctions, associated repairs, and required quality assurance or control activities." *See* 40 CFR § 64.7. Furthermore, having a backup COM available within four hours of shutdown is impractical and burdensome on Cokenergy. Instead, Cokenergy will employ Method 9 in the event there is a shutdown or malfunction of the primary COM. We request the following change to (c):

(c) Whenever a continuous opacity monitor (COM) is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more~~, a calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM, if possible. If this is not possible,~~ visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time.

Response 7:

Upon further review, IDEM has determined that no additional monitoring will be required during COM downtime, until the COM has been down for twenty-four (24) hours. This allows the Permittee to focus on the task of repairing the COM during the first twenty-four (24) hour period. After twenty-four (24) hours of COM downtime, the Permittee will be required to conduct Method 9 readings for thirty (30) minutes. Once Method 9 readings are required to be performed, the readings should be performed twice per day at least 4 or 6 hours apart, rather than once every four (4) hours, until a COMS is back in service. The following changes have been made to Condition C.12:

C.12 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

(a) The Permittee shall ~~install,~~ calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. ~~For a boiler, the COM shall be in operation at all times that the induced draft fan is in operation.~~

(b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.

(~~b~~**c**) In the event that a breakdown of a ~~continuous opacity monitoring system~~ **COMS** occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

(~~c~~**d**) Whenever a ~~continuous opacity monitor (~~COM**S**~~)~~ is malfunctioning or ~~will be~~ **is** down for ~~calibration,~~ maintenance, or repairs for a period of ~~four (4)~~ **twenty-four (24)** hours or more, **and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the unit stack.**~~a calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM, if possible. If this is~~

~~not possible, visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time.~~

~~(1) If the reading period begins less than one hour before sunset, readings shall be performed until sunset. If the first required reading period would occur between sunset and sunrise, the first reading shall be performed as soon as there is sufficient daylight.~~

~~(2) Method 9 opacity readings shall be repeated for a minimum of one (1) hour at least once every four (4) hours during daylight operations, until such time that the continuous opacity monitor is back in operation.~~

~~(3) All of the opacity readings during this period shall be reported in the Quarterly Deviation and Compliance Monitoring Reports.~~

(1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.

(2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until COMS is online.

(3) Method 9 readings may be discontinued once a COMS is online.

(4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.

(~~d~~e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and construction permit 089-9237-00383, issued on February 26, 1998.

Comment 8:

Section C.13

We request that section C.13(c) be deleted because there is no legal or factual basis to require a backup CEM within 4 hours of shutdown of the primary CEM in IDEM (or U.S. EPA) regulation or the Technical Support Document. Although Cokenergy's processes are not subject to New Source Performance Standards for Industrial-Commercial-Institutional steam generating units (40 CFR Subpart Db), IDEM's provisions in the section C.13(c) conflict with Subpart Db's requirement that continuous monitoring systems be operated at all times except for "breakdowns and repairs." See 40 CFR § 60.48(c). Similarly, the Compliance Assurance Monitoring rule requires the continued operation of monitoring equipment "[e]xcept for monitoring malfunctions, associated repairs, and required quality assurance or control activities." *See* 40 CFR § 64.7. Furthermore, having a backup CEM available within four hours of shutdown is impractical and burdensome on Cokenergy. It should be noted that the CEMs system has been highly reliable with routine preventative maintenance completed and replacement spare parts available on site. Therefore, Cokenergy proposes to maintain the lime feed rate to the scrubber at the same rate it was operating at the time of a CEM breakdown until such time as the CEM is returned to service. We request the following change to (c):

(c) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, ~~a calibrated backup CEMS shall be brought online within four (4) hours of shutdown of the primary CEMS,~~ the facility shall maintain the lime feed rate to the FGD at the same rate it

was operating at the time of a CEM breakdown until such time as the CEM is returned to service. ~~and shall be operated until such time as the primary CEMS is back in operation.~~

Response 8:

Condition C.13 Maintenance of Continuous Emission Monitoring Equipment has been removed and the remaining conditions renumbered. The requirements for monitoring the Continuous Emission Monitoring Equipment (CEMS) are contained in D.1.9 and as a result of this comment Condition C.13 and D.1.8 (previously D.1.9) has been changed as follows:

~~C.13 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii~~

~~(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment.~~

~~(b) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.~~

~~(c) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, a calibrated backup CEMS shall be brought online within four (4) hours of shutdown of the primary CEMS, and shall be operated until such time as the primary CEMS is back in operation.~~

~~(d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to construction permit 089-9237-00316, issued on February 26, 1998.~~

D.1.8 Sulfur Dioxide Monitoring [326 IAC 3-5]

(a) Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous emissions monitoring systems (CEMS) for measuring SO_2 and O_2 concentrations and pound per hour emission rate on a 24 hour average basis downstream of the lime spray dryer of the baghouse on stack 201 and shall record the output of the systems. The Permittee shall provide record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7. The output from CEMS shall be available to Indiana Harbor Coke Company for utilization in the emission tracking program that calculates the combined emissions of SO_2.

(b) Cokenergy shall maintain the lime feed rate to the FGD at the same rate it was operating at the time of a CEM breakdown until such time as the CEM is returned to service.

Comment 9:

Section C.16 (now C.15)

With regard to the preparation of an Emergency Reduction Plan, we stress that Cokenergy does not control flue gas flow from the coke batteries or any aspect related to oven charge rates and volumes, oven charging configuration (staggered or not), volatile matter in the coal, or any factor related to sulfur content of the coal and resultant flue gas exiting the ovens. Because Cokenergy's only process is to extract heat and reduce sulfur and particulate pollutants from the flue gas sent to our facility by Indiana Harbor Coke Company (IHCC), Cokenergy is unable to control any additional reductions as called for by 326 IAC 1-5-2. We seek additional clarification regarding the applicability of this provision to our facility.

Response 9:

Cokenergy should have as a part of their agreement with Indiana Harbor Coke Company, a plan to reduce emissions, if a specific air pollution episode level is in effect and Cokenergy would need to take actions. Cokenergy and Indiana Harbor Coke Company would have to coordinate efforts to reduce emissions in which Cokenergy is responsible for controlling. No change will be made as a result of this comment.

Comment 10:

Section C.18 (now C.17)
We note that there is no basis in 326 IAC 2-7-5 or 2-7-6 or the Technical Support Document for the requirement to prepare a Compliance Response Plan and believe that it should be deleted. However, we also recognize that IDEM has maintained that it has the authority to require facilities to prepare and maintain a Compliance Response Plan. Cokenergy is not subject to an NSPS or MACT standard pursuant to CFR 60/63; therefore there is no basis to require the development of an Operation, Maintenance and Monitoring (OMM) Plan, Parametric Monitoring Plan or a Start-up, Shutdown, and Malfunction (SSM) Plan. However, Cokenergy currently operates the facility in accordance with our Preventative Maintenance Plan (PMP) and will continue to follow the procedures set forth in that plan.

In the event that we are required to prepare a Compliance Response Plan despite our objection, we note that Cokenergy only has a legal obligation to certify compliance and prepare a Compliance Response plan with aspects of the source under its control. IDEM adopted this approach in a Non-Rule Policy Document, which explains that contractors are required to certify compliance for their operations through a responsible official that is "familiar with the operations at issue." *Part 70 Permit Application Requirements—Compliance Certifications and White Paper* # 1, at 2-3. Cokenergy does not control flue gas flow from the coke batteries or any aspect related to oven charge rates and volumes, oven charging configuration (staggered or not), volatile matter in the coal, or any factor related to sulfur content of the coal and resultant flue gas. We also note that there are physical limits to our response steps and that the ability to respond to an excursion may be only partially in our control. Consequently, Cokenergy is not legally obligated to certify compliance with permit requirements or to develop a Compliance Response Plan for permit excursions or deviations which it cannot control.

Response 10:

See Change 15.

Comment 11:

Section C.20
IDEM rules related to the deadline for the annual emission statement have recently changed. We request that the deadline be changed from April 15th to July 1st in accordance with 326 IAC 2-6-3 Compliance schedule.

Response 11:

See Change 16.

Comment 12:

Section D.1.2
As discussed in Cokenergy's comment to Section C.18 of the draft permit, Cokenergy is legally obligated to certify compliance with aspects of the source under its control. Cokenergy has a continuous emission monitor ("CEM") to monitor sulfur dioxide emissions from the HRCC main stack. Cokenergy is also responsible for the maintenance of the CEMs and controls the flue gas desulfurizer which treats flue gas from the coke batteries.

On the other hand, IHCC directly controls and monitors the 16 vent stacks (201A) located in parallel with the inlet to the heat recovery boilers. Cokenergy provides data to IHCC which is input into their emission tracking system and Cokenergy is provided information related to vent stack emissions from that environmental tracking system. Cokenergy is not in a position to certify the actual emissions from the vent stacks and therefore, we cannot certify the 24 hour average emission rate which combines the 16 vent stacks with the HRCC waste gas stack. For the purposes of certifying compliance, Cokenergy and IHCC shall each certify the SO2 emissions associated with the emission points they control.

Cokenergy requests the following changes to the permit language to reflect the above comments and to make the provision consistent with condition 15 as amended in the Addendum to the Technical Support Document for the Significant Modification to a Construction Permit:

"Pursuant to Significant Modification 089-14243-00383, issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 (Emission Offsets) not applicable, the sulfur dioxide emissions from the HRCC waste gas stack (Stack ID 201), combined with the 16 vents (Stack ID 201A) which are under the control of IHCC, shall be limited to a ~~less than~~ 24 hour average emission rate of 1656 pounds per hour. This limit shall satisfy the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)."

Response 12:

The EPA reviewed and approved the revised Lake County Sulfur Dioxide (SO2) SIP rule 326 IAC 7-4.1. The revised SO2 SIP rule was published in the Federal Register on September 26, 2005 and became effective October 26, 2005. The revised requirements are incorporated into this Part 70 permit.

D.1.2 Sulfur Dioxide Emission ~~Offset Minor Modification~~ Limit [326 IAC ~~2-3~~**7-4.1-7**]

~~Pursuant to Significant Modification 089-14243-00383, issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 (Emission Offsets) not applicable, the sulfur dioxide emissions from the HRCC waste gas stack (Stack ID 201), combined with the 16 vents (Stack ID 201A) shall be limited to a less than 24 hour average emission rate of 1656 pounds per hour. This limit shall satisfy the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations).~~

Pursuant to 326 IAC 7-4.1-7, Cokenergy, Inc. Source Identification number 00383, shall comply with the sulfur dioxide emission limit in pounds per hour for the heat recovery coke carbonization waste gas stack, identified as Stack ID 201, combined with the sixteen (16) vents from Indiana Harbor Coke Company of a twenty-four (24) hour average emission rate of one thousand six hundred fifty-six (1,656) pounds per hour.

Comment 13:

Section D.1.4

As referenced in the TSD at page 8, IDEM regulations at 326 IAC 5-1-2 provide that the opacity of facilities located in Lake County shall not exceed 20 percent in any one, six minute average period. Although the source has been subject to different opacity standards in previous construction permits, the opacity standard set forth in construction permit 089-9237-00383 (326 IAC 2-1-3(i)(8)) has been repealed and replaced with the current opacity standard in 326 IAC 5-1-2. Furthermore, pursuant to Section B.13 of this permit, prior construction permit provisions that are inaccurate can be deleted or revised. Hence, the section should be modified as follows:

"Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, particulate matter emissions exiting the HRCC waste gas stack (Stack ID 201) shall not exceed an opacity of twenty ~~ten~~ percent (20 ~~10~~%) in a six minute average. "

Response 13:

CP 089-9236-00383, issued under 326 IAC 2-1-3(i)(8), which was repealed, was the applicable construction permit rule until November 25, 1998 and was not replaced by 326 IAC 5-1-2 which is the opacity rule. However, IDEM OAQ agrees that the opacity limitation for Stacks 201 through 204 was established in error and therefore D.1.4 has been deleted and the subsequent conditions renumbered.

326 IAC 5-1-2 is applicable to the remaining non-fugitive emission stacks at Indiana Harbor Coke Company. The following changes have been made as a result of this comment:

~~D.1.4 Opacity~~

~~Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, particulate matter emissions exiting the HRCC waste gas stack (Stack ID 201) shall not exceed an opacity of ten percent (10%) in a six minute average.~~

Comment 14:

Section D.1.5

While Cokenergy expects that the NOV in question can and should be resolved quickly; and we believe further that no permit changes will be required, we ask that this provision be deleted or modified as follows:

"The U.S.EPA has issued a notice of violation to Indiana Harbor Coke Company, alleging that the construction and operation of Heat Recovery Coal Carbonization unit has violated the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration), 326 IAC 2-3 (Emission Offset), and CP 089-6919-00316 issued on December 30, 1996, CP089-9033-00316, CP089-9237-00383, CP089-9236-00382) issued on February 26, 1998 and the significant modifications 089-14245-00316, 089-14243-00383 and 089-14241-00382 issued on November 30, 2001 for emissions of sulfur dioxide (SO2). ~~Therefore, the Permit Shield provided by Condition B.12 of this permit does not apply to this emission unit with regards to 326 IAC 2-2 (Prevention of Significant Deterioration) or 326 IAC 2-3 (Emission Offset).~~ The Permit Shield provided by Condition B.12 of this permit will not apply to this emission unit with regards to 326 IAC 2-2 (Prevention of Significant Deterioration) or 326 IAC 2-3 (Emission Offset) only if it is determined through civil or administrative adjudication or other legal process that IHCC did not comply with the provisions which entitle it to receive a permit shield. Under such circumstances, the ~~The~~ OAQ will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include detailed requirements necessary to comply with applicable legal requirements and a schedule for achieving compliance with such requirements following the resolution of enforcement action."

Response 14:

IDEM OAQ is deleting Condition D.1.5 from the Part 70 Permit. Once the Notice of Violation (NOV) is resolved by the U.S. EPA, the OAQ, if necessary, will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include the detailed requirements necessary to address the aforementioned rules, and a schedule for achieving compliance with any requirements, unless otherwise specified by the U.S. EPA. Condition D.1.5 has been deleted and the subsequent Section D.1 conditions renumbered.

~~D.1.5 Minor Modification [326 IAC 2-2] [326 IAC 2-7-6(3)] [326 IAC 2-7-15]~~

~~The U.S.EPA has issued a notice of violation to Indiana Harbor Coke Company, alleging that the construction and operation of Heat Recovery Coal Carbonization unit has violated the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration), 326 IAC 2-3 (Emission Offset), and CP 089-6919-00316 issued on December 30, 1996, CP089-9033-00316, CP089-9237-00383, CP089-9236-00382) issued on February 26, 1998 and the significant modifications 089-14245-00316, 089-14243-00383 and 089-14241-00382 issued on November 30, 2001 for emissions of sulfur dioxide (SO2). Therefore, the Permit Shield provided by Condition B.12 of this permit does not apply to this emission unit with regards to 326 IAC 2-2 (Prevention of Significant Deterioration) or 326 IAC 2-3~~

~~(Emission Offset). The OAQ will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include detailed requirements necessary to comply with applicable requirements and a schedule for achieving compliance with such requirements following the resolution of enforcement action.~~

Comment 15:

Section D.1.6 (now D.1.4)
It has never been the intent or the practice for the preventive maintenance requirements to apply to emission units—the rule was intended to apply only to control devices. This is why the first section of 326 IAC 1-6-3 refers explicitly to "emission control devices." As such, we request this section to be modified as follows:
Preventive Maintenance Plan [326 IAC 2-7-5(13)]
A Preventive Maintenance Plan, in accordance with Section B – Preventive Maintenance Plan, of this permit is required for the emission control devices at the facility. ~~these facilities and any control devices.~~

Response 15:

The Preventive Maintenance Plan requirement must be included in every applicable Title V permit pursuant to 326 IAC 2-7-5(13). This rule refers back to the Preventive Maintenance Plan requirement as described in 326 IAC 1-6-3. This Preventive Maintenance Plan rule sets out the requirements for:

(1) Identification of the individuals responsible for inspecting, maintaining and repairing the emission control equipment (326 IAC 1-6-3(a)(1)),

(2) The description of the items or conditions in the facility that will be inspected and the inspection schedule for said items or conditions (326 IAC 1-6-3(a)(2)), and

(3) The identification and quantification of the replacement parts for the facility which the Permittee will maintain in inventory for quick replacement (326 IAC 1-6-3(a)(3)).

It is clear from the structure of the wording in 326 IAC 1-6-3 that the PMP requirement affects the entirety of the applicable facilities. Only 326 IAC 1-6-3(a)(1) is limited, in that it requires identification of the personnel in charge of only the emission control equipment, and not any other facility equipment. 326 IAC 1-6-3(b) provides that "...as deemed necessary by the commissioner, any person operating a facility shall comply with the requirements of subsection (a) of this section."

Many types of facilities require maintenance in order to prevent excess emissions. In addition to preventive maintenance performed on the control devices, preventive maintenance should be performed on the emission units themselves because lack of proper maintenance can result in increased emissions from leaks, clogged tubing, piping, ect.

There is no change to this condition as a result of this comment.

Comment 16:

Section D.1.7 (now D.1.5)
Periods of planned and unplanned maintenance require the baghouse for the lime spray dryer FGD unit to be isolated and/or shutdown. Because HRCC is a continuously operating coke battery which is never shut down, we believe that section (a) should be modified as follows and consistent with our Preventative Maintenance Plan:

(a) "Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the baghouse for lime spray dryer FGD unit (201) shall be in operation at all times the Heat Recovery Coal Carbonization facility is in operation, except during times of required facility maintenance. Facility maintenance shall be performed in

accordance with the Preventive Maintenance Plan set forth in Section B.10 of this permit."

(b) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the dry filters shall be in operation at all times the lime silo~~s~~ vents (220) and FGD product storage silos (221 and 222) are in operation.

Response 16:

IDEM agrees to this wording change, except it does not relieve the Permittee from maintaining compliance with the permit limitations of the Part 70 Permit. Condition D.1.5 has been changed as follows:

D.1.5 Particulate Matter and Sulfur Dioxide

(a) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the baghouse for lime spray dryer FGD unit (201) shall be in operation at all times the Heat Recovery Coal Carbonization facility is in operation~~.~~**, except during times of required facility maintenance in accordance with the Preventive Maintenance Plan as long as SO2 emission limits found in condition D.1.2 are not exceeded.** Facility maintenance shall be performed in accordance with the Preventive Maintenance Plan set forth in Section B.10 of this permit.

(b) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the dry filters shall be in operation at all times the lime silos (220) and FGD product storage silo~~s~~ **vents** (221 and 222) are in operation.

Comment 17:

Section D.1.8 (now D.1.6)
As there have been no requirements in our previous permit for ongoing testing, we request that we be granted sufficient time to complete the testing in (a) and request a modification to the provision as shown below. In addition, NOx emissions from the HRCC are the responsibility of IHCC and as such any and all NOx limits associated with the HRCC are in the IHCC permit. Accordingly, Cokenergy requests that section (b) be modified as follows to reflect that Cokenergy will grant IHCC access to the waste gas main stack and cooperate with IHCC for the purpose of conducting NOx emission testing. However, Cokenergy has no obligation to conduct NOx testing.

(a) Within thirty-six (36) months of issuance of this permit~~, or within five (5) years from the date of the last valid compliance test, whichever is earlier~~ or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall perform PM and PM10 testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.1. Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack include both filterable and condensable particulate matter. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance. Testing shall be conducted in accordance with Section C - Performance Testing.

(b) Within thirty-six (36) months of issuance of this permit, or within five (5) years of the date of the last valid compliance test, whichever is earlier or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall grant access and otherwise cooperate with ~~and~~ Indiana Harbor Coke Company (IHCC) who shall perform NOx testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.10 (found in IHCC Part 70 permit 089-11311-00382). IHCC shall repeat these tests at least once every five (5) years from the

date of this valid compliance demonstration. Testing shall be conducted in accordance with IHCC's permit and IDEM regulations.

Response 17:

IDEM agrees to the changes to condition D.1.6 and has revised as follows:

D.1. 6 Testing Requirements [326 IAC 2-7-6(1), (6)][326 IAC 2-1.1-11]

(a) Within thirty-six (36) months of issuance of this permit~~, or within five (5) years from the date of the last valid compliance test, whichever is earlier~~ or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall perform PM and PM10 testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.1. Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack include both filterable and condensable particulate matter. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance. Testing shall be conducted in accordance with Section C - Performance Testing.

(b) Within thirty-six (36) months of issuance of this permit~~, or within five (5) years from the date of the last valid compliance test, whichever is earlier~~ or an alternative date as determined by OAQ, Compliance Data Section, the Permittee **shall grant access and otherwise cooperate with** ~~and~~ Indiana Harbor Coke Company (IHCC)**, who** shall perform NOx testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.10 (found in IHCC Part 70 permit 089-11311-00382). IHCC shall repeat these tests at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with IHCC's permit and IDEM regulations.

Comment 18:

Section D.1.9

Because Cokenergy is merely an energy recovery and pollution control system and it is not a listed source, facility or operation in 326 IAC 6-1-10.1(l), nor does Cokenergy meet the requirements listed in 326 IAC 6-1-10.1(l)(21)(A)-(C), the requirement to prepare and submit a Continuous Compliance Plan is not applicable. Nevertheless, Cokenergy will meet its compliance obligations by continuing to follow the compliance and preventive maintenance plans already developed and implemented for the facility and the Compliance Response Plan described in C.18 if such a plan is applicable to the Cokenergy's operations.

Response 18:

See change 13.

Operations of Cokenergy LLC are considered a support facility for operations of Mittal Steel USA Inc.-Indiana Harbor East (formerly Ispat Inland, Inc.), and Ispat Inland (now Mittal Steel USA Inc.-Indiana Harbor East) is a listed source in 326 IAC 6.8-8-1 (formerly IAC 6-1-10.1(l)), therefore this rule is applicable to Cokenergy LLC. Since Preventive Maintenance Plans and Continuous Compliance Plans are both required, the Permittee must comply with both requirement. The Permittee should consult with the IDEM inspector assigned to the source to evaluate the PMP vs. CCP requirements.

Comment 19:

Section D.1.10 (now D.1.7)
In accordance with the permit requirement as described in operating condition 16 of the Addendum to the Technical Support Document for the Significant Modification to a Construction Permit, Cokenergy requests that Section D.1.10 be revised as follows:

"Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous emissions monitoring systems (CEMS) for measuring SO_2 and O_2 concentrations ~~and pound per hour emission rate on a 24 hour average basis~~ downstream of the lime spray dryer and ~~of~~ the baghouse on stack 201 and shall record the output of the systems. The Permittee shall provide record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7. The output from CEMS shall be available to Indiana Harbor Coke Company for utilization in the emission tracking program that calculates the combined emissions of SO_2.

Response 19:

During the Part 70 Permit review process, it was determined that for clarification the revised SO2 averaging period and emission rate in pound per hour should be added. IDEM does agree to the other change as follows:

D.1.7 Sulfur Dioxide Monitoring [326 IAC 3-5]

(a) Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous emissions monitoring systems (CEMS) for measuring SO_2 and O_2 concentrations and pound per hour emission rate on a 24 hour average basis downstream of the lime spray dryer **and** ~~of~~ the baghouse on stack 201 and shall record the output of the systems. The Permittee shall provide record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7. The output from CEMS shall be available to Indiana Harbor Coke Company for utilization in the emission tracking program that calculates the combined emissions of SO_2.

(b) Cokenergy shall maintain the lime feed rate to the FGD at the same rate it was operating at the time of a CEM breakdown until such time as the CEM is returned to service.

Comment 20:

Section D.1.12 (now D.1.9)
Because the baghouse consists of two (2) trains, pressure drop should be measured across each train. The construction permit requires that pressure drop be measured across the baghouse once per day. As required by the construction permit, Cokenergy determined the appropriate pressure drop range within the first 60 days to be 4.0 to 11.0 inches of water. In addition, it is unclear what is meant by "when venting to the atmosphere". Therefore we request that the provision be modified as follows:

"The Permittee shall record the pressure drop across ~~the~~ each baghouse used in conjunction with the lime spray dryer FGD unit (201) at least once per day ~~shift~~ when the heat recovery coal carbonization facility (HRCC) is in operation ~~when venting to the atmosphere~~. When for any one reading, the pressure drop across either baghouse is outside the normal range of ~~2~~4.0 and 11~~8~~.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit."

Response 20:

IDEM agrees and has made the changes to Condition D.1.10 as follows:

D.1.9 Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across ~~the~~ **each** baghouse used in conjunction with the lime spray dryer FGD unit (201) at least once per ~~shift~~ **day** when **the** heat recovery coal carbonization facility (HRCC) is in operation ~~when venting to the atmosphere~~. When for any one reading, the pressure drop across the baghouse is outside the normal range of ~~2~~**4**.0 and ~~8~~**11**.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a ~~violation of~~ **deviation from** this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

Comment 21:

Section D.1.13
Cokenergy requests that the waste gas stack always be identified as "stack (201)" to differentiate between the main stack and the vent stacks. In addition, it is not possible to vent the baghouse indoors. Cokenergy requests that this provision be modified as follows:

"An inspection shall be performed each calendar quarter of all bags controlling the waste gas stack (201) that vents to the atmosphere. ~~Inspections are optional when venting to the indoors.~~ Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced."

Response 21:

Upon further review, IDEM has determined that it is the Permittee's responsibility to include routine control device inspection requirements in the applicable preventive maintenance plan. Since the Permittee is in the best position to determine the appropriate frequency of control device inspections and the details regarding which components of the control device should be inspected, the conditions requiring control device inspections have been removed from the permit. In addition, the requirement to keep records of inspections has been removed. Therefore, the following changes have been made to condition D.1.12 as follows:

~~D.1.12 Baghouse Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]~~

~~An inspection shall be performed each calendar quarter of all bags controlling the waste gas stack that vents to the atmosphere. Inspections are optional when venting to the indoors. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.~~

Comment 22:

Section D.1.14 (now D.1.13)
Cokenergy's baghouse is a two (2)-train, multi-compartment baghouse designed with sixteen (16) modules per train. Each individual module can be taken out of service to perform maintenance, replace broken bags, etc. without affecting the particulate control capabilities of the remaining modules in the train. As Cokenergy has a multi-component baghouse unit, section b is not applicable and should be removed. As such, we request the following changes to the proposed permit language as follows:

In the event that bag failure has been observed:

(a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated, which can include isolating the affected module. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit. If operations continue after bag failure is observed and it will be 10 days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

~~(b) For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

Response 22:

Paragraph (a) of the Broken or Failed Baghouse condition has been deleted. For multi-compartment baghouses, the permit will not specify what actions the Permittee needs to take in response to a broken bag. However, a requirement has been added to the Condition listed as Particulate Control (formerly marked Particulate Matter (PM)) in the Compliance Determination Section requiring the Permittee to notify IDEM if a broken bag is detected and the control device will not be repaired for more than ten (10) days. This notification allows IDEM to take any appropriate actions if the emission unit will continue to operate for a long period of time while the control device is not operating in optimum condition. Since only multi-compartment baghouses are used at Cokenergy, the single compartment conditions have also been removed.

The department has in other permits allowed the 'blanking or isolating' as an acceptable action for broken or failed bags, because this would not affect the reasonable assurance of compliance. The Permittee using baghouse as control for stack 201, can 'blank or isolate' individual bags or modules while maintaining the baghouse operation at the optimum level of control efficiency.

Conditions D.1.13 and D.1.5 (was D.1.7) have been revised as follows:

~~D.1.13 Broken or Failed Bag Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]~~

~~In the event that bag failure has been observed:~~

~~(a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired, or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit. If operations continue after bag failure is observed and~~

~~it will be 10 days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.~~

~~(b) For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

D.1.5 Particulate ~~Matter~~ **Control** and Sulfur Dioxide [326 IAC 2-7-6(6)]

(a) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the baghouse for lime spray dryer FGD unit (201) shall be in operation at all times the Heat Recovery Coal Carbonization facility is in operation, except during times of required facility maintenance in accordance with the Preventative Maintenance Plan as long as SO2 emission limits found in condition D.1.2 are not exceeded. Facility maintenance shall be performed in accordance with the Preventive Maintenance Plan set forth in Section B.10 of this permit.

(b) Pursuant to construction permit 089-9237-00383, issued on February 26, 1998, the dry filters shall be in operation at all times the lime silos (220) and FGD product storage silo vents (221 and 222) are in operation.

(c) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired, replaced, blanked or isolated, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

Also as a result of all the requested changes, condition D.1.10 (formerly D.1.14) has been revised as follows:

D.1.10 Record Keeping Requirements

(a) To document compliance with operation condition D.1.~~10~~**7** and D.1.~~11~~**8**, the Permittee shall maintain records required under 326 IAC 3-5-6 at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA., if so requested or required.

(b) In order to document compliance with condition D.1.~~12~~**9**, the Permittee shall maintain records of the pressure drop across the baghouse during normal operation when venting to the atmosphere.

~~(c) In order to document compliance with Condition D.1.13, the Permittee shall maintain records of the results of the inspections required under Condition D.1.13.~~

~~(d) To document compliance with Condition D.1.6, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.~~

(~~c~~**c**) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Comment 23:

Forms
Each of the Forms in the permit including the Part 70 Operating Permit Certification, the Part 70 Operating Permit Emergency Occurrence Report and the Part 70 Operating Permit Quarterly Deviation and Compliance Monitoring Report contain an incomplete Source Address and the incorrect Mailing Address. These should be as follows:
Source Address: 3210 Watling Street MC 2-991 East Chicago, Indiana 46312
Mailing Address: 2000 York Road, Suite 129 Oak Brook, Illinois 60523

Response 23:

The following changes have been made to the Part 70 Operating Permit Certification, the Part 70 Operating Permit Emergency Occurrence Report and the Part 70 Operating Permit Quarterly Deviation and Compliance Monitoring Report:

Source Name:	Cokenergy LLC
Source Address:	3210 Watling Street **MC 2-991**, East Chicago, Indiana 46312
Mailing Address:	~~807 Virginia Street, Merrillville, Indiana 46410~~ **2000 York Road, Suite 129, Oak Brook, IL 60523**
Part 70 Permit No.:	T089-11135-00383

Comment 24:

TSD
The TSD contains an error on page 8 of 15 under State Rule Applicability 326 IAC 5-1 (Opacity Limitations) and should be corrected as follows:

(a) Opacity shall not exceed an average of ~~forty~~ twenty percent (20%) any one (1) six (6) minute averaging period unless otherwise specified in 326 IAC 6-1-10.1. This opacity limit shall supercede the opacity limit contained in clause (A).

Response 24:

IDEM OAQ acknowledges the error; however, IDEM prefers the Technical Support Document (TSD) to remain unchanged, therefore documenting the reasoning behind the permit conditions as public noticed.

Comment 25:

Comment Applicable to Entire TSD
Cokenergy has provided IDEM with suggested revisions to its draft Title V permit. To the extent that the TSD provisions are identical or related to provisions that Cokenergy has provided comments for in the draft Title V, Cokenergy requests that the same changes be made in the TSD document. This comment includes, but is not limited to, language found in the TSD sections entitled, "Permitted Emissions Units and Pollution Control Equipment", "Enforcement Issue", "State Rule Applicability-Entire Source", "Testing Requirements" and "Compliance Requirements."

Response 25:

IDEM prefers the Technical Support Document (TSD) to remain unchanged, therefore documenting the reasoning behind the permit conditions as public noticed. This TSD addendum points out and explains the reasoning for any changes to the permit after public notice. This method provides documentation for each step in the permit process.

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Operating Permit

Source Background and Description

Source Name:	Cokenergy, LLC, a contractor of Ispat Inland, Inc.
Source Location:	3210 Watling Street, East Chicago, Indiana
County:	Lake
SIC Code:	4911
Operation Permit No.:	T089-11135-00383
Permit Reviewer:	Teresa Freeman

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Cokenergy, LLC relating to the operation of a heat recovery system for coal carbonization operation used to produce steam and electricity for use at Ispat Inland, Inc.

Source Definition

Ispat Inland, Inc. is an integrated steel mill consists of a source with on-site contractors:

(a) Ispat Inland, Inc., the primary operation, is located at, 3210 Watling Street, East Chicago, Indiana and

(b) Cokenergy, LLC, the on-site contractor, is located at 3210 Watling Street, East Chicago, Indiana.

IDEM has determined that Ispat Inland, Inc. and Cokenergy, LLC are under the common control of Ispat Inland Inc. These two plants are considered one source due to contractual control. Therefore, the term “source” in the Part 70 documents refers to both Ispat Inland, Inc. and Cokenergy, LLC, as one source.

Separate Part 70 permits will be issued to Ispat Inland, Inc. and Cokenergy, LLC, solely for administrative purposes. For permitting purposes, Ispat Inland, Inc. is assigned Permit No. 089-6577-00316 and Cokenergy, LLC, is assigned Permit No. 089-11135-00383.

Permitted Emission Units and Pollution Control Equipment

Cokenergy, LLC consists of the following permitted emission units and pollution control devices:

(a) Two (2) lime storage silos, identified as ES220, each with a maximum capacity of 30,207 cubic feet, each controlled by dry filters, and exhausting through Stack ID 220;

(b) Two (2) Flue Gas Desulfurization (FGD) product storage silos, identified as ES221 and ES222, each with a maximum capacity of 19,242 cubic feet, each controlled by dry filters, and exhausting through Stack IDs 221 and 222, respectively; and

(c) One (1) lime spray dryer Flue Gas Desulfurization unit and baghouse system, utilized as control for sulfur dioxide and particulate matter emissions from the heat recovery coal carbonization facility (HRCC) waste gas stream, operated by Indiana Harbor Coke

Company (IHCC), which exhausts to Stack ID 201.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review process.

Insignificant Activities

Cokenergy, LLC also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

(1) Space heaters, process heaters, or boilers using the following fuels:

Propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu per hour.

(2) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacities of equipment operated by one stationary source exceeds 2,000,000 Btu/hour.

(3) A gasoline fuel transfer and dispensing operation handling less than or equal to 1,300 gallons per day, such as filling of tanks, locomotives, automobiles, having a storage capacity less than or equal to 10,500 gallons.

(4) A petroleum fuel, other than gasoline, dispensing facility having a storage capacity less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.

(5) The following VOC and HAP storage containers:

(A) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons.

(B) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.

(6) Refractory storage not requiring air pollution control equipment.

(7) Equipment used exclusively for the following:

(A) Packaging lubricants or greases.

(B) Filling drums, pails or other packaging containers with lubricating oils, waxes, and greases.

(8) Application of oils, greases, lubricants, or other nonvolatile materials applied as temporary protective coatings.

(9) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6.

(10) Cleaners and solvents characterized as follows:

(A) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100^{o}F) or;

(B) Having a vapor pressure equal to or less than 0.7 kPA; 5mm Hg; or 0.1 psi measured at 20^{o}C (68^{o}F); the use of which for all cleaners and solvents

combined does not exceed 145 gallons per 12 months.

(11) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment.

(12) Closed loop heating and cooling systems.

(13) Any of the following structural steel and bridge fabrication activities:

(A) Cutting 200,000 linear feet or less of one inch (10) plate or equivalent.

(B) Using 80 tons or less of welding consumables.

(14) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.

(15) Any operation using aqueous solutions containing less than 1% by weight of VOCs, excluding HAPs.

(16) Noncontact cooling tower systems with either of the following:

(A) Natural draft cooling towers not regulated under a NESHAP.

(B) Forced and induced draft cooling tower system not regulated under a NESHAP.

(17) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.

(18) Heat exchanger cleaning and repair.

(19) Process vessel degreasing and cleaning to prepare for internal repairs.

(20) Paved and unpaved roads and parking lots with public access.

(21) Purging of gas lines and vessels that is related to routing maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.

(22) Flue gas conditioning systems and associated chemicals such as the following: sodium sulfate, ammonia, and sulfur trioxide.

(23) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.

(24) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.

(25) On-site fire and emergency response training approved by the department.

(26) Emergency generators as follows:

(A) Gasoline generators not exceeding 110 horsepower.

(B) Diesel generators not exceeding 1600 horsepower.

(C) Natural gas turbines or reciprocating engines not exceeding 16,000 horsepower.

(27) Other emergency equipment as follows:

(A) Stationary fire pumps.

(28) Purge double block and bleed valves.

(29) Filter or coalescer media changeout.

(30) Vents from ash transport systems not operated at positive pressure.

(31) A laboratory as defined in 326 IAC 2-7-1(21)(D).

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

(a) Construction Permit 089-6919, issued on December 30, 1996

(b) CP 089-9237-00383 issued February 26, 1998

(c) Significant Modification 089-14243-00383 issued November 30, 2001

All conditions from previous approvals were incorporated into this Part 70 permit, except the following:

(a) The particulate matter (PM) from the lime spray dryer desulfurization unit (201) shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10 P^{0.67}$ where E = rate of emission in pounds per hour and
P = process weight rate in tons per hour

(b) The particulate matter (PM) from the lime silos (220) and FGD product storage silos (221 and 222) shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10 P^{0.67}$ where E = rate of emission in pounds per hour and
P = process weight rate in tons per hour

Reason not incorporated: 326 IAC 6-3 does not apply to sources and facilities located in Lake County with potential to emit (PTE) of PM greater than 100 tpy and actual emissions of PM greater than 10 tpy. As this source has a PTE greater than 100 tpy, a new PM emissions limit is added as follows: Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), the particulate matter emissions from the lime silos (220), FGD product storage silos (221 and 222) and lime spray dryer FGD unit and baghouse system (201) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

(c) Pursuant to 326 IAC 326 IAC 2-2, 326 IAC 2-3, and Significant Modification 089-14245-00316, issued November 30, 2001, the No. 4 AC Station (listed in Section D.15-Utilities) shall be curtailed within 180 days after start-up of the last coke battery (which occurred in 1998), such that emissions from boilers 401 through 405 do not exceed the limitation specified in the following table in tons per year.

PM	PM_{10}	SO_2	VOC	CO	NO_x	H_2SO_4	Lead
605.8	605.8	3899.2	20.2	202.5	3284	132.6	0.36

The Permittee shall adhere to following requirements for curtailment of operation of No. 4AC station (listed in Section D.15-Utilities):

(1) The lime spray dryer and baghouse associated with the waste gas stack (201) shall begin operation within 30 days after start-up of the first coke battery. (Cokenergy, LLC, Permit 089-11135-00383)

(2) After emissions curtailment of No. 4 AC Station per this condition above, records of fuel type and usage for boilers 401 through 405 in the No. 4AC Station, records of emissions calculations necessary to document compliance with limits in this condition, and dates emissions curtailment. These records shall be kept for at least a 36 month period and shall be submitted to IDEM, OAQ upon request. Sulfur dioxide actual emissions shall be calculated using CEM output records for boilers 401 through 405 when fired on coal or fuel oil, otherwise AP-42 emission factors for natural gas combustion shall be used. Actual PM_{10} emissions from:

(A) coal or mixed gas combustion shall be calculated using PM_{10} SIP limits or site specific stack test results as the emission factor, and

(B) natural gas combustion shall be calculated using AP-42 PM_{10} emission factor for natural gas combustion.

Actual emissions for all other pollutants shall be calculated using corresponding AP-42 emission factor or site-specific emission factor as determined by a stack test carried out on a representative boiler with the prior approval from OAQ, IDEM. The operation of No. 4 AC station will be subject to any other requirements as specified in State Implementation Plan.

Reason not incorporated: These conditions have been completed and do not need to be included in the Part 70 permit, because pursuant to Significant Source Modification 089-16966-00316, issued on November 26, 2003, the No. 4 AC Station is required to be shutdown permanently. The natural gas-fired turbines were never constructed and Ispat Inland, Inc. shall be required to resubmit an application in order to now construct them because the time period has lapsed and proper netting credits may no longer be available.

Enforcement Issue

The U.S.EPA has issued a notice of violation to Cokenergy LLC, alleging that the construction and operation of Heat Recovery Coal Carbonization unit has violated the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration), 326 IAC 2-3 (Emission Offset), and CP 089- 6919-00316 issued on December 30, 1996, CP089-9033-00316, CP089-9237-00383, CP089-9236-00382) issued on February 26, 1998 and the Significant Modifications 089-14245-00316, 089-14243-00383 and 089-14241-00382 issued on November 30, 2001 for emissions of sulfur di-oxide (SO2). Therefore, the Permit Shield provided by Condition B.12 of this permit does not apply to this emission unit with regards to 326 IAC 2-2 (Prevention of Significant Deterioration) or 326 IAC 2-3 (Emission Offset). The OAQ will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include detailed requirements necessary to comply with applicable requirements and a schedule for achieving compliance with such requirements following the resolution of enforcement action.

Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit application for the purposes of this review was received on July 6, 1999.

There was no notice of completeness letter mailed to the source.

Potential To Emit – Ispat Inland Inc. and Cokenergy, LLC

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA."

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	greater than 100
PM-10	greater than 100
SO_2	greater than 100
VOC	greater than 25
CO	greater than 100
NO_x	greater than 100
Total HAPs	greater than 25

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

(a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM10, SO_2, CO and NO_x are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

(b) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination HAPs is greater than or equal to twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

(c) Fugitive Emissions
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Actual Emissions- Cokenergy, LLC only

The following table shows the actual emissions from Cokenergy, LLC This information reflects the 2001 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	193.6
PM-10	193.6
SO_2	5862.6
VOC	no data
CO	no data
NO_x	no data
HAP	no data

County Attainment Status

The source is located in Lake County.

Pollutant	**Status**
PM-10	Moderate nonattainment*
SO_2	Marginal Nonattainment
NO_2	Attainment
Ozone	Severe Nonattainment
CO	Attainment
Lead	Attainment or unclassifiable

*Lake County has been federally redesignated in 40 CFR 81.315 as attainment for PM10. The Air Pollution Control Board will be making the same redesignation in state rules.

(a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Lake County has been designated as nonattainment for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

(b) Lake County has been classified as nonattainment for PM10 (see table above) and SO2. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

(c) Lake County has been classified as attainment or unclassifiable for all other pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(d) Fugitive Emissions
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

(a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.

(b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

(a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to Cokenergy LLC.

(b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14 and 40 CFR Part 63) applicable to Cokenergy LLC.

State Rule Applicability - Entire Source

326 IAC 1-6-3 (Preventive Maintenance Plan)

The source has submitted a Preventive Maintenance Plan (PMP) on July 6, 1999. This PMP has been verified to fulfill the requirements of 326 IAC 1-6-3 (Preventive Maintenance Plan).

326 IAC 2-2 (Prevention of Significant Deterioration) and 326 IAC 2-3 (Emission Offset)

(a) Pursuant to Significant Modification 089-14243, issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 (Emission Offsets) not applicable, particulate matter (PM) (filterable and condensable) emissions from the HRCC waste gas stack (Stack ID 201) shall be limited to less than 50.0 lbs/hr, averaged over a 24 hour period.

(b) Pursuant to Significant Modification 089-14243-00383, issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 (Emission Offsets) not applicable, the sulfur dioxide emissions from the HRCC waste gas stack (Stack ID 201), combined with the 16 vents shall be limited to a less than 24 hour average emission rate of 1656 pounds per hour. This limit shall satisfy the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations).

(c) Pursuant to CP 089-9237-00383 issued on February 26, 1998, particulate matter emissions exiting the HRCC waste gas stack (Stack ID 201) shall not exceed an opacity of ten percent (10%) in a six minute average.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than ten (10) tons per year in Lake County of PM10 and SO2. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

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

(a) Opacity shall not exceed an average of forty percent (20%) any one (1) six (6) minute averaging period unless otherwise specified in 326 IAC 6-1-10.1. This opacity limit shall supercede the opacity limit contained in clause (A).

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

326 IAC 6-1-10.1 (Lake County PM10 Emission Requirements)

Pursuant to 326 IAC 6-1-10.1(l), the Permittee shall submit to IDEM OAQ and maintain at the source a copy of the Continuous Compliance Plan (CCP).

(a) Pursuant to 326 IAC 6-1-10.1(l), a CCP shall also be submitted by any source in Lake

County for facilities that perform manufacturing operations in a building or structure such that the total uncontrolled PM_{10} emissions from all such operations amount to ten (10) tons per year or more and that could potentially escape into the atmosphere through roof vents and other openings. The uncontrolled PM_{10} emissions shall be estimated with AP-42, "Compilation of Air Pollutant Emission Factors, Volume I, (Stationary Point and Area Sources)", 4th Edition, September 1985, (and succeeding amendments) emission factors or other document-able emission factors acceptable to the commissioner.

(b) Pursuant to 326 IAC 6-1-10.1(p) the Permittee shall include the following information or applicable procedures, or commit to the following actions:

(1) Pursuant to 326 IAC 6-1-10.1(q), the plans for the particulate matter control equipment shall provide that the following control equipment related information will be maintained at the source's property and will be available for inspection by department personnel:

(A) Startup, shutdown, and emergency shutdown procedures.
(B) Sources shall notify the department fifteen (15) days in advance of startup of either new control equipment or control equipment to which major modifications have been made.
(C) Manufacturer's recommended inspection procedures, preventive and corrective maintenance procedures, and safety devices and procedures, such as sensors, alarm systems, and bypass systems. If manufacturer's recommendations are not available, procedures shall be developed by the source.
(D) Contents of the operator's training program and the frequency with which the training is held.
(E) A list of spare parts available at the facility.
(F) A list of control equipment safety devices, for example, high temperature sensors and alarm systems, exhaust gas stream bypass system, or safety interlock system.
(G) Monitoring and recording devices and/or instruments to monitor and record control equipment operating parameters specified in subsection (n)(4).

(2) Pursuant to 326 IAC 6-1-10.1(r)(1), the plans for a facility controlled with a baghouse shall include the recording, inspection, and maintenance procedures to be consistent with the requirements of subsection 326 IAC 6-1-10.1(m), such as the following:

(A) Operating parameters, such as the following:
(i) Pressure drop across the baghouse.
(ii) Gas flow rate at baghouse inlet.
(iii) Gas temperatures at inlet.
A CCP shall identify the monitors and instrumentation, and their location, accuracy, precision, and calibration frequency. A CCP shall also include a description of any visible emission evaluation program.
(B) Baghouse cleaning system. A complete description of the cleaning system, including such information as intensity, duration, frequency, and method of activation.
(C) Baghouse inspection and maintenance schedule. The inspection schedule logs or records shall be available for inspection by the department for up to one (1) year after the date of inspection. The inspection shall include the activities and frequency of the activities. A source may request an alternative schedule based on manufacturer's recommendations or alternatives documented by the company. The revised schedule must be approved by the department. Inspections shall include the following:
(i) Daily inspections shall include the following:

(AA) Pressure drop.
(BB) Fan amperage.
(CC) Cleaning cycle.
(DD) Compressed air on pulse jet baghouses for values outside of the operating ranges.
(EE) Dust discharge equipment for proper operation.
(FF) General check for abnormal audible and visual conditions.

(ii) Weekly inspections of the following:
(AA) Moving parts on discharge system.
(BB) Bypass and isolation damper operation.
(CC) Bag tension.
(DD) Compressed air lines, oilers, and filters.
(EE) Manometer lines.
(FF) Temperature indicating equipment.
(GG) Bag cleaning sequence.
(HH) Drive components on fans.

(iii) Monthly inspections of the following:
(AA) Bag seating condition.
(BB) Moving parts on shaker baghouses.
(CC) Fan corrosion and blade wear.
(DD) Hoses and clamps.
(EE) Bags for leaks and holes.
(FF) Bag housing for corrosion.

(iv) Quarterly inspections of the following:
(AA) Bags.
(BB) Ducts for dust build-up.
(CC) Damper valves for proper setting.
(DD) Door gaskets.
(EE) Baffle plate for wear.

(v) Annual inspection of the following:
(AA) Welds and bolts.
(BB) Hoppers for wear.
(CC) Cleaning parts for wear.

326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements)

(a) Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

(1) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).

(2) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).

(3) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).

(4) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.

(5) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.

(6) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.

(7) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).

(8) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.

(9) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.

(10) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).

(11) Any facility or operation not specified in 326 IAC 6-1-11.1(d) shall meet a twenty percent (20%), three (3) minute average opacity standard.

(12) PM10 emissions from each material processing stack shall not exceed 0.022 grains per dry standard cubic foot and ten percent (10%) opacity

(13) Fugitive particulate matter from the material processing facilities shall not exceed ten percent (10%) opacity

(b) The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan.

326 IAC 6-1-11.2 (Lake County Particulate Matter Contingency Measures)

The source is subject to 326 IAC 6-1-11.2 because it is subject to the requirements of 326 IAC 6-1-11.1 and 326 IAC 6-1-10.1(d). Pursuant to this rule, the source shall comply with parts (h), (i), (k), (l), (m), (o), (p) and (q) of this rule.

326 IAC 6-1-2 (Nonattainment Area Particulate Limitations)

Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), the particulate matter emissions from the lime silos (220), FGD product storage silos (221 and 222) and lime spray dryer FGD unit and baghouse system (201) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

326 IAC 6-3-2 (Process Operations)

The source is not subject to the requirements of 326 IAC 6-3 because the plant is subject to the requirements of 326 IAC 6-1 (Nonattainment Particulate Emission Limitations). Pursuant to the applicability requirements (326 IAC 6-3-1(b)), if any limitation established by this rule is inconsistent with applicable limitations contained in 326 IAC 6-1 (Nonattainment Particulate Emission Limitations) or 326 IAC 12 (New Source Performance Standards), then the limitations contained in 326 IAC 6-1 or 326 IAC 12 prevail.

326 IAC 6-4 (Fugitive Dust Emissions)

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

326 IAC 7-1.1 (Sulfur Dioxide Limit)

The sulfur dioxide emissions limits applied to the HRCC waste gas stack (Stack ID 201), combined with the 16 vents shall satisfy the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations).

326 8-3-2 (Cold Cleaner Operations)

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), for cold cleaning operations built after January 1, 1980, located in Clark, Elkhart, Floyd, Lake, Marion, Porter and St. Joseph Counties

and which have potential emissions of one hundred (100) tons per year or greater of VOC, the Permittee shall:

(a) Equip the cleaner with a cover;

(b) Equip the cleaner with a facility for draining cleaned parts;

(c) Close the degreaser cover whenever parts are not being handled in the cleaner;

(d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;

(e) Provide a permanent, conspicuous label summarizing the operation requirements;

(f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

326 IAC 8-3-5 (Cold Cleaner Degreaser Operation and Control)

Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaner degreaser operations without remote solvent reservoirs built after July 1, 1990, located in Clark, Elkhart, Floyd, Lake, Marion, Porter or St. Joseph Counties, the Permittee shall ensure that the following requirements are met:

(1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:

(A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38^{o}C) (one hundred degrees Fahrenheit (100^{o}F));

(B) The solvent is agitated; or

(C) The solvent is heated.

(2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38^{o}C) (one hundred degrees Fahrenheit (100^{o}F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).

(4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

(5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38^{O}C) (one hundred degrees Fahrenheit (100^{O}F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9^{o}C) (one hundred twenty degrees Fahrenheit (120^{o}F)):

(A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.

(B) A water cover when solvent is used is insoluble in, and heavier than, water.

(C) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.

326 IAC 8-3-8 (Material requirements for cold cleaning degreasers)

Pursuant to 326 IAC 8-3-8 (Material require-ments for cold cleaning degreasers), the users, providers, and manufacturers of solvents for use in cold cleaning degreasers in Lake County, except for solvents intended to be used to clean electronic components shall do the following:

(a) On and after November 1, 1999, no person shall operate a cold cleaning degreaser with a solvent vapor pressure that exceeds two (2) millimeters of mercury (thirty-eight thousandths (0.038) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(b) On and after May 1, 2001, no person shall Operate a cold cleaning degreaser with a solvent vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(c) On and after November 1, 1999, all persons subject to the requirements of 326 IAC 8-3-8 (c)(1)(B) and (c)(2)(B) shall maintain each of the following records for each purchase:

(1) The name and address of the solvent supplier.

(2) The date of purchase.

(3) The type of solvent.

(4) The volume of each unit of solvent.

(5) The total volume of the solvent.

(6) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(d) All records required by 326 IAC 8-3-8 (d) shall be retained on-site for the most recent three (3) year period and shall be reasonably accessible for an additional two (2) year period.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

Pursuant to 326 IAC 8-9-1, the Permittee is required to keep records on the information in 326 IAC 8-9-6(a)-(b) for all storage vessels.

Testing Requirements

Cokenergy LLC has applicable performance testing conditions as specified below:

(a) Within thirty-six (36) months of issuance of this permit, or within five (5) years from the date of the last valid compliance test, whichever is earlier or an alternative date as determined by OAQ, Compliance Data Section, the Permittee shall perform PM and PM10 testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.1. Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack include both filterable and condensable particulate matter. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to

determine if the facility is in compliance. Testing shall be conducted in accordance with Section C - Performance Testing.

(b) Within thirty-six (36) months of issuance of this permit, or within five (5) years of the date of the last valid compliance test, whichever is earlier or an alternative date as determined by OAQ, Compliance Data Section, the Permittee and Indiana Harbor Coke Company (IHCC) shall perform NOx testing on the HRCC waste gas main stack (stack ID 201) using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.10 (found in IHCC Part 70 permit 089-11311-00382). These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

(a) Pursuant to 326 IAC 6-1-10.1(l), the Permittee shall submit to IDEM OAQ and maintain at the source a copy of the Continuous Compliance Plan (CCP). Pursuant to 326 IAC 6-1-10.1(l) through (v), the Permittee shall perform the inspections, monitoring and recordkeeping requirements as specified or in accordance to the Permittee's CCP.

(b) The lime spray dryer FGD unit (201) has applicable compliance monitoring conditions as specified below:

(1) Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous emissions monitoring systems (CEMS) for measuring SO_2 and O_2 concentrations and pound per hour emission rate on a 24 hour average basis downstream of the lime spray dryer of the baghouse on stack 201 and shall record the output of the systems. The Permittee shall comply with record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7. The output from CEMS shall be made available to Indiana Harbor Coke Company for utilization in the emission tracking program that calculates the combined emissions of SO_2 from main stack 201 and 16 vent stacks.

(2) Pursuant to Significant Modification 089-14243-00383 issued November 30, 2001 and 326 IAC 3-5, the Permittee shall calibrate, maintain and operate a continuous opacity monitoring systems (COMS) for measuring opacity at the

outlet of the baghouse on stack 201 and shall record the output of the systems. The Permittee shall comply with record keeping and reporting pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7.

(3) The Permittee shall record the pressure drop across the baghouse used in conjunction with the lime spray dryer FGD unit (201) at least once per shift when heat recovery coal carbonization facility (HRCC) is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

(4) An inspection shall be performed each calendar quarter of all bags controlling the waste gas stack that vents to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections are optional when venting to the indoors. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.

Conclusion

The operation of this a heated gas steam from coal carbonization operation shall be subject to the conditions of the attached proposed Part 70 Permit No. T089-11135-00383.