



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: September 22, 2006
RE: Indiana Harbor / 089-11311-00382
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 13-17-3-4 and 326 IAC 2, this permit modification 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 13-15-7-3 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 Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit 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 impracticable 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.



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PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Indiana Harbor Coke Company
a contractor of Mittal Steel USA Inc. - Indiana Harbor East
3210 Watling Street
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.: T089-11311-00382	
Issued by: Original Signed By: Nisha Sizemore, Branch Chief Office of Air Quality	Issuance Date: September 22, 2006 Expiration Date: September 22, 2011

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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 coal carbonization facility (HRCC).

Responsible Official:	Peter Zasowski
Source Address:	3210 Watling Street, East Chicago, Indiana 46312
Mailing Address:	3210 Watling Street, East Chicago, Indiana 46312
SIC Code:	3312
County Location:	Lake
Source Location Status:	Nonattainment for 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) Indiana Harbor Coke Company, the on-site contractor, is located at 3210 Watling Street, East Chicago, Indiana 46312.

Separate Part 70 permits will be issued to Mittal Steel USA Inc. - Indiana Harbor East and Indiana Harbor Coke Company solely for administrative purposes. For permitting purposes Mittal Steel USA Inc. - Indiana Harbor East is assigned Permit No. 089-6577-00316 and Indiana Harbor Coke Company is assigned Permit No. 089-11311-00382.

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

Indiana Harbor Coke Company consists of the following emission units and pollution control devices:

- (a) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of 35.2 million Btu per hour and a maximum coal throughput of 6067.2 tons of dry coal per day, enclosed with emissions controlled by a wet or chemical dust suppressant,
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of 6811 tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a wet or chemical dust suppressant,
- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of

6811 tons of dry coal per day, with emissions controlled by a wet or chemical dust suppressant, exhausting directly to the air,

- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons; and one (1) coal storage pile, identified as ES247 with a pile acreage of approximately 0.50 acres and a storage capacity of 5,000 tons, all controlled by a wet or chemical dust suppressant, exhausting directly to the air.
- (e) One (1) coal crusher and screening station, identified as ES230, with a maximum throughput of 6067.2 tons of dry coal per day, enclosed and controlled by dust suppressant,
- (f) One (1) active coal bin, with a storage capacity of 3,000 tons, or an alternate coal bin with a capacity of 2000 tons, enclosed and controlled by a wet or chemical dust suppressant. An emergency storage pile, located southwest of the coal crusher screening building (ES 230), will also be used periodically for emergency purposes only,
- (g) Two (2) coal weigh belts/diverter gates, identified as ES233 and ES234, with a combined maximum throughput of 6067.2 tons of dry coal per day, each enclosed (except for the belts above the ovens which are not enclosed due to safety reasons) and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 233 and 234, respectively,
- (h) Two (2) coal silos, identified as ES231 and ES232, each with a storage capacity of 13,600 cubic feet, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 231 and 232, respectively,
- (i) Four (4) coke oven charging/pushing units, identified as ES202 ES202B, ES203, and ES203D, each having a maximum capacity of 2794.5 tons of dry coal per day for charging and 2013.7 tons of coke per day for pushing. ES202 and ES202B shall be used interchangeably with respect to "A" and "B" batteries, provided that any time only one of these units shall be in use. ES203 and ES203D shall be used interchangeably with respect to "C" and "D" batteries, provided that any time only one of these units shall be in use. During charging each unit has emissions captured by a hood and controlled by one (1) baghouse, each exhausting through one (1) stack, and each identified as 202, 202B, 203 and 203D, respectively. During pushing all units have emissions captured in a shed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 204,
- (j) Two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 distributed in four batteries identified as A, B, C and D, with a maximum capacity of 5589.0 tons of dry coal per day, heated by recirculating combusted gas, under constant negative pressure, with emissions controlled by one (1) lime spray dryer desulfurization unit and one (1) baghouse, with waste gas emissions exhausting through one (1) main stack, identified as 201 and occasionally through some of the sixteen (16) vent stacks distributed over 4 batteries. Cokenergy LLC (Permit No. 089-11135-00383) is responsible for SO₂, PM₁₀ and TSP emissions from the lime spray dryer desulfurization unit and baghouse. There is a continuous emissions monitoring (CEMs) for SO₂ installed on stack 201, which is controlled by Cokenergy.
- (k) Two (2) quench towers, identified as ES206 and ES207, each with a maximum capacity of 2013.7 tons of dry coke per day, used for quenching coke by spraying water from Lake Michigan, quench tower recycle, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers, and clean-up water for charging unit within enclosed tower, each controlled by baffles, each exhausting through one (1) stack, identified as 206 and 207, respectively,
- (l) Five (5) coke transfer towers and coke conveying system with nine (9) transfer points, identified as ES260 through ES264, 263A and 264A, and ES266 through ES267, with each tower having a maximum throughput of 4020 tons of dry coke per day, and all conveyors

running above ground are covered such that emissions generated during conveying are directed to the enclosed transfer points and controlled by one (1) baghouse, and exhausting inside the tower,

- (m) one (1) run of oven coke storage pile, identified as ES280, with a pile acreage of approximately 3.0 acres and a storage capacity of 4,500 tons, with emissions controlled by a wet dust suppressant as needed, exhausting directly to the air,
- (n) one (1) coke crusher and screening station, identified as ES265, with a maximum throughput of 4020 tons of dry coke per day, enclosed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 265,
- (o) one (1) coke fines storage pile, identified as ES281, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant as needed, exhausting directly to the air,
- (p) one (1) rail car coke loadout station, identified as ES250, with a maximum throughput of 4020 tons of dry coke per day, controlled by a wet dust suppressant as needed, exhausting directly to the air.
- (q) Paved roads and parking lots controlled by periodic washing and unpaved roads controlled by watering, and
- (r) Partially covered coke conveyors (ES301) leading to the coke crusher and screening station.

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

Indiana Harbor Coke Company 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]

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

This stationary source 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, T089-11311-00382, 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. Indiana Harbor Coke will certify, as required in this section, to those portions of the source that are under its control which include the requirements associated with the coke batteries and vent stacks,

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 No.: 317-233-0178 (ask for Compliance Section)
Facsimile No.: 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.

- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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).
- (f) 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)]
- (g) 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 T089-6577-00316 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. This limitation does not apply to the charging emissions from the Indiana Harbor Coke Company facilities. Those facilities are subject to a 20% opacity standard based on 5 consecutive charges.
 - (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. Indiana Harbor Coke Company shall implement its Fugitive Dust Control Plan for the areas under its control. 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 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.13 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.14 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.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

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.16 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.17 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.18 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.19 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.

C.20 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.21 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) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of 35.2 million Btu per hour and a maximum coal throughput of 6067.2 tons of dry coal per day, enclosed with emissions controlled by a wet or chemical dust suppressant,
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of 6811 tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a wet or chemical dust suppressant,
- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of 6811 tons of dry coal per day, with emissions controlled by a wet or chemical dust suppressant, exhausting directly to the air,
- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons; and one (1) coal storage pile, identified as ES247 with a pile acreage of approximately 0.50 acres and a storage capacity of 5,000 tons, all controlled by a wet or chemical dust suppressant, exhausting directly to the air.
- (e) One (1) coal crusher and screening station, identified as ES230, with a maximum throughput of 6067.2 tons of dry coal per day, enclosed and controlled by dust suppressant,
- (f) One (1) active coal bin, with a storage capacity of 3,000 tons, or an alternate coal bin with a capacity of 2000 tons, enclosed and controlled by a wet or chemical dust suppressant. An emergency storage pile, located southwest of the coal crusher screening building (ES 230), will also be used periodically for emergency purposes only,
- (g) Two (2) coal weigh belts/diverter gates, identified as ES233 and ES234, with a combined maximum throughput of 6067.2 tons of dry coal per day, each enclosed (except for the belts above the ovens which are not enclosed due to safety reasons) and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 233 and 234, respectively,
- (h) Two (2) coal silos, identified as ES231 and ES232, each with a storage capacity of 13,600 cubic feet, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 231 and 232, respectively,
- (i) Four (4) coke oven charging/pushing units, identified as ES202 ES202B, ES203, and ES203D, each having a maximum capacity of 2794.5 tons of dry coal per day for charging and 2013.7 tons of coke per day for pushing. ES202 and ES202B shall be used interchangeably with respect to "A" and "B" batteries, provided that any time only one of these units shall be in use. ES203 and ES203D shall be used interchangeably with respect to "C" and "D" batteries, provided that any time only one of these units shall be in use. During charging each unit has emissions captured by a hood and controlled by one (1) baghouse, each exhausting through one (1) stack, and each identified as 202, 202B, 203 and 203D, respectively. During pushing all units have emissions captured in a shed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 204,
- (j) Two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 distributed in four batteries identified as A, B, C and D, with a maximum capacity of 5589.0 tons of dry coal per day, heated by recirculating combusted gas, under constant negative pressure, with emissions controlled by one (1) lime spray dryer desulfurization unit and one (1) baghouse, with waste gas emissions exhausting through one (1) main stack, identified as 201 and occasionally through some of the sixteen (16) vent stacks distributed over 4 batteries. Cokenergy LLC (Permit No. 089-11135-00383) is responsible for SO₂, PM₁₀ and TSP emissions from the lime spray dryer desulfurization unit and baghouse. There is a continuous emissions monitoring (CEMs) for SO₂ installed on stack 201, which is controlled by Cokenergy.

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

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

- (k) Two (2) quench towers, identified as ES206 and ES207, each with a maximum capacity of 2013.7 tons of dry coke per day, used for quenching coke by spraying water from Lake Michigan, quench tower recycle, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers, and clean-up water for charging unit within enclosed tower, each controlled by baffles, each exhausting through one (1) stack, identified as 206 and 207, respectively,
- (l) Five (5) coke transfer towers and coke conveying system with nine (9) transfer points, identified as ES260 through ES264, 263A and 264A, and ES266 through ES267, with each tower having a maximum throughput of 4020 tons of dry coke per day, and all conveyors running above ground are covered such that emissions generated during conveying are directed to the enclosed transfer points and controlled by one (1) baghouse, and exhausting inside the tower,
- (m) one (1) run of oven coke storage pile, identified as ES280, with a pile acreage of approximately 3.0 acres and a storage capacity of 4,500 tons, with emissions controlled by a wet dust suppressant as needed, exhausting directly to the air,
- (n) one (1) coke crusher and screening station, identified as ES265, with a maximum throughput of 4020 tons of dry coke per day, enclosed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 265,
- (o) one (1) coke fines storage pile, identified as ES281, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant as needed, exhausting directly to the air,
- (p) one (1) rail car coke loadout station, identified as ES250, with a maximum throughput of 4020 tons of dry coke per day, controlled by a wet dust suppressant as needed, exhausting directly to the air.
- (q) Paved roads and parking lots controlled by periodic washing and unpaved roads controlled by watering, and
- (r) Partially covered coke conveyors (ES301) leading to the coke crusher and screening station.

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 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 HRCC waste gas stack (Stack ID 201) and 16 vent stacks, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D), the HRCC pushing stack (Stack ID 204), the quench towers stacks (Stack IDs 206 and 207), the east and west coal silos baghouse, (Stack IDs 231 and 232), the coal weigh belts/diverter gates baghouse (Stack ID 233 and 234), the coke transfer towers baghouse (Stack ID 260), the coke crusher and screening station baghouse (Stack ID 265), and shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf). Compliance with this limit will be determined through a weighted average of the gases exhausted from the vent stack(s) and main stack.

D.1.2 PSD and Emission Offset Minor Source Limits [326 IAC 2-2][326 IAC 2-3]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable, the amount of dry coal processed through the nonrecovery coke oven facility shall be limited to less than or equal to 2,040,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

D.1.3 VOC Limitations [326 IAC 2-3]

The VOC emissions shall be limited, in order to make the requirements of 326 IAC 2-3 not applicable, as follows:

- (a) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, and 326 IAC 2-3, the HRCC waste gas stack (Stack ID 201) and 16 vent stacks shall be limited to 2.28 pounds per hour, averaged over a 24 hour period,
- (b) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.000032 pounds per ton of dry coal charged,
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the HRCC pushing stack (Stack ID 204) shall be limited to 0.000076 pounds per ton of dry coal charged, and
- (d) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the quench towers stacks (Stack IDs 206 and 207) shall be limited to 0.001 pounds per ton of dry coal charged.

D.1.4 Lead Limitations [326 IAC 2-2]

The lead emissions from the coke oven facility shall be limited, in order to make the requirements of 326 IAC 2-3 not applicable, as follows:

- (a) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the HRCC waste gas stack (Stack ID 201) and 16 vent stacks shall be limited to 0.19 pounds per hour, averaged over a six (6) hour period,
- (b) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.0000012 pounds per ton of dry coal charged,
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the HRCC pushing stack (Stack ID 204) shall be limited to 0.00000285 pounds per ton of dry coal charged, and
- (d) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the quench towers stacks (Stack IDs 206 and 207) shall be limited to 0.0 pounds per ton of dry coal charged.

D.1.5 Particulate Matter [326 IAC 2-3]

- (a) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998; in order to make the requirements of 326 IAC 2-3 not applicable, particulate matter (PM)(where PM includes filterable components) emissions from the coal and coke handling equipment and vent stacks shall be limited as follows:
 - (1) the coal rail car dump (Stack ID 210) and coal transfer towers (Stack IDs 211, 213, and 214) shall each be limited to 0.01 pounds per hour, averaged over a 24 hour period,
 - (2) the coal pile stacking unit (Stack ID 212) shall be limited to 0.14 pounds per hour, averaged over a 24 hour period,
 - (3) the coal crusher and screening station (Stack ID 230) shall be limited to 0.36 pounds per hour,
 - (4) the east and west coal silos, (Stack IDs 231 and 232) and the coal weigh belts/diverter gates (Stack IDs 233 and 234) shall each be limited to 0.075 pounds per hour,

- (5) the coke transfer towers (Stack IDs 206 through 264, 266 and 267) shall each be limited to 0.075 pounds per hour,
 - (6) the coke crusher and screening station (Stack ID 265) shall be limited to 1.34 pounds per hour, and
 - (7) the rail car coke loadout station (Stack ID 250) shall be limited to 0.42 pounds per hour.
- (b) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, each vent stack shall be limited to 11.875 lb/hour (both filterable and condensable), averaged over a 24 hour period, and
 - (c) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, combined PM from the 16 vent stacks shall be limited to 36.1 lb/hour (both filterable and condensable), averaged over a 24 hour period. This is equivalent to exhaust waste gases being vented from the coke ovens from 19% of vent stacks in a 24 hour period.
 - (d) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, particulate matter (PM) emissions from each HRCC charging stack (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.0081 pounds per ton of dry coal charged.

D.1.6 Particulate Matter [326 IAC 6.8-9-1]

- (a) Each coke battery shall comply with the following applicable requirements contained in 326 IAC 6.8-9-1 (formerly 326 IAC 6-1-10.2):
 - (1) Pursuant to 326 IAC 6.8-9-3(c)(3)(C) (formerly 326 IAC 6-1-10.2(c)(3)(C)), the particulate emissions from the pushing shed stack (Stack ID 204) shall not exceed 0.04 pounds per ton of coke pushed. Compliance with this emission limit shall be determined by 40 CFR 60, Appendix A, Method 5.
 - (2) Pursuant to 326 IAC 6.8-9-3(c)(2) (formerly 326 IAC 6-1-10.2(c)(2)) and construction permit 089-9236-00382 issued on February 26, 1998, charging emissions which escape the oven door shall be minimized by collecting in a mobile hood, which is connected to the charging/pushing unit, and exhausting through the charging stacks (Stack IDs 202, 202B, 203 and 203D).
 - (3) Pursuant to 326 IAC 6.8-9-3(c)(6) (formerly 326 IAC 6-1-10.2(c)(6)) and construction permit 089-9236-00382 issued on February 26, 1998, no visible emissions shall be permitted from the waste gas common duct or its associated piping.
- (b) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, pushing emissions which escape the cokeside oven door shall be minimized by collecting in a stationary shed, which runs the length of the coke oven battery, and exhausted through the pusher stack (Stack ID 204).
 - (1) Visible emissions escaping the shed shall not exceed an average of twenty percent (20%) over a three (3) minute time period. Compliance with this limit shall satisfy the requirement of 326 IAC 6.8-9-3(c)(3)(B) (formerly 326 IAC 6-1-10.2(c)(3)(B)).
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the water used in the quenching process shall come only from surface water, specifically Lake Michigan, quench tower recycle water, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers and clean-up water for charging unit surface water. The total dissolved solids (TDS) shall not exceed an average of 1100 milligrams per liter and the quench tower baffles shall cover 95% or more of the cross sectional area of the exhaust to ensure particulate emissions do not exceed 0.43 pounds

per ton of coal.

D.1.7 Opacity

Pursuant to 326 IAC 12-1, 40 CFR 60.250, and construction permit 089-9236-00382 issued on February 26, 1998, the coal handling equipment, including the crusher, screener, conveyors, storage piles, storage bins, and transfer points shall not cause to be discharged into the atmosphere any gases which exhibit twenty percent (20%) opacity of greater, as determined by EPA referenced Method 9.

D.1.8 NO_x Limit

Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the combined NO_x emissions from the main stack (Stack ID 201) and 16 vent stacks shall not exceed 304.7 pounds per hour, averaged over a 24 hour period.

D.1.9 Coke Battery NESHAP Limitations and Requirements

Pursuant to 326 IAC 20-1-1, 40 CFR 63, Subpart L (Coke Oven Batteries), and construction permit 089-9236-00382 issued on February 26, 1998, the nonrecovery coke oven facility shall comply with requirements of this rule including, but not limited to, the following:

- (a) 0.0 percent (0.0%) leaking coke oven doors, as determined by the procedures in 40 CFR 63.309(d)(1), or the Permittee shall monitor and record, once per day for each day of operation, the pressure in each oven or in a common battery tunnel to ensure that the ovens are operated under a negative pressure,
- (b) for charging operations, the Permittee shall install, operate, and maintain an emission control system for the capture and collection of emissions in a manner consistent with good air pollution control practices for minimizing emission from the from the charging operation,
- (c) the Permittee shall prepare and submit to the Commissioner a written emission control work practice plan for each coke oven battery. The plan components are outlined in 40 CFR 63.306, and
- (d) reporting and record keeping requirements shall be followed as stated in 40 CFR 63.311, where applicable.

D.1.10 Work Practice Requirements [326 IAC 2-2] [326 IAC 2-3]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, 326 IAC 2-2 and 326 IAC 2-3, the sixteen (16) heat exchangers shall not utilize waste gas from the coke ovens as a combustion source to produce steam for the steam generators.

D.1.11 Sulfur Dioxide Limit [326 IAC 7-4.1-8]

Pursuant to 326 IAC 7-4.1-8:

- (a) IHCC, Source ID # 382, shall comply with the sulfur dioxide emission limits in pounds per ton, pounds per hour and other requirements as follows:
 - (1) IHCC Coal Carbonization charging shall be limited to 0.0069 lb/ton each and 1.57 lb/hr total
 - (2) IHCC Coal Carbonization pushing shall be limited to 0.0084 lb/ton and 1.96 lb/hr
 - (3) IHCC Coal Carbonization quenching shall be limited to 0.0053 lb/ton and 1.322 lb/hr total
 - (4) IHCC Coal Carbonization thaw shed shall be limited to 0.0006 lb/1,000 cubic feet natural gas
 - (5) IHCC Vent Stacks (16 total) in combination with Cokenergy's heat recovery coke carbonization was gas stack identified as Stack ID 201 shall be limited to 1,656 total for a 24 hour average
- (b) The coke ovens shall recycle the gases emitted during the coking process and utilize it as the only fuel source for the ovens during normal operations. The gases shall not be routed directly to the atmosphere unless they first pass through the common tunnel afterburner. A

maximum of nineteen percent (19%) of the coke oven waste gases leaving the common tunnel shall be allowed to be vented to the atmosphere on a twenty-four (24) hour basis and fourteen percent (14%) on an annual basis.

D.1.12 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.1.13 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 of a representative number of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.5(c). Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack, vent stacks and charging operations 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. 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 and Cokenergy LLC 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.1.8. 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.
- (c) 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 SO₂ testing of four (4) of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.11 by combining SO₂ emissions from vent stacks with the SO₂ emissions from the main stack (stack ID 201). 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.

D.1.14 Particulate Control [326 IAC 2-7-6(6)]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998:

- (a) The baghouses for the coal and coke handling equipment (Stack IDs 231 through 234 and 260 through 267) and the charging and pushing equipment (Stack IDs 202 through 204) shall be operated at all times when its associated process is in operation, except during times of required facility maintenance as long as PM emission limits found in conditions D.1.5 and D.1.6 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) The charging unit baghouses (Stack IDs 202, 202B, 203 and 203D) shall be operated within the pressure drop ranges in the work practice plan. The fans associated with these baghouses shall be operated at minimum fan amperage in the work practice plan. In addition, oven damper adjustments shall be made to maximize oven draft during charging operations. Monitoring of these parameters shall be performed during charging to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306. These procedures along with the requirements established in D.1.6 shall satisfy the requirements of 326 IAC 6.8-9-3(c)(2) (formerly 326 IAC 6-1-10.2(c)(2)).

- (c) The shed for collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. The pushing unit baghouses (Stack ID 204) shall be operated within the pressure drop range in the work practice plan. The fan associated with the baghouse shall be operated at minimum fan amperage in the work practice plan. In addition, adjustments shall be made to oven dampers closest to the oven being pushed to maximize oven draft during pushing operations. Monitoring of these parameters shall be performed during pushing to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306.
- (d) 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 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.

D.1.15 Duct Temperature

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall operate and maintain common duct temperatures in a range of 1200-2400 degrees Fahrenheit.

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

D.1.16 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

- (a) Visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable steps in accordance with Section C-Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C- Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.17 Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouses for ES202 through ES204 and ES265 at least once per day when units ES202 through ES204 and ES265 are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 - 8.0 inches of water, the Permittee shall take reasonable response steps in accordance 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.

D.1.18 Broken or Failed Bag Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

For a single compartment baghouse a failed unit and the associated process shall be shut down immediately until the failed unit has 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.1.19 Duct Temperature Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998; the temperature of the common tunnel duct shall be monitored at least once per work shift. When for any one reading, the temperature of the common tunnel duct is outside the normal range of 1200-2400 degrees Fahrenheit, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A reading that is outside the range is not a deviation from this permit. Failure to take response steps in accordance with Section Section C- Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.20 Emission Tracking Program

Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, an emission tracking program that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks shall be maintained. This program shall also track the percentage of waste gas vented. Information calculated by this program shall be made available to Cokenergy LLC.

D.1.21 Quench Tower Water Testing

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall perform tests of total dissolved solids (TDS) in the quench water on a weekly basis. When for any one reading the TDS exceeds the amount stated in D.1.6(c), the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C- Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.1.22 Record Keeping Requirements

- (a) In order to document compliance with Condition D.1.16, the Permittee shall maintain records of visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) stack exhaust(s) at least once per day.
- (b) In order to document compliance with condition D.1.17, the Permittee shall maintain records of the pressure drop across the baghouses once per day, during normal operation when venting to the atmosphere.
- (c) In order to document compliance with Condition D.1.2, the Permittee shall maintain records of the tons of coal charged per month.
- (d) In order to document compliance with Condition D.1.6 (c) and D.1.21, the Permittee shall maintain records of the total dissolved solids in the quench water as determined by the test protocol required in Condition D.1.8 (c).
- (e) In order to document compliance with Condition D.1.19, the Permittee shall maintain records that the temperature of the common tunnel ducts on a once per work shift.
- (f) In order to document compliance with Condition D.1.20, the Permittee shall maintain records that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks.
- (g) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.23 Reporting Requirements

The Permittee shall submit a quarterly summary of the information to document compliance with condition D.1.2 and D.1.22 (c). This report 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 and is included with 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).

D.1.24 General Provisions Relating to HAPs [326 IAC 20-1] [40 CFR 63, Subpart A] [Table 1 of 40 CFR 63, Subpart CCCCC]

The Provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 20-1-1, apply to the affected sources, except when otherwise specified by Table 1 to 40 CFR 63, Subpart CCCCC.

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart CCCCC—National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks

Source: 68 FR 18025, Apr. 14, 2003, unless otherwise noted.

§ 63.7280 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for pushing, soaking, quenching, and battery stacks at coke oven batteries. This subpart also establishes requirements to demonstrate initial and continuous compliance with all applicable emission limitations, work practice standards, and operation and maintenance requirements in this subpart.

§ 63.7281 Am I subject to this subpart?

You are subject to this subpart if you own or operate a coke oven battery at a coke plant that is (or is part of) a major source of hazardous air pollutant (HAP) emissions. A major source of HAP is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year.

§ 63.7282 What parts of my plant does this subpart cover?

- (a) This subpart applies to each new or existing affected source at your coke plant. The affected source is each coke oven battery.
- (b) This subpart covers emissions from pushing, soaking, quenching, and battery stacks from each affected source.
- (c) An affected source at your coke plant is existing if you commenced construction or reconstruction of the affected source before July 3, 2001.
- (d) An affected source at your coke plant is new if you commenced construction or reconstruction of the affected source on or after July 3, 2001. An affected source is reconstructed if it meets the definition of "reconstruction" in §63.2.

§ 63.7283 When do I have to comply with this subpart?

- (a) If you have an existing affected source, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you no later than April 14, 2006.
- (d) You must meet the notification and schedule requirements in §63.7340. Several of these notifications must be submitted before the compliance date for your affected source.

[68 FR 18025, Apr. 14, 2003; 68 FR 19885, Apr. 22, 2003]

Emission Limitations and Work Practice Standards

§ 63.7290 What emission limitations must I meet for capture systems and control devices applied to pushing emissions?

- (a) You must not discharge to the atmosphere emissions of particulate matter from a control device applied to pushing emissions from a new or existing coke oven battery that exceed the applicable limit in paragraphs (a)(1) through (4) of this section:
 - (1) 0.01 grain per dry standard cubic foot (gr/dscf) if a cokeside shed is used to capture emissions;
- (b) You must meet each operating limit in paragraphs (b)(1) through (4) of this section that applies to you for a new or existing coke oven battery.
 - (3) For each capture system applied to pushing emissions, you must maintain the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial performance test; or
 - (i) For each capture system that uses an electric motor to drive the fan, you must maintain the daily average fan motor amperes at or above the minimum level established during the initial performance test; and

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60818, Oct. 13, 2004]

§ 63.7293 What work practice standards must I meet for fugitive pushing emissions if I have a non-recovery coke oven battery?

- (a) You must meet the requirements in paragraphs (a)(1) and (2) of this section for each new and existing non-recovery coke oven battery.
 - (1) You must visually inspect each oven prior to pushing by opening the door damper and observing the bed of coke.
 - (2) Do not push the oven unless the visual inspection indicates that there is no smoke in the open space above the coke bed and that there is an unobstructed view of the door on the opposite side of the oven.
- (b) As provided in §63.6(g), you may request to use an alternative to the work practice standard in paragraph (a) of this section.

§ 63.7295 What requirements must I meet for quenching?

- (a) You must meet the requirements in paragraphs (a)(1) and (2) of this section for each quench tower and backup quench station at a new or existing coke oven battery.
 - (1) For the quenching of hot coke, you must meet the requirements in paragraph (a)(1)(i)
 - (i) The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L); or
 - (2) You must use acceptable makeup water, as defined in §63.7352, as makeup water for quenching.
- (b) For each quench tower at a new or existing coke oven battery and each backup quench station at a new coke oven battery, you must meet each of the requirements in paragraphs (b)(1) through (4) of this section.
 - (1) You must equip each quench tower with baffles such that no more than 5 percent of the cross sectional area of the tower may be uncovered or open to the sky.
 - (2) You must wash the baffles in each quench tower once each day that the tower is used to quench coke, except as specified in paragraphs (b)(2)(i) and (ii) of this section.
 - (i) You are not required to wash the baffles in a quench tower if the highest measured ambient temperature remains less than 30 degrees Fahrenheit throughout that day (24-hour period). If the measured ambient temperature rises to 30 degrees Fahrenheit or more during the day, you must resume daily washing according to the schedule in your operation and maintenance plan.
 - (ii) You must continuously record the ambient temperature on days that the baffles were not washed.
 - (3) You must inspect each quench tower monthly for damaged or missing baffles and blockage.
 - (4) You must initiate repair or replacement of damaged or missing baffles within 30 days and complete as soon as practicable.
- (c) As provided in §63.6(g), you may request to use an alternative to the work practice standards in paragraph (b) of this section.

Operation and Maintenance Requirements

§ 63.7300 What are my operation and maintenance requirements?

- (a) As required by §63.6(e)(1)(i), you must always operate and maintain your affected source, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this subpart.

- (c) You must prepare and operate at all times according to a written operation and maintenance plan for each capture system and control device applied to pushing emissions from a new or existing coke oven battery. Each plan must address at a minimum the elements in paragraphs (c)(1) through (3) of this section.
- (1) Monthly inspections of the equipment that are important to the performance of the total capture system (e.g., pressure sensors, dampers, and damper switches). This inspection must include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). In the event a defect or deficiency is found in the capture system (during a monthly inspection or between inspections), you must complete repairs within 30 days after the date that the defect or deficiency is discovered. If you determine that the repairs cannot be completed within 30 days, you must submit a written request for an extension of time to complete the repairs that must be received by the permitting authority not more than 20 days after the date that the defect or deficiency is discovered. The request must contain a description of the defect or deficiency, the steps needed and taken to correct the problem, the interim steps being taken to mitigate the emissions impact of the defect or deficiency, and a proposed schedule for completing the repairs. The request shall be deemed approved unless and until such time as the permitting authority notifies you that it objects to the request. The permitting authority may consider all relevant factors in deciding whether to approve or deny the request (including feasibility and safety). Each approved schedule must provide for completion of repairs as expeditiously as practicable, and the permitting authority may request modifications to the proposed schedule as part of the approval process.
 - (2) Preventative maintenance for each control device, including a preventative maintenance schedule that is consistent with the manufacturer's instructions for routine and long-term maintenance.
 - (3) Corrective action for all baghouses applied to pushing emissions. In the event a bag leak detection system alarm is triggered, you must initiate corrective action to determine the cause of the alarm within 1 hour of the alarm, initiate corrective action to correct the cause of the problem within 24 hours of the alarm, and complete the corrective action as soon as practicable. Actions may include, but are not limited to:
 - (i) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in emissions.
 - (ii) Sealing off defective bags or filter media.
 - (iii) Replacing defective bags or filter media or otherwise repairing the control device.
 - (iv) Sealing off a defective baghouse compartment.
 - (v) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.
 - (vi) Shutting down the process producing the particulate emissions.

[68 FR 18025, Apr. 14, 2003, as amended at 70 FR 44289, Aug. 2, 2005]

General Compliance Requirements

§ 63.7310 What are my general requirements for complying with this subpart?

- (a) You must be in compliance with the emission limitations, work practice standards, and operation and maintenance requirements in this subpart at all times, except during periods of startup, shutdown, and malfunction as defined in §63.2.
- (b) During the period between the compliance date specified for your affected source in §63.7283 and the date upon which continuous monitoring systems have been installed and certified and any applicable operating limits have been set, you must maintain a log detailing the operation and maintenance of the process and emissions control equipment.
- (c) You must develop a written startup, shutdown, and malfunction plan according to the provisions in §63.6(e)(3).

[68 FR 18025, Apr. 14, 2003, as amended at 71 FR 20467, Apr. 20, 2006]

Initial Compliance Requirements

§ 63.7320 By what date must I conduct performance tests or other initial compliance demonstrations?

- (a) As required in §63.7(a)(2), you must conduct a performance test to demonstrate compliance with each

limit in §63.7290(a) for emissions of particulate matter from a control device applied to pushing emissions that applies to you within 180 calendar days after the compliance date that is specified in §63.7283.

- (b) You must conduct performance tests to demonstrate compliance with the TDS limit or constituent limit for quench water in §63.7295(a)(1)
- (c) For each work practice standard and operation and maintenance requirement that applies to you, you must demonstrate initial compliance within 30 calendar days after the compliance date that is specified in §63.7283.

§ 63.7321 When must I conduct subsequent performance tests?

For each control device subject to an emission limit for particulate matter in §63.7290(a), you must conduct subsequent performance tests no less frequently than twice (at mid-term and renewal) during each term of your title V operating permit.

§ 63.7322 What test methods and other procedures must I use to demonstrate initial compliance with the emission limits for particulate matter?

- (a) You must conduct each performance test that applies to your affected source according to the requirements in paragraph (b) of this section.
- (b) To determine compliance with the emission limit for particulate matter from a control device applied to pushing emissions where a cokeside shed is the capture system, follow the test methods and procedures in paragraphs (b)(1) and (2) of this section. To determine compliance with a process-weighted mass rate of particulate matter (lb/ton of coke) from a control device applied to pushing emissions where a cokeside shed is not used, follow the test methods and procedures in paragraphs (b)(1) through (4) of this section.
 - (1) Determine the concentration of particulate matter according to the following test methods in appendix A to 40 CFR part 60.
 - (i) Method 1 to select sampling port locations and the number of traverse points. Sampling sites must be located at the outlet of the control device and prior to any releases to the atmosphere.
 - (ii) Method 2, 2F, or 2G to determine the volumetric flow rate of the stack gas.
 - (iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas.
 - (iv) Method 4 to determine the moisture content of the stack gas.
 - (v) Method 5 or 5D, as applicable, to determine the concentration of front half particulate matter in the stack gas.
 - (2) During each particulate matter test run, sample only during periods of actual pushing when the capture system fan and control device are engaged. Collect a minimum sample volume of 30 dry standard cubic feet of gas during each test run. Three valid test runs are needed to comprise a performance test. Each run must start at the beginning of a push and finish at the end of a push (i.e., sample for an integral number of pushes).
 - (3) Determine the total combined weight in tons of coke pushed during the duration of each test run according to the procedures in your source test plan for calculating coke yield from the quantity of coal charged to an individual oven.
 - (4) Compute the process-weighted mass emissions (E_p) for each test run using Equation 1 of this section as follows:

Where:

E_p = Process weighted mass emissions of particulate matter, lb/ton;

C = Concentration of particulate matter, gr/dscf;

Q = Volumetric flow rate of stack gas, dscf/hr;

T = Total time during a run that a sample is withdrawn from the stack during pushing, hr;

P = Total amount of coke pushed during the test run, tons; and

K = Conversion factor, 7,000 gr/lb.

[68 FR 18025, Apr. 14, 2003, as amended at 70 FR 44289, Aug. 2, 2005]

§ 63.7325 What test methods and other procedures must I use to demonstrate initial compliance with the TDS or constituent limits for quench water?

- (a) If you elect the TDS limit for quench water in §63.7295(a)(1)(i), you must conduct each performance test that applies to your affected source according to the conditions in paragraphs (a)(1) and (2) of this

section.

- (1) Take the quench water sample from a location that provides a representative sample of the quench water as applied to the coke (e.g., from the header that feeds water to the quench tower reservoirs). Conduct sampling under normal and representative operating conditions.
- (2) Determine the TDS concentration of the sample using Method 160.1 in 40 CFR part 136.3 (see "residue—filterable"), except that you must dry the total filterable residue at 103 to 105 °C (degrees Centigrade) instead of 180 °C.

§ 63.7326 How do I demonstrate initial compliance with the emission limitations that apply to me?

- (a) For each coke oven battery subject to the emission limit for particulate matter from a control device applied to pushing emissions, you have demonstrated initial compliance if you meet the requirements in paragraphs (a)(1) through (4) of this section that apply to you.
 - (1) The concentration of particulate matter, measured in accordance with the performance test procedures in §63.7322(b)(1) and (2), did not exceed 0.01 gr/dscf for a control device where a cokeside shed is used to capture pushing emissions
 - (4) For each capture system applied to pushing emissions, you have established an appropriate site-specific operating limit, and:
 - (ii) If you elect the operating limit in §63.7290(b)(3)(i) for fan motor amperes, you have a record of the fan motor amperes during the performance test in accordance with §63.7323(c)(2);

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7327 How do I demonstrate initial compliance with the work practice standards that apply to me?

- (c) For each non-recovery coke oven battery subject to the work practice standards for fugitive pushing emissions in §63.7293(a), you have demonstrated initial compliance if you certify in your notification of compliance status that you will meet each of the work practice requirements beginning no later than the compliance date that is specified in §63.7283.
- (e) For each coke oven battery, you have demonstrated initial compliance with the work practice standards for quenching in §63.7295(b) if you certify in your notification of compliance status that you have met the requirements of paragraphs (e)(1) and (2) of this section:
 - (1) You have installed the required equipment in each quench tower; and
 - (2) You will meet each of the work practice requirements beginning no later than the compliance date that is specified in §63.7283.
- (f) For each work practice standard that applies to you, you must submit a notification of compliance status according to the requirements in §63.7340(e)(1).

§ 63.7328 How do I demonstrate initial compliance with the operation and maintenance requirements that apply to me?

You have demonstrated initial compliance if you certify in your notification of compliance status that you have met the requirements of paragraphs (a) through (d) of this section:

- (a) You have prepared the operation and maintenance plans according to the requirements in §63.7300(b) and (c);
- (b) You will operate each by-product coke oven battery and each capture system and control device applied to pushing emissions from a coke oven battery according to the procedures in the plans beginning no later than the compliance date that is specified in §63.7283;
- (c) You have prepared a site-specific monitoring plan according to the requirements in §63.7331(b); and
- (d) You submit a notification of compliance status according to the requirements in §63.7340(e).

Continuous Compliance Requirements

§ 63.7330 What are my monitoring requirements?

- (a) For each baghouse applied to pushing emissions from a coke oven battery, you must at all times monitor the relative change in particulate matter loadings using a bag leak detection system according to the requirements in §63.7331(a) and conduct inspections at their specified frequency according to the requirements in paragraphs (a)(1) through (8) of this section.
 - (1) Monitor the pressure drop across each baghouse cell each day to ensure pressure drop is within

- the normal operating range identified in the manual;
- (2) Confirm that dust is being removed from hoppers through weekly visual inspections or equivalent means of ensuring the proper functioning of removal mechanisms;
 - (3) Check the compressed air supply for pulse-jet baghouses each day;
 - (4) Monitor cleaning cycles to ensure proper operation using an appropriate methodology;
 - (5) Check bag cleaning mechanisms for proper functioning through monthly visual inspection or equivalent means;
 - (6) Make monthly visual checks of bag tension on reverse air and shaker-type baghouses to ensure that bags are not kinked (kneed or bent) or laying on their sides. You do not have to make this check for shaker-type baghouses using self-tensioning (spring-loaded) devices;
 - (7) Confirm the physical integrity of the baghouse through quarterly visual inspections of the baghouse interior for air leaks; and
 - (8) Inspect fans for wear, material buildup, and corrosion through quarterly visual inspections, vibration detectors, or equivalent means.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7331 What are the installation, operation, and maintenance requirements for my monitors?

- (a) For each baghouse applied to pushing emissions, you must install, operate, and maintain each bag leak detection system according to the requirements in paragraphs (a)(1) through (7) of this section.
 - (1) The system must be certified by the manufacturer to be capable of detecting emissions of particulate matter at concentrations of 10 milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less;
 - (2) The system must provide output of relative changes in particulate matter loadings;
 - (3) The system must be equipped with an alarm that will sound when an increase in relative particulate loadings is detected over a preset level. The alarm must be located such that it can be heard by the appropriate plant personnel;
 - (4) Each system that works based on the triboelectric effect must be installed, operated, and maintained in a manner consistent with the guidance document, "Fabric Filter Bag Leak Detection Guidance" (EPA-454/R-98-015, September 1997). You may install, operate, and maintain other types of bag leak detection systems in a manner consistent with the manufacturer's written specifications and recommendations;
 - (5) To make the initial adjustment of the system, establish the baseline output by adjusting the sensitivity (range) and the averaging period of the device. Then, establish the alarm set points and the alarm delay time;
 - (6) Following the initial adjustment, do not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in your operation and maintenance plan. Do not increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365-day period unless a responsible official certifies, in writing, that the baghouse has been inspected and found to be in good operating condition; and
 - (7) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.
- (h) If you elect the operating limit in §63.7290(b)(3)(i) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the fan motor amperes.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7332 How do I monitor and collect data to demonstrate continuous compliance?

- (a) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including as applicable, calibration checks and required zero and span adjustments), you must monitor continuously (or collect data at all required intervals) at all times the affected source is operating.
- (b) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels, or in fulfilling a minimum data availability requirement, if applicable. You must use all the data collected during all other periods in assessing compliance. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitor to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

§ 63.7333 How do I demonstrate continuous compliance with the emission limitations that apply to

me?

- (a) For each control device applied to pushing emissions and subject to the emission limit in §63.7290(a), you must demonstrate continuous compliance by meeting the requirements in paragraphs (a)(1) and (2) of this section:
 - (1) Maintaining emissions of particulate matter at or below the applicable limits in paragraphs §63.7290(a)(1) through (4); and
 - (2) Conducting subsequent performance tests to demonstrate continuous compliance no less frequently than twice during each term of your title V operating permit (at mid-term and renewal).
- (d) For each capture system applied to pushing emissions and subject to the operating limit in §63.7290(b)(3), you must demonstrate continuous compliance by meeting the requirements in paragraph (d)(1), (2), or (3) of this section:
 - (2) If you elect the operating limit for fan motor amperes in §63.7290(b)(3)(i):
 - (i) Maintaining the daily average fan motor amperages at or above the minimum level established during the initial or subsequent performance test; and
 - (ii) Checking the fan motor amperage at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
- (f) Beginning on the first day compliance is required under §63.7283, you must demonstrate continuous compliance with the TDS limit for quenching in §63.7295(a)(1)(i) by meeting the requirements in paragraphs (f)(1) and (2) of this section:
 - (1) Maintaining the TDS content of the water used to quench hot coke at 1,100 mg/L or less; and
 - (2) Determining the TDS content of the quench water at least weekly according to the requirements in §63.7325(a) and recording the sample results.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7334 How do I demonstrate continuous compliance with the work practice standards that apply to me?

- (c) For each non-recovery coke oven battery subject to the work practice standards in §63.7293(a), you must demonstrate continuous compliance by maintaining records that document each visual inspection of an oven prior to pushing and that the oven was not pushed unless there was no smoke in the open space above the coke bed and there was an unobstructed view of the door on the opposite side of the oven.
- (e) For each coke oven battery subject to the work practice standard for quenching in §63.7295(b), you must demonstrate continuous compliance according to the requirements of paragraphs (e)(1) through (3) of this section:
 - (1) Maintaining baffles in each quench tower such that no more than 5 percent of the cross-sectional area of the tower is uncovered or open to the sky as required in §63.7295(b)(1);
 - (2) Maintaining records that document conformance with the washing, inspection, and repair requirements in §63.7295(b)(2), including records of the ambient temperature on any day that the baffles were not washed; and
 - (3) Maintaining records of the source of makeup water to document conformance with the requirement for acceptable makeup water in §63.7295(a)(2).

§ 63.7335 How do I demonstrate continuous compliance with the operation and maintenance requirements that apply to me?

- (b) For each coke oven battery with a capture system or control device applied to pushing emissions, you must demonstrate continuous compliance with the operation and maintenance requirements in §63.7300(c) by meeting the requirements of paragraphs (b)(1) through (3) of this section:
 - (1) Making monthly inspections of capture systems according to §63.7300(c)(1) and recording all information needed to document conformance with these requirements;
 - (2) Performing preventative maintenance for each control device according to §63.7300(c)(2) and recording all information needed to document conformance with these requirements; and
 - (3) Initiating and completing corrective action for a bag leak detection system alarm according to §63.7300(c)(3) and recording all information needed to document conformance with these requirements. This includes records of the times the bag leak detection system alarm sounds, and for each valid alarm, the time you initiated corrective action, the corrective action(s) taken, and the date on which corrective action is completed.

- (c) To demonstrate continuous compliance with the operation and maintenance requirements for a baghouse applied to pushing emissions from a coke oven battery in §63.7331(a), you must inspect and maintain each baghouse according to the requirements in §63.7331(a)(1) through (8) and record all information needed to document conformance with these requirements. If you increase or decrease the sensitivity of the bag leak detection system beyond the limits specified in §63.7331(a)(6), you must include a copy of the required written certification by a responsible official in the next semiannual compliance report.
- (d) You must maintain a current copy of the operation and maintenance plans required in §63.7300(b) and (c) onsite and available for inspection upon request. You must keep the plans for the life of the affected source or until the affected source is no longer subject to the requirements of this subpart.

§ 63.7336 What other requirements must I meet to demonstrate continuous compliance?

- (a) Deviations. You must report each instance in which you did not meet each emission limitation in this subpart that applies to you. This includes periods of startup, shutdown, and malfunction. You must also report each instance in which you did not meet each work practice standard or operation and maintenance requirement in this subpart that applies to you. These instances are deviations from the emission limitations (including operating limits), work practice standards, and operation and maintenance requirements in this subpart. These deviations must be reported according to the requirements in §63.7341.
- (b) Startup, shutdowns, and malfunctions.
 - (1) Consistent with §§63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with §63.6(e)(1).
 - (2) The Administrator will determine whether deviations that occur during a period of startup, shutdown, or malfunction are violations, according to the provisions in §63.6(e).

[68 FR 18025, Apr. 14, 2003, as amended at 71 FR 20467, Apr. 20, 2006]

Notification, Reports, and Records

§ 63.7340 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§63.6(h)(4) and (5), 63.7(b) and (c), 63.8(e) and (f)(4), and 63.9(b) through (h) that apply to you by the specified dates.
- (b) As specified in §63.9(b)(2), if you startup your affected source before April 14, 2003, you must submit your initial notification no later than August 12, 2003.
- (d) If you are required to conduct a performance test, you must submit a notification of intent to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin as required in §63.7(b)(1).
- (e) If you are required to conduct a performance test, opacity observation, or other initial compliance demonstration, you must submit a notification of compliance status according to §63.9(h)(2)(ii).
 - (1) For each initial compliance demonstration that does not include a performance test, you must submit the notification of compliance status before the close of business on the 30th calendar day following the completion of the initial compliance demonstration.
 - (2) For each initial compliance demonstration that does include a performance test, you must submit the notification of compliance status, including the performance test results, before the close of business on the 60th calendar day following completion of the performance test according to §63.10(d)(2).

§ 63.7341 What reports must I submit and when?

- (a) Compliance report due dates. Unless the Administrator has approved a different schedule, you must submit quarterly compliance reports for battery stacks and semiannual compliance reports for all other affected sources to your permitting authority according to the requirements in paragraphs (a)(1) through (4) of this section.
 - (2) The first semiannual compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.7283 and ending on June 30 or December 31, whichever date comes first after the compliance date that is specified for your affected source. Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

- (4) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (a)(1) through (3) of this section.
- (c) Semiannual compliance report contents. Each compliance report must provide information on compliance with the emission limitations, work practice standards, and operation and maintenance requirements for all affected sources except battery stacks. The reports must include the information in paragraphs (c)(1) through (3) of this section, and as applicable, paragraphs (c)(4) through (8) of this section.
- (1) Company name and address.
 - (2) Statement by a responsible official, with the official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
 - (3) Date of report and beginning and ending dates of the reporting period.
 - (4) If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in §63.10(d)(5)(i).
 - (5) If there were no deviations from the continuous compliance requirements in §63.7333(e) for battery stacks, a statement that there were no deviations from the emission limitations during the reporting period. If there were no deviations from the continuous compliance requirements in §§63.7333 through 63.7335 that apply to you (for all affected sources other than battery stacks), a statement that there were no deviations from the emission limitations, work practice standards, or operation and maintenance requirements during the reporting period.
 - (6) If there were no periods during which a continuous monitoring system (including COMS, continuous emission monitoring system (CEMS), or CPMS) was out-of-control as specified in §63.8(c)(7), a statement that there were no periods during which a continuous monitoring system was out-of-control during the reporting period.
 - (7) For each deviation from an emission limitation in this subpart (including quench water limits) and for each deviation from the requirements for work practice standards in this subpart that occurs at an affected source where you are not using a continuous monitoring system (including a COMS, CEMS, or CPMS) to comply with the emission limitations in this subpart, the compliance report must contain the information in paragraphs (c)(4) and (7)(i) and (ii) of this section. This includes periods of startup, shutdown, and malfunction.
 - (i) The total operating time of each affected source during the reporting period.
 - (ii) Information on the number, duration, and cause of deviations (including unknown cause, if applicable) as applicable and the corrective action taken.
 - (8) For each deviation from an emission limitation occurring at an affected source where you are using a continuous monitoring system (including COMS, CEMS, or CPMS) to comply with the emission limitation in this subpart, you must include the information in paragraphs (c)(4) and (8)(i) through (xii) of this section. This includes periods of startup, shutdown, and malfunction.
 - (i) The date and time that each malfunction started and stopped.
 - (ii) The date and time that each continuous monitoring system (including COMS, CEMS, or CPMS) was inoperative, except for zero (low-level) and high-level checks.
 - (iii) The date, time, and duration that each continuous monitoring system (including COMS, CEMS, or CPMS) was out-of-control, including the information in §63.8(c)(8).
 - (iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.
 - (v) A summary of the total duration of the deviation during the reporting period and the total duration as a percent of the total source operating time during that reporting period.
 - (vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.
 - (vii) A summary of the total duration of continuous monitoring system downtime during the reporting period and the total duration of continuous monitoring system downtime as a percent of the total source operating time during the reporting period.
 - (viii) An identification of each HAP that was monitored at the affected source.
 - (ix) A brief description of the process units.
 - (x) A brief description of the continuous monitoring system.

- (xi) The date of the latest continuous monitoring system certification or audit.
- (xii) A description of any changes in continuous monitoring systems, processes, or controls since the last reporting period.
- (d) Immediate startup, shutdown, and malfunction report. If you had a startup, shutdown, or malfunction during the semiannual reporting period that was not consistent with your startup, shutdown, and malfunction plan, you must submit an immediate startup, shutdown, and malfunction report according to the requirements in §63.10(d)(5)(ii).
- (e) Part 70 monitoring report. If you have obtained a title V operating permit for an affected source pursuant to 40 CFR part 70 or 40 CFR part 71, you must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If you submit a compliance report for an affected source along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all the required information concerning deviations from any emission limitation or work practice standard in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report does not otherwise affect any obligation you may have to report deviations from permit requirements to your permitting authority.

§ 63.7342 What records must I keep?

- (a) You must keep the records specified in paragraphs (a)(1) through (3) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any initial notification or notification of compliance status that you submitted, according to the requirements in §63.10(b)(2)(xiv).
 - (2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
 - (3) Records of performance tests, performance evaluations, and opacity observations as required in §63.10(b)(2)(viii).
- (b) For each COMS or CEMS, you must keep the records specified in paragraphs (b)(1) through (4) of this section.
 - (1) Records described in §63.10(b)(2)(vi) through (xi).
 - (2) Monitoring data for COMS during a performance evaluation as required in §63.6(h)(7)(i) and (ii).
 - (3) Previous (that is, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).
 - (4) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.
- (c) You must keep the records in §63.6(h)(6) for visual observations.
- (d) You must keep the records required in §§63.7333 through 63.7335 to show continuous compliance with each emission limitation, work practice standard, and operation and maintenance requirement that applies to you.

§ 63.7343 In what form and how long must I keep my records?

- (a) You must keep your records in a form suitable and readily available for expeditious review, according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records offsite for the remaining 3 years.

Other Requirements and Information

§ 63.7350 What parts of the General Provisions apply to me?

Table 1 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

§ 63.7351 Who implements and enforces this subpart?

- (a) This subpart can be implemented and enforced by us, the United States Environmental Protection Agency (U.S. EPA), or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to

find out if this subpart is delegated to your State, local, or tribal agency.

- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities in paragraphs (c)(1) through (6) of this section will not be delegated to State, local, or tribal agencies.
 - (1) Approval of alternatives to work practice standards for fugitive pushing emissions in §63.7291(a) for a by-product coke oven battery with vertical flues, fugitive pushing emissions in §63.7292(a) for a by-product coke oven battery with horizontal flues, fugitive pushing emissions in §63.7293 for a non-recovery coke oven battery, soaking for a by-product coke oven battery in §63.7294(a), and quenching for a coke oven battery in §63.7295(b) under §63.6(g).
 - (2) Approval of alternative opacity emission limitations for a by-product coke oven battery under §63.6(h)(9).
 - (3) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90, except for alternative procedures in §63.7334(a)(7).
 - (4) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.
 - (5) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.
 - (6) Approval of the work practice plan for by-product coke oven batteries with horizontal flues submitted under §63.7292(a)(1).

§ 63.7352 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA), in §63.2, and in this section as follows:

Acceptable makeup water means surface water from a river, lake, or stream; water meeting drinking water standards; storm water runoff and production area clean up water except for water from the by-product recovery plant area; process wastewater treated to meet effluent limitations guidelines in 40 CFR part 420; water from any of these sources that has been used only for non-contact cooling or in water seals; or water from scrubbers used to control pushing emissions.

Backup quench station means a quenching device that is used for less than 5 percent of the quenches from any single coke oven battery in the 12-month period from July 1 to June 30.

Baffles means an apparatus comprised of obstructions for checking or deflecting the flow of gases. Baffles are installed in a quench tower to remove droplets of water and particles from the rising vapors by providing a point of impact. Baffles may be installed either inside or on top of quench towers and are typically constructed of treated wood, steel, or plastic.

Battery stack means the stack that is the point of discharge to the atmosphere of the combustion gases from a battery's underfiring system.

Batterywide extended coking means increasing the average coking time for all ovens in the coke oven battery by 25 percent or more over the manufacturer's specified design rate.

By-product coke oven battery means a group of ovens connected by common walls, where coal undergoes destructive distillation under positive pressure to produce coke and coke oven gas from which by-products are recovered.

By-product recovery plant area means that area of the coke plant where process units subject to subpart L in part 61 are located.

Coke oven battery means a group of ovens connected by common walls, where coal undergoes destructive distillation to produce coke. A coke oven battery includes by-product and non-recovery processes.

Coke plant means a facility that produces coke from coal in either a by-product coke oven battery or a non-recovery coke oven battery.

Cokeside shed means a structure used to capture pushing emissions that encloses the cokeside of the battery and ventilates the emissions to a control device.

Coking time means the time interval that starts when an oven is charged with coal and ends when the oven is pushed.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including operating limits) or work practice standard;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a

permit; or

- (3) Fails to meet any emission limitation or work practice standard in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

Emission limitation means any emission limit, opacity limit, or operating limit.

Four consecutive pushes means four pushes observed successively.

Fugitive pushing emissions means emissions from pushing that are not collected by a capture system.

Horizontal flue means a type of coke oven heating system used on Semet-Solvay batteries where the heating flues run horizontally from one end of the oven to the other end, and the flues are not shared with adjacent ovens.

Hot water scrubber means a mobile scrubber used to control pushing emissions through the creation of an induced draft formed by the expansion of pressurized hot water through a nozzle.

Increased coking time means increasing the charge-to-push time for an individual oven.

Non-recovery coke oven battery means a group of ovens connected by common walls and operated as a unit, where coal undergoes destructive distillation under negative pressure to produce coke, and which is designed for the combustion of the coke oven gas from which by-products are not recovered.

Oven means a chamber in the coke oven battery in which coal undergoes destructive distillation to produce coke.

Pushing means the process of removing the coke from the oven. Pushing begins with the first detectable movement of the coke mass and ends when the quench car enters the quench tower.

Quenching means the wet process of cooling (wet quenching) the hot incandescent coke by direct contact with water that begins when the quench car enters the quench tower and ends when the quench car exits the quench tower.

Quench tower means the structure in which hot incandescent coke in the quench car is deluged or quenched with water.

Remove from service means that an oven is not charged with coal and is not used for coking. When removed from service, the oven may remain at the operating temperature or it may be cooled down for repairs.

Responsible official means responsible official as defined in §63.2.

Short battery means a by-product coke oven battery with ovens less than five meters in height.

Soaking means that period in the coking cycle that starts when an oven is dampered off the collecting main and vented to the atmosphere through an open standpipe prior to pushing and ends when the coke begins to be pushed from the oven.

Soaking emissions means the discharge from an open standpipe during soaking of visible emissions due to either incomplete coking or leakage into the standpipe from the collecting main.

Standpipe means an apparatus on the oven that provides a passage for gases from an oven to the atmosphere when the oven is dampered off the collecting main and the standpipe cap is opened. This includes mini-standpipes that are not connected to the collecting main.

Tall battery means a by-product coke oven battery with ovens five meters or more in height.

Vertical flue means a type of coke oven heating system in which the heating flues run vertically from the bottom to the top of the oven, and flues are shared between adjacent ovens.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof that is promulgated pursuant to section 112(h) of the CAA.

Table 1 to Subpart CCCCC of Part 63—Applicability of General Provisions to Subpart CCCCC

As required in §63.7350, you must comply with each applicable requirement of the NESHAP General Provisions (40 CFR part 63, subpart A) as shown in the following table:

Citation	Subject	Applies to Subpart CCCCC?	Explanation
§ 63.1	Applicability	Yes	
§ 63.2	Definitions	Yes	
§ 63.3	Units and Abbreviations	Yes	
§ 63.4	Prohibited Activities	Yes	
§ 63.5	Construction/Reconstruction	Yes	
§ 63.6(a), (b), (c), (d), (e), (f),	Compliance with Standards and Maintenance Requirements.	Yes	

(g), (h)(2)-(8).			
§ 63.6(h)(9)	Adjustment to an Opacity Emission Standard.	Yes.	
§ 63.7(a)(3), (b), (c)-(h).	Performance Testing Requirements.	Yes..	
§ 63.7(a)(1)-(2).	Applicability and Performance Test Dates	No	Subpart CCCCC specifies applicability and dates.
§ 63.8(a)(1)-(3), (b), (c)(1)- (3), (c)(4)(i)-(ii), (c)(5)-(8), (d), (e), (f)(1)-(5), (g)(1)-(4).	Monitoring Requirements	Yes	CMS requirements in §63.8(c)(4) (i)-(ii), (c)(5), and (c)(6) apply only to COMS for battery stacks.
§ 63.8(a)(4)	Additional Monitoring Requirements for Control Devices in § 63.11.	No	Flares are not a control device for Subpart CCCCC affected sources.
§ 63.8(c)(4)	Continuous Monitoring System (CMS) Requirements.	No	Subpart CCCCC specifies requirements for operation of CMS.
§ 63.8(e)(4)-(5)	Performance Evaluations	Yes.	Except COMS performance evaluation must be conducted before the compliance date.
§ 63.8(f)(6).	RATA Alternative	NO	Subpart CCCCC does not require CEMS.
§ 63.8(g)(5)	Data Reduction	NO	Subpart CCCCC specifies data that can't be used in computing averages for COMS.
§ 63.9	Notification Requirements.	Yes.	Additional notifications for CMS in § 63.9(g) apply only to COMS for battery stacks.
§ 63.10(a), (b)(1)-(b)(2)(xii), (b)(2)(xiv), (b)(3), (c)(1)-(6), (c)(9)-(15), (d), (e)(1)-(2), (e)(4), (f).	Recordkeeping and Reporting Requirements	Yes.	Additional records for CMS in §63.10(c)(1)-(6), (9)-(15), and reports in §63.10(d)(1)-(2) apply only to COMS for battery stacks.
§ 63.10(b)(2)(xi)-(xii)	CMS Records for RATA Alternative	No	Subpart CCCCC doesn't require CEMS.
§ 63.10(c)(7)-(8)	Records of Excess Emissions and Parameter Monitoring Exceedances for CMS.	No.	Subpart CCCCC specifies record requirements.
§ 63.10(e)(3).	Excess Emission Reports	No	Subpart CCCCC specifies reporting requirements.
§ 63.11	Control Device Requirements.	No	Subpart CCCCC does not require flares.
§ 63.12	State Authority and Delegations	Yes	
§§ 63.13-63.15	Addresses, Incorporation by Reference, Availability of Information.	Yes	

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]

(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°C) (one hundred degrees Fahrenheit (100°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°C) (one hundred degrees Fahrenheit (100°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°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°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 or 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: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
Source Address: 3210 Watling Street, East Chicago, Indiana 46312
Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
Part 70 Permit No.: T089-11311-00382

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: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
Source Address: 3210 Watling Street, East Chicago, Indiana 46312
Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
Part 70 Permit No.: T089-11311-00382

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 317-233-0178 ask for Compliance Section); and
- The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), 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 Quarterly Report

Source Name: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
 Source Address: 3210 Watling Street, East Chicago, Indiana 46312
 Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
 Part 70 Permit No.: T089-11311-00382
 Source/Facility: HRCC
 Limit: 2,040,000 tons of dry coal charged per twelve (12) consecutive month period with compliance determined at the end of each month

Quarter: _____ Year: _____

Month	Tons of coal charged	1st Quarter Tons	2nd Quarter Tons	3rd Quarter Tons	4th Quarter Tons
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.
 Deviation has been reported on:

Submitted by:
 Title / Position:
 Signature:
 Date:
 Phone:

Attach a signed certification to complete 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: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
 Source Address: 3210 Watling Street, East Chicago, Indiana 46312
 Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
 Part 70 Permit No.: T089-11311-00382

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".	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> 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: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.
Indiana Harbor East
Source Location: 3210 Watling Street, East Chicago, Indiana 46312
County: Lake
SIC Code: 3312
Operation Permit No.: T089-11311-00382
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 Indiana Harbor Coke Company had applied for a Part 70 Operating Permit relating to the operation of a Heat Recovery Coal Carbonization (HRCC) facility. 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, the language with strikeout 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 PM_{2.5} in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM_{2.5} Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM_{2.5} major NSR regulations, states should assume that a major stationary source's PM₁₀ emissions represent PM_{2.5} emissions. IDEM will use the PM-10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM_{2.5} 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 ~~PM₁₀~~^{*}, SO₂, **1-hour ozone standard, 8-hour ozone standard and PM_{2.5}**
Source Status: Attainment for all other criteria pollutants
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

~~*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.~~

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 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 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)]

Ispat Inland, Inc. is an integrated steel mill **consisting** of a source with on-site contractors:

- (a) Ispat Inland, Inc. (Plant ID 089-00316), the primary operation, is located at, 3210 Watling Street, East Chicago, Indiana and
- (b) Indiana Harbor Coke Company, 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 46204-2251 ~~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, **T089-11311-00382**, 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:

A statement was added to condition B.8 Certification 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.)

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.
- (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).

Change 6:

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 PMPs does 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: 317-233-56740178
Fax: 317-233-59676865**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
Source Address: 3210 Watling Street, East Chicago, Indiana 46312
Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
Part 70 Permit No.: T089-11311-00382

This form consists of 2 pages

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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 317-233-56740178 ask for Compliance Section); and
- The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-59676865), and follow the other requirements of 326 IAC 2-7-16.

Change 7:

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 T089-11311-00382** 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 8:

“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 9:

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 emissions 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 10:

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 11:

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.

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. 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, ~~MM & Billing~~, **Licensing, and Training** Section), to determine the appropriate permit fee.

Change 12:

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 13:

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 14:

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 15:

The draft permit that was public noticed did not include a condition for a Continuous Compliance Plan (CCP) which was applicable to the source. 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. A new Condition C.11 has been added as follows:

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).**

Change 16:

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.13 has been revised as follows:

C.13 ~~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.1.20 (now D.1.22):

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 17:

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.16 has been revised as follows:

C.16 ~~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 18:

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.18 is revised as follows:

C.18 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) 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 19:

The Condition C.19 recordkeeping requirements have been revised to include new requirements for major NSR sources.

C.19 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 20:

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.20 reporting requirements have been revised to include new requirements for major NSR sources.

C.20 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 21:

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:

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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 22:

40 CFR 63, Subpart CCCCC had a compliance date of April 14, 2006. IDEM, OAQ will include the specific details of the rule and how the Permittee will demonstrate compliance in Section D.1 as follows:

~~D.1.1 General Provisions Relating to HAPs [326 IAC 20-1] [40 CFR 63, Subpart A] [Table 1 to 40 CFR 63, Subpart CCCCC]~~

- ~~(a) The Provisions of 40 CFR 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1-1, apply to the affected sources, two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, except when otherwise specified by Table 1 to 40 CFR 63, Subpart CCCCC. The Permittee must comply with these requirements on or after April 14, 2006.~~
- ~~(b) Since the applicable requirements associated with the compliance options are not included and specifically identified in this permit, the permit shield authorized by the B section of this permit in the condition titled Permit Shield, and set out in 326 IAC 2-7-15 does not apply to paragraph (a) of this condition.~~

~~D.1.2 National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks Emission Limitations [40 CFR 63, Subpart CCCCC]~~

- ~~(a) The provisions of 40 CFR 63, Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks) apply to the affected sources: two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201. A copy of this rule is available on the US EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/eparules.html>. The Permittee must comply with these requirements on and after April 14, 2006.~~
- ~~(b) Since the applicable requirements associated with the compliance options are not included and specifically identified in this permit, the permit shield authorized by the B section of this permit in the condition titled Permit Shield, and set out in 326 IAC 2-7-15 does not apply to paragraph (a) of this condition.~~
- ~~(c) Terminology used in this section are defined in the CAA, in 40 CFR Part 63, Section 63.2, and in 40 CFR 63.8105, and applicable to the affected source.~~
- ~~(d) Pursuant to 40 CFR 63.7290, the Permittee shall meet each emission limitation that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 capture systems and control devices for pushing emissions.~~
- ~~(e) Pursuant to 40 CFR 63.7293, the Permittee shall meet each work practice standard for fugitive pushing emissions for non-recovery coke oven batteries that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201.~~

- (f) Pursuant to 40 CFR 63.7295, the Permittee shall meet each requirement for quenching that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201.
- (g) Pursuant to 40 CFR 63.7300(a) and (c)(1) through (3), the Permittee shall meet each operation and maintenance requirement that applies to non-recovery coke oven batteries: two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
- (h) Pursuant to 40 CFR 63.7310(c), the Permittee shall develop and implement a written start-up, shutdown and malfunction plan. During periods of start-up, shutdown or malfunction, the Permittee shall operate in accordance with the plan and 40 CFR 63.7336(b).
- (i) Pursuant to 40 CFR 63.7330, the Permittee shall meet each monitoring requirement that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
- (j) Pursuant to 40 CFR 63.7331, the Permittee shall meet each requirement regarding installation, operation and maintenance of monitors for each monitor required by 40 CFR 63, Subpart CCCCC that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.

~~D.1.16 National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks - Compliance Requirements for Coke Batteries [40 CFR 63.7310(a)][40 CFR 63.7324] [40 CFR 63.7326][40 CFR 63.7328][40 CFR 63.7332] [40 CFR 63.7333][40CFR 63.7334] [40CFR 63.7335]~~

- (a) Pursuant to 40 CFR 63.7310(a), the Permittee shall be in compliance with the emission limitations and operation and maintenance requirements in Condition D.1.2 at all times, except during periods of start-up, shutdown and malfunction as defined in 40 CFR 63.2, which incorporated by reference in 326 IAC 20-1-3.
- (b) Pursuant to 40 CFR 63.7326(a), the Permittee shall demonstrate initial compliance with the particulate matter emission limit from a control device applied to pushing emissions from non-recovery coke batteries: two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201.
- (c) Pursuant to 40 CFR 63.7327 and 63.7320(c), the Permittee shall demonstrate initial compliance with the work practice standards for non-recovery coke oven batteries that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 for the following:
 - (1) Work practice standards for quenching, in accordance with 40 CFR 63.7327(e).
- (d) The Permittee shall demonstrate initial compliance with the operation and maintenance requirements that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, in accordance with 40 CFR 63.7328 and 63.7320(c).
- (e) The Permittee shall monitor and collect data to demonstrate continuous compliance with 40 CFR 63, Subpart CCCCC, in accordance with 40 CFR 63.7332.
- (f) The Permittee shall demonstrate continuous compliance with the emissions limitations of 40 CFR 63, Subpart CCCCC, that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment in accordance with 40 CFR 63.7333.
- (g) Pursuant to 40 CFR 63.7334, the Permittee shall demonstrate continuous compliance with work practice standards for non-recovery coke oven batteries, that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, for the following:

~~(1) — Work practice standards for inspecting ovens prior to pushing, in accordance with 40 CFR 63.7334(c); and~~

~~(2) — Work practice standards for quenching, in accordance with 40 CFR 63.7334(e).~~

~~(h) — Pursuant to 40 CFR 63.7335 (b) through (d), the Permittee shall demonstrate continuous compliance with the operation and maintenance requirements of 40 CFR 63, Subpart CCCCC, that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment. (Only Subsections b through d of 40 CFR 63.7335 apply to non-recovery batteries)~~

~~D.1.17 National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks Testing Requirements [40 CFR 63.7320 through 63.7324]~~

~~(a) — The Permittee shall conduct performance tests and other initial compliance demonstrations that apply to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, in accordance with 40 CFR 63.7320 for the following:~~

~~(1) — Each emission limit in 40 CFR 63.7290(a) for particulate matter from a control device applied to pushing emissions within 180 days of April 14, 2006; and~~

~~(2) — TDS limit or constituent for quench water in 40 CFR 63.7295(a)(1) by April 14, 2006.~~

~~(b) — The Permittee shall conduct subsequent performance tests that apply to each control device subject to an emission limit for particulate matter in 40 CFR 63.7290(a) that is used at the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 in accordance with 40 CFR 63.7321.~~

~~(c) — The Permittee shall use the test methods and other procedures in 40 CFR 63.7322, when demonstrating compliance with the emission limits for particulate matter from the pushing control device for the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201.~~

~~(d) — The Permittee shall use the test methods and other procedures in 40 CFR 63.7323 to establish and demonstrate initial compliance with operating limits for the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.~~

~~(e) — The Permittee shall use the test methods and other procedures in 40 CFR 63.7325 to demonstrate initial compliance with the TDS or constituent limits for quench water for two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201.~~

~~D.1.28 National Emission Standards for Hazardous Air Pollutants from National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks Record Keeping Requirements for Coke Oven Batteries [40 CFR 63.7310(b)][40 CFR 63.7]~~

~~(a) — During the period between April 14, 2006 and the date upon which continuous monitoring systems have been installed and certified and any applicable operating limits have been set, the Permittee shall maintain a log detailing the operation and maintenance of the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201 and control equipment, in accordance with 40 CFR 63.7310(b).~~

~~(b) — The Permittee shall keep the records required by 40 CFR 63.7342(a).~~

~~(c) — Pursuant to 40 CFR 63.7333 and 63.7342 (d), the Permittee shall keep the records required to demonstrate continuous compliance with each emission limitation requirement for each non-recovery coke battery that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, for the following:~~

- ~~(1) — Each control device and capture system applied to pushing emissions; and~~
- ~~(2) — TDS limit for quenching or constituent limit for quenching.~~
- ~~(d) — Pursuant to 40 CFR 63.7334 and 63.7342(d), the Permittee shall keep the records required in to show continuous compliance with the work practice standards for each non-recovery Goke Battery that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, as follows:~~
 - ~~(1) — Work practice standards for inspecting ovens prior to pushing, in accordance with 40 CFR 63.7334(c); and~~
 - ~~(2) — Work practice standards for quenching, in accordance with 40 CFR 63.7334(e).~~
- ~~(e) — Pursuant to 40 CFR 63.7335 and 63.7342 (d), the Permittee shall keep the records required to show continuous compliance with each operation and maintenance requirement that applies to the two hundred sixty eight (268) nonrecovery coke ovens, identified as ES201, for the following:~~
 - ~~(1) — Capture systems or control devices applied to pushing emissions;~~
 - ~~(2) — Baghouses applied to pushing emissions; and~~
 - ~~(3) — The requirement to maintain a current copy of the operation and maintenance plan.~~
- ~~(f) — The Permittee shall keep the records required by 40 CFR 63, CCCCC in accordance with 40 CFR 63.7343 and the General Record Keeping Requirements in Section C of this permit.~~

~~D.1.30 National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks—Reporting Requirements for Coke Oven Batteries [40 CFR 63.7336][40 CFR 63.7341]~~

- ~~(a) — The Permittee shall report each deviation in the Quarterly Deviation and Compliance Monitoring Report required by the Section C of this permit in accordance with 40 CFR 63.7336(a), 40 CFR 63.7341(e), 326 IAC 2-1.1-11 and 326 IAC 2-7-5(3).~~
- ~~(b) — The Permittee shall submit the notifications required by 40 CFR 63.6(h)(4) and (5), 40 CFR 63.7(b) and (c), 40 CFR 63.8(e) and (f)(4) and 40 CFR 63.9(b) through (h) that apply by the dates specified in those sections in accordance with 40 CFR 63.7340(a).~~
- ~~(c) — The Permittee shall submit an initial notification no later than August 12, 2003 in accordance with 40 CFR 63.9(b) and 40 CFR 63.7340(b). The initial notification shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015~~

~~and~~

~~United State Environmental Protection Agency, Region V
Director, Air and Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604-3590~~

~~The initial notification requires the certification by the “responsible official” as defined in 326~~

~~IAC 2-7-1(34).~~

- ~~(d) The Permittee shall submit a notification of compliance status in accordance with 40 CFR 63.9(h)(2)(ii) and 40 CFR 63.7340(e).~~
- ~~(1) For each initial compliance demonstration that does not include a performance test, the Permittee shall submit the notification of compliance status before the close of business on the 30th calendar day following completion of the initial compliance demonstration.~~
- ~~(2) For each initial compliance demonstration that does include a performance test, the Permittee shall submit the notification of compliance status, including the performance test results, before the close of business on the 60th calendar day following the completion of the performance test according to 40 CFR 63.10(d)(2).~~
- ~~(3) The notification of compliance status shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015~~

~~and~~

~~United States Environmental Protection Agency, Region V
Director, Air and Radiation Division
77 Jackson Boulevard
Chicago, Illinois 60604-3590~~

~~The notification of compliance status requires the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(e) The Permittee shall submit quarterly compliance reports and semiannual compliance reports in accordance with 40 CFR 63.7341(a) through (c).~~
- ~~(f) If a start up, shutdown or malfunction occurred during the semiannual reporting period that was not consistent with the start up, shutdown or malfunction plan, the Permittee shall submit an immediate start up, shutdown and malfunction report according to the requirements in 40 CFR 63.10(d)(5)(ii) and 40 CFR 63.7341(d).~~

~~D.1.31 Requirement to Submit a Significant Permit Modification Application [326 IAC 2-7-12][326 IAC 2-7-5]~~

~~The Permittee shall submit an application for a significant permit modification to IDEM, OAQ to include information regarding which compliance option or options will be chosen in the Part 70 permit.~~

- ~~(a) The significant permit modification application shall be consistent with 326 IAC 2-7-12, including information sufficient for IDEM, OAQ to incorporate into the Part 70 permit the applicable requirements of 40 CFR 63, Subpart CCCCC, a description of the affected source and activities subject to the standard, and a description of how the Permittee will meet the applicable requirements of the standard.~~
- ~~(b) The significant permit modification application shall be submitted no later than twenty seven after the effective date of 40 CFR 63, Subpart CCCCC.~~
- ~~(c) The significant permit modification application shall be submitted to:~~

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

~~100 North Senate Avenue
Indianapolis, Indiana 46204-2254~~

D.1.24 General Provisions Relating to HAPs [326 IAC 20-1] [40 CFR 63, Subpart A] [Table 1 of 40 CFR 63, Subpart CCCCC]

The Provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 20-1-1, apply to the affected sources, except when otherwise specified by Table 1 to 40 CFR 63, Subpart CCCCC.

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart CCCCC—National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks

Source: 68 FR 18025, Apr. 14, 2003, unless otherwise noted.

§ 63.7280 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for pushing, soaking, quenching, and battery stacks at coke oven batteries. This subpart also establishes requirements to demonstrate initial and continuous compliance with all applicable emission limitations, work practice standards, and operation and maintenance requirements in this subpart.

§ 63.7281 Am I subject to this subpart?

You are subject to this subpart if you own or operate a coke oven battery at a coke plant that is (or is part of) a major source of hazardous air pollutant (HAP) emissions. A major source of HAP is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year.

§ 63.7282 What parts of my plant does this subpart cover?

- (a) This subpart applies to each new or existing affected source at your coke plant. The affected source is each coke oven battery.
- (b) This subpart covers emissions from pushing, soaking, quenching, and battery stacks from each affected source.
- (c) An affected source at your coke plant is existing if you commenced construction or reconstruction of the affected source before July 3, 2001.
- (d) An affected source at your coke plant is new if you commenced construction or reconstruction of the affected source on or after July 3, 2001. An affected source is reconstructed if it meets the definition of “reconstruction” in §63.2.

§ 63.7283 When do I have to comply with this subpart?

- (a) If you have an existing affected source, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you no later than April 14, 2006.
- (d) You must meet the notification and schedule requirements in §63.7340. Several of these notifications must be submitted before the compliance date for your affected source.

[68 FR 18025, Apr. 14, 2003; 68 FR 19885, Apr. 22, 2003]

Emission Limitations and Work Practice Standards

§ 63.7290 What emission limitations must I meet for capture systems and control devices applied to pushing emissions?

- (a) You must not discharge to the atmosphere emissions of particulate matter from a control device applied to pushing emissions from a new or existing coke oven battery that exceed the applicable limit in paragraphs (a)(1) through (4) of this section:
 - (1) 0.01 grain per dry standard cubic foot (gr/dscf) if a cokeside shed is used to capture

emissions;

- (b) You must meet each operating limit in paragraphs (b)(1) through (4) of this section that applies to you for a new or existing coke oven battery.**
- (3) For each capture system applied to pushing emissions, you must maintain the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial performance test; or**
 - (i) For each capture system that uses an electric motor to drive the fan, you must maintain the daily average fan motor amperes at or above the minimum level established during the initial performance test; and**

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60818, Oct. 13, 2004]

§ 63.7293 What work practice standards must I meet for fugitive pushing emissions if I have a non-recovery coke oven battery?

- (a) You must meet the requirements in paragraphs (a)(1) and (2) of this section for each new and existing non-recovery coke oven battery.**
 - (1) You must visually inspect each oven prior to pushing by opening the door damper and observing the bed of coke.**
 - (2) Do not push the oven unless the visual inspection indicates that there is no smoke in the open space above the coke bed and that there is an unobstructed view of the door on the opposite side of the oven.**
- (b) As provided in §63.6(g), you may request to use an alternative to the work practice standard in paragraph (a) of this section.**

§ 63.7295 What requirements must I meet for quenching?

- (a) You must meet the requirements in paragraphs (a)(1) and (2) of this section for each quench tower and backup quench station at a new or existing coke oven battery.**
 - (1) For the quenching of hot coke, you must meet the requirements in paragraph (a)(1)(i)**
 - (i) The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L); or**
 - (2) You must use acceptable makeup water, as defined in §63.7352, as makeup water for quenching.**
- (b) For each quench tower at a new or existing coke oven battery and each backup quench station at a new coke oven battery, you must meet each of the requirements in paragraphs (b)(1) through (4) of this section.**
 - (1) You must equip each quench tower with baffles such that no more than 5 percent of the cross sectional area of the tower may be uncovered or open to the sky.**
 - (2) You must wash the baffles in each quench tower once each day that the tower is used to quench coke, except as specified in paragraphs (b)(2)(i) and (ii) of this section.**
 - (i) You are not required to wash the baffles in a quench tower if the highest measured ambient temperature remains less than 30 degrees Fahrenheit throughout that day (24-hour period). If the measured ambient temperature rises to 30 degrees Fahrenheit or more during the day, you must resume daily washing according to the schedule in your operation and maintenance plan.**
 - (ii) You must continuously record the ambient temperature on days that the baffles were not washed.**
 - (3) You must inspect each quench tower monthly for damaged or missing baffles and blockage.**
 - (4) You must initiate repair or replacement of damaged or missing baffles within 30 days and complete as soon as practicable.**
- (c) As provided in §63.6(g), you may request to use an alternative to the work practice standards in paragraph (b) of this section.**

Operation and Maintenance Requirements

§ 63.7300 What are my operation and maintenance requirements?

- (a) As required by §63.6(e)(1)(i), you must always operate and maintain your affected source, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this**

subpart.

- (c) You must prepare and operate at all times according to a written operation and maintenance plan for each capture system and control device applied to pushing emissions from a new or existing coke oven battery. Each plan must address at a minimum the elements in paragraphs (c)(1) through (3) of this section.**
- (1) Monthly inspections of the equipment that are important to the performance of the total capture system (e.g., pressure sensors, dampers, and damper switches). This inspection must include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). In the event a defect or deficiency is found in the capture system (during a monthly inspection or between inspections), you must complete repairs within 30 days after the date that the defect or deficiency is discovered. If you determine that the repairs cannot be completed within 30 days, you must submit a written request for an extension of time to complete the repairs that must be received by the permitting authority not more than 20 days after the date that the defect or deficiency is discovered. The request must contain a description of the defect or deficiency, the steps needed and taken to correct the problem, the interim steps being taken to mitigate the emissions impact of the defect or deficiency, and a proposed schedule for completing the repairs. The request shall be deemed approved unless and until such time as the permitting authority notifies you that it objects to the request. The permitting authority may consider all relevant factors in deciding whether to approve or deny the request (including feasibility and safety). Each approved schedule must provide for completion of repairs as expeditiously as practicable, and the permitting authority may request modifications to the proposed schedule as part of the approval process.**
 - (2) Preventative maintenance for each control device, including a preventative maintenance schedule that is consistent with the manufacturer's instructions for routine and long-term maintenance.**
 - (3) Corrective action for all baghouses applied to pushing emissions. In the event a bag leak detection system alarm is triggered, you must initiate corrective action to determine the cause of the alarm within 1 hour of the alarm, initiate corrective action to correct the cause of the problem within 24 hours of the alarm, and complete the corrective action as soon as practicable. Actions may include, but are not limited to:
 - (i) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in emissions.**
 - (ii) Sealing off defective bags or filter media.**
 - (iii) Replacing defective bags or filter media or otherwise repairing the control device.**
 - (iv) Sealing off a defective baghouse compartment.**
 - (v) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.**
 - (vi) Shutting down the process producing the particulate emissions.****

[68 FR 18025, Apr. 14, 2003, as amended at 70 FR 44289, Aug. 2, 2005]

General Compliance Requirements

§ 63.7310 What are my general requirements for complying with this subpart?

- (a) You must be in compliance with the emission limitations, work practice standards, and operation and maintenance requirements in this subpart at all times, except during periods of startup, shutdown, and malfunction as defined in §63.2.**
- (b) During the period between the compliance date specified for your affected source in §63.7283 and the date upon which continuous monitoring systems have been installed and certified and any applicable operating limits have been set, you must maintain a log detailing the operation and maintenance of the process and emissions control equipment.**
- (c) You must develop a written startup, shutdown, and malfunction plan according to the provisions in §63.6(e)(3).**

[68 FR 18025, Apr. 14, 2003, as amended at 71 FR 20467, Apr. 20, 2006]

Initial Compliance Requirements

§ 63.7320 By what date must I conduct performance tests or other initial compliance demonstrations?

- (a) As required in §63.7(a)(2), you must conduct a performance test to demonstrate compliance with each limit in §63.7290(a) for emissions of particulate matter from a control device applied to pushing emissions that applies to you within 180 calendar days after the compliance date that is specified in §63.7283.
- (b) You must conduct performance tests to demonstrate compliance with the TDS limit or constituent limit for quench water in §63.7295(a)(1)
- (c) For each work practice standard and operation and maintenance requirement that applies to you, you must demonstrate initial compliance within 30 calendar days after the compliance date that is specified in §63.7283.

§ 63.7321 When must I conduct subsequent performance tests?

For each control device subject to an emission limit for particulate matter in §63.7290(a), you must conduct subsequent performance tests no less frequently than twice (at mid-term and renewal) during each term of your title V operating permit.

§ 63.7322 What test methods and other procedures must I use to demonstrate initial compliance with the emission limits for particulate matter?

- (a) You must conduct each performance test that applies to your affected source according to the requirements in paragraph (b) of this section.
- (b) To determine compliance with the emission limit for particulate matter from a control device applied to pushing emissions where a cokeside shed is the capture system, follow the test methods and procedures in paragraphs (b)(1) and (2) of this section. To determine compliance with a process-weighted mass rate of particulate matter (lb/ton of coke) from a control device applied to pushing emissions where a cokeside shed is not used, follow the test methods and procedures in paragraphs (b)(1) through (4) of this section.
 - (1) Determine the concentration of particulate matter according to the following test methods in appendix A to 40 CFR part 60.
 - (i) Method 1 to select sampling port locations and the number of traverse points. Sampling sites must be located at the outlet of the control device and prior to any releases to the atmosphere.
 - (ii) Method 2, 2F, or 2G to determine the volumetric flow rate of the stack gas.
 - (iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas.
 - (iv) Method 4 to determine the moisture content of the stack gas.
 - (v) Method 5 or 5D, as applicable, to determine the concentration of front half particulate matter in the stack gas.
 - (2) During each particulate matter test run, sample only during periods of actual pushing when the capture system fan and control device are engaged. Collect a minimum sample volume of 30 dry standard cubic feet of gas during each test run. Three valid test runs are needed to comprise a performance test. Each run must start at the beginning of a push and finish at the end of a push (i.e., sample for an integral number of pushes).
 - (3) Determine the total combined weight in tons of coke pushed during the duration of each test run according to the procedures in your source test plan for calculating coke yield from the quantity of coal charged to an individual oven.
 - (4) Compute the process-weighted mass emissions (Ep) for each test run using Equation 1 of this section as follows:

Where:

Ep = Process weighted mass emissions of particulate matter, lb/ton;

C = Concentration of particulate matter, gr/dscf;

Q = Volumetric flow rate of stack gas, dscf/hr;

T = Total time during a run that a sample is withdrawn from the stack during pushing, hr;

P = Total amount of coke pushed during the test run, tons; and

K = Conversion factor, 7,000 gr/lb.

[68 FR 18025, Apr. 14, 2003, as amended at 70 FR 44289, Aug. 2, 2005]

§ 63.7325 What test methods and other procedures must I use to demonstrate initial compliance with the TDS or constituent limits for quench water?

- (a) If you elect the TDS limit for quench water in §63.7295(a)(1)(i), you must conduct each performance test that applies to your affected source according to the conditions in paragraphs (a)(1) and (2) of this section.
- (1) Take the quench water sample from a location that provides a representative sample of the quench water as applied to the coke (e.g., from the header that feeds water to the quench tower reservoirs). Conduct sampling under normal and representative operating conditions.
 - (2) Determine the TDS concentration of the sample using Method 160.1 in 40 CFR part 136.3 (see “residue—filterable”), except that you must dry the total filterable residue at 103 to 105 °C (degrees Centigrade) instead of 180 °C.

§ 63.7326 How do I demonstrate initial compliance with the emission limitations that apply to me?

- (a) For each coke oven battery subject to the emission limit for particulate matter from a control device applied to pushing emissions, you have demonstrated initial compliance if you meet the requirements in paragraphs (a)(1) through (4) of this section that apply to you.
- (1) The concentration of particulate matter, measured in accordance with the performance test procedures in §63.7322(b)(1) and (2), did not exceed 0.01 gr/dscf for a control device where a cokeside shed is used to capture pushing emissions
 - (4) For each capture system applied to pushing emissions, you have established an appropriate site-specific operating limit, and:
 - (ii) If you elect the operating limit in §63.7290(b)(3)(i) for fan motor amperes, you have a record of the fan motor amperes during the performance test in accordance with §63.7323(c)(2);

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7327 How do I demonstrate initial compliance with the work practice standards that apply to me?

- (c) For each non-recovery coke oven battery subject to the work practice standards for fugitive pushing
- (d) emissions in §63.7293(a), you have demonstrated initial compliance if you certify in your notification of compliance status that you will meet each of the work practice requirements beginning no later than the compliance date that is specified in §63.7283.
- (e) For each coke oven battery, you have demonstrated initial compliance with the work practice standards for quenching in §63.7295(b) if you certify in your notification of compliance status that you have met the requirements of paragraphs (e)(1) and (2) of this section:
- (1) You have installed the required equipment in each quench tower; and
 - (2) You will meet each of the work practice requirements beginning no later than the compliance date that is specified in §63.7283.
- (f) For each work practice standard that applies to you, you must submit a notification of compliance status according to the requirements in §63.7340(e)(1).

§ 63.7328 How do I demonstrate initial compliance with the operation and maintenance requirements that apply to me?

You have demonstrated initial compliance if you certify in your notification of compliance status that you have met the requirements of paragraphs (a) through (d) of this section:

- (a) You have prepared the operation and maintenance plans according to the requirements in §63.7300(b) and (c);
- (b) You will operate each by-product coke oven battery and each capture system and control device applied to pushing emissions from a coke oven battery according to the procedures in the plans beginning no later than the compliance date that is specified in §63.7283;
- (c) You have prepared a site-specific monitoring plan according to the requirements in §63.7331(b); and
- (d) You submit a notification of compliance status according to the requirements in §63.7340(e).

Continuous Compliance Requirements

§ 63.7330 What are my monitoring requirements?

- (a) For each baghouse applied to pushing emissions from a coke oven battery, you must at all times monitor the relative change in particulate matter loadings using a bag leak detection system according to the requirements in §63.7331(a) and conduct inspections at their specified frequency according to the requirements in paragraphs (a)(1) through (8) of this section.
- (1) Monitor the pressure drop across each baghouse cell each day to ensure pressure drop is within the normal operating range identified in the manual;
 - (2) Confirm that dust is being removed from hoppers through weekly visual inspections or equivalent means of ensuring the proper functioning of removal mechanisms;
 - (3) Check the compressed air supply for pulse-jet baghouses each day;
 - (4) Monitor cleaning cycles to ensure proper operation using an appropriate methodology;
 - (5) Check bag cleaning mechanisms for proper functioning through monthly visual inspection or equivalent means;
 - (6) Make monthly visual checks of bag tension on reverse air and shaker-type baghouses to ensure that bags are not kinked (knead or bent) or laying on their sides. You do not have to make this check for shaker-type baghouses using self-tensioning (spring-loaded) devices;
 - (7) Confirm the physical integrity of the baghouse through quarterly visual inspections of the baghouse interior for air leaks; and
 - (8) Inspect fans for wear, material buildup, and corrosion through quarterly visual inspections, vibration detectors, or equivalent means.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7331 What are the installation, operation, and maintenance requirements for my monitors?

- (a) For each baghouse applied to pushing emissions, you must install, operate, and maintain each bag leak detection system according to the requirements in paragraphs (a)(1) through (7) of this section.
- (1) The system must be certified by the manufacturer to be capable of detecting emissions of particulate matter at concentrations of 10 milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less;
 - (2) The system must provide output of relative changes in particulate matter loadings;
 - (3) The system must be equipped with an alarm that will sound when an increase in relative particulate loadings is detected over a preset level. The alarm must be located such that it can be heard by the appropriate plant personnel;
 - (4) Each system that works based on the triboelectric effect must be installed, operated, and maintained in a manner consistent with the guidance document, "Fabric Filter Bag Leak Detection Guidance" (EPA-454/R-98-015, September 1997). You may install, operate, and maintain other types of bag leak detection systems in a manner consistent with the manufacturer's written specifications and recommendations;
 - (5) To make the initial adjustment of the system, establish the baseline output by adjusting the sensitivity (range) and the averaging period of the device. Then, establish the alarm set points and the alarm delay time;
 - (6) Following the initial adjustment, do not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in your operation and maintenance plan. Do not increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365-day period unless a responsible official certifies, in writing, that the baghouse has been inspected and found to be in good operating condition; and
 - (7) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.
- (h) If you elect the operating limit in §63.7290(b)(3)(i) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the fan motor amperes.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7332 How do I monitor and collect data to demonstrate continuous compliance?

- (a) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including as applicable, calibration checks and required zero and span adjustments), you must monitor continuously (or collect data at all required intervals) at all times the affected source is operating.
- (b) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels, or in fulfilling a minimum data availability requirement, if applicable. You must use all the data collected during all other periods in assessing compliance. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitor to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

§ 63.7333 How do I demonstrate continuous compliance with the emission limitations that apply to me?

- (a) For each control device applied to pushing emissions and subject to the emission limit in §63.7290(a), you must demonstrate continuous compliance by meeting the requirements in paragraphs (a)(1) and (2) of this section:
 - (1) Maintaining emissions of particulate matter at or below the applicable limits in paragraphs §63.7290(a)(1) through (4); and
 - (2) Conducting subsequent performance tests to demonstrate continuous compliance no less frequently than twice during each term of your title V operating permit (at mid-term and renewal).
- (d) For each capture system applied to pushing emissions and subject to the operating limit in §63.7290(b)(3), you must demonstrate continuous compliance by meeting the requirements in paragraph (d)(1), (2), or (3) of this section:
 - (2) If you elect the operating limit for fan motor amperes in §63.7290(b)(3)(i):
 - (i) Maintaining the daily average fan motor amperages at or above the minimum level established during the initial or subsequent performance test; and
 - (ii) Checking the fan motor amperage at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
- (f) Beginning on the first day compliance is required under §63.7283, you must demonstrate continuous compliance with the TDS limit for quenching in §63.7295(a)(1)(i) by meeting the requirements in paragraphs (f)(1) and (2) of this section:
 - (1) Maintaining the TDS content of the water used to quench hot coke at 1,100 mg/L or less; and
 - (2) Determining the TDS content of the quench water at least weekly according to the requirements in §63.7325(a) and recording the sample results.

[68 FR 18025, Apr. 14, 2003, as amended at 69 FR 60819, Oct. 13, 2004]

§ 63.7334 How do I demonstrate continuous compliance with the work practice standards that apply to me?

- (c) For each non-recovery coke oven battery subject to the work practice standards in §63.7293(a), you must demonstrate continuous compliance by maintaining records that document each visual inspection of an oven prior to pushing and that the oven was not pushed unless there was no smoke in the open space above the coke bed and there was an unobstructed view of the door on the opposite side of the oven.
- (e) For each coke oven battery subject to the work practice standard for quenching in §63.7295(b), you must demonstrate continuous compliance according to the requirements of paragraphs (e)(1) through (3) of this section:
 - (1) Maintaining baffles in each quench tower such that no more than 5 percent of the cross-sectional area of the tower is uncovered or open to the sky as required in §63.7295(b)(1);
 - (2) Maintaining records that document conformance with the washing, inspection, and repair requirements in §63.7295(b)(2), including records of the ambient temperature on any day that the baffles were not washed; and
 - (3) Maintaining records of the source of makeup water to document conformance with the requirement for acceptable makeup water in §63.7295(a)(2).

§ 63.7335 How do I demonstrate continuous compliance with the operation and maintenance requirements that apply to me?

- (b) For each coke oven battery with a capture system or control device applied to pushing emissions, you must demonstrate continuous compliance with the operation and maintenance requirements in §63.7300(c) by meeting the requirements of paragraphs (b)(1) through (3) of this section:
- (1) Making monthly inspections of capture systems according to §63.7300(c)(1) and recording all information needed to document conformance with these requirements;
 - (2) Performing preventative maintenance for each control device according to §63.7300(c)(2) and recording all information needed to document conformance with these requirements; and
 - (3) Initiating and completing corrective action for a bag leak detection system alarm according to §63.7300(c)(3) and recording all information needed to document conformance with these requirements. This includes records of the times the bag leak detection system alarm sounds, and for each valid alarm, the time you initiated corrective action, the corrective action(s) taken, and the date on which corrective action is completed.
- (c) To demonstrate continuous compliance with the operation and maintenance requirements for a baghouse applied to pushing emissions from a coke oven battery in §63.7331(a), you must inspect and maintain each baghouse according to the requirements in §63.7331(a)(1) through (8) and record all information needed to document conformance with these requirements. If you increase or decrease the sensitivity of the bag leak detection system beyond the limits specified in §63.7331(a)(6), you must include a copy of the required written certification by a responsible official in the next semiannual compliance report.
- (d) You must maintain a current copy of the operation and maintenance plans required in §63.7300(b) and (c) onsite and available for inspection upon request. You must keep the plans for the life of the affected source or until the affected source is no longer subject to the requirements of this subpart.

§ 63.7336 What other requirements must I meet to demonstrate continuous compliance?

- (a) Deviations. You must report each instance in which you did not meet each emission limitation in this subpart that applies to you. This includes periods of startup, shutdown, and malfunction. You must also report each instance in which you did not meet each work practice standard or operation and maintenance requirement in this subpart that applies to you. These instances are deviations from the emission limitations (including operating limits), work practice standards, and operation and maintenance requirements in this subpart. These deviations must be reported according to the requirements in §63.7341.
- (b) Startup, shutdowns, and malfunctions.
- (1) Consistent with §§63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with §63.6(e)(1).
 - (2) The Administrator will determine whether deviations that occur during a period of startup, shutdown, or malfunction are violations, according to the provisions in §63.6(e).

[68 FR 18025, Apr. 14, 2003, as amended at 71 FR 20467, Apr. 20, 2006]

Notification, Reports, and Records

§ 63.7340 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§63.6(h)(4) and (5), 63.7(b) and (c), 63.8(e) and (f)(4), and 63.9(b) through (h) that apply to you by the specified dates.
- (b) As specified in §63.9(b)(2), if you startup your affected source before April 14, 2003, you must submit your initial notification no later than August 12, 2003.
- (d) If you are required to conduct a performance test, you must submit a notification of intent to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin as required in §63.7(b)(1).
- (e) If you are required to conduct a performance test, opacity observation, or other initial

compliance demonstration, you must submit a notification of compliance status according to §63.9(h)(2)(ii).

- (1) For each initial compliance demonstration that does not include a performance test, you must submit the notification of compliance status before the close of business on the 30th calendar day following the completion of the initial compliance demonstration.**
- (2) For each initial compliance demonstration that does include a performance test, you must submit the notification of compliance status, including the performance test results, before the close of business on the 60th calendar day following completion of the performance test according to §63.10(d)(2).**

§ 63.7341 What reports must I submit and when?

(a) Compliance report due dates. Unless the Administrator has approved a different schedule, you must submit quarterly compliance reports for battery stacks and semiannual compliance reports for all other affected sources to your permitting authority according to the requirements in paragraphs (a)(1) through (4) of this section.

(2) The first semiannual compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.7283 and ending on June 30 or December 31, whichever date comes first after the compliance date that is specified for your affected source. Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (a)(1) through (3) of this section.

(c) Semiannual compliance report contents. Each compliance report must provide information on compliance with the emission limitations, work practice standards, and operation and maintenance requirements for all affected sources except battery stacks. The reports must include the information in paragraphs (c)(1) through (3) of this section, and as applicable, paragraphs (c)(4) through (8) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with the official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in §63.10(d)(5)(i).

(5) If there were no deviations from the continuous compliance requirements in §63.7333(e) for battery stacks, a statement that there were no deviations from the emission limitations during the reporting period. If there were no deviations from the continuous compliance requirements in §§63.7333 through 63.7335 that apply to you (for all affected sources other than battery stacks), a statement that there were no deviations from the emission limitations, work practice standards, or operation and maintenance requirements during the reporting period.

(6) If there were no periods during which a continuous monitoring system (including COMS, continuous emission monitoring system (CEMS), or CPMS) was out-of-control as specified in §63.8(c)(7), a statement that there were no periods during which a continuous monitoring system was out-of-control during the reporting period.

(7) For each deviation from an emission limitation in this subpart (including quench water limits) and for each deviation from the requirements for work practice standards in this subpart that occurs at an affected source where you are not using a continuous monitoring system (including a COMS, CEMS, or CPMS) to comply with the emission limitations in this subpart, the compliance report must contain the information in paragraphs (c)(4) and (7)(i) and (ii) of this section. This includes periods of startup, shutdown, and malfunction.

(i) The total operating time of each affected source during the reporting period.

- (ii) Information on the number, duration, and cause of deviations (including unknown cause, if applicable) as applicable and the corrective action taken.
- (8) For each deviation from an emission limitation occurring at an affected source where you are using a continuous monitoring system (including COMS, CEMS, or CPMS) to comply with the emission limitation in this subpart, you must include the information in paragraphs (c)(4) and (8)(i) through (xii) of this section. This includes periods of startup, shutdown, and malfunction.
 - (i) The date and time that each malfunction started and stopped.
 - (ii) The date and time that each continuous monitoring system (including COMS, CEMS, or CPMS) was inoperative, except for zero (low-level) and high-level checks.
 - (iii) The date, time, and duration that each continuous monitoring system (including COMS, CEMS, or CPMS) was out-of-control, including the information in §63.8(c)(8).
 - (iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.
 - (v) A summary of the total duration of the deviation during the reporting period and the total duration as a percent of the total source operating time during that reporting period.
 - (vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.
 - (vii) A summary of the total duration of continuous monitoring system downtime during the reporting period and the total duration of continuous monitoring system downtime as a percent of the total source operating time during the reporting period.
 - (viii) An identification of each HAP that was monitored at the affected source.
 - (ix) A brief description of the process units.
 - (x) A brief description of the continuous monitoring system.
 - (xi) The date of the latest continuous monitoring system certification or audit.
 - (xii) A description of any changes in continuous monitoring systems, processes, or controls since the last reporting period.
- (d) Immediate startup, shutdown, and malfunction report. If you had a startup, shutdown, or malfunction during the semiannual reporting period that was not consistent with your startup, shutdown, and malfunction plan, you must submit an immediate startup, shutdown, and malfunction report according to the requirements in §63.10(d)(5)(ii).
- (e) Part 70 monitoring report. If you have obtained a title V operating permit for an affected source pursuant to 40 CFR part 70 or 40 CFR part 71, you must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If you submit a compliance report for an affected source along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all the required information concerning deviations from any emission limitation or work practice standard in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report does not otherwise affect any obligation you may have to report deviations from permit requirements to your permitting authority.

§ 63.7342 What records must I keep?

- (a) You must keep the records specified in paragraphs (a)(1) through (3) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any initial notification or notification of compliance status that you submitted, according to the requirements in §63.10(b)(2)(xiv).
 - (2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
 - (3) Records of performance tests, performance evaluations, and opacity observations as required in §63.10(b)(2)(viii).
- (b) For each COMS or CEMS, you must keep the records specified in paragraphs (b)(1) through (4) of this section.
 - (1) Records described in §63.10(b)(2)(vi) through (xi).
 - (2) Monitoring data for COMS during a performance evaluation as required in §63.6(h)(7)(i) and (ii).

- (3) Previous (that is, superceded) versions of the performance evaluation plan as required in §63.8(d)(3).
- (4) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.
- (c) You must keep the records in §63.6(h)(6) for visual observations.
- (d) You must keep the records required in §§63.7333 through 63.7335 to show continuous compliance with each emission limitation, work practice standard, and operation and maintenance requirement that applies to you.

§ 63.7343 In what form and how long must I keep my records?

- (a) You must keep your records in a form suitable and readily available for expeditious review, according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records offsite for the remaining 3 years.

Other Requirements and Information

§ 63.7350 What parts of the General Provisions apply to me?

Table 1 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

§ 63.7351 Who implements and enforces this subpart?

- (a) This subpart can be implemented and enforced by us, the United States Environmental Protection Agency (U.S. EPA), or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to your State, local, or tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities in paragraphs (c)(1) through (6) of this section will not be delegated to State, local, or tribal agencies.
 - (1) Approval of alternatives to work practice standards for fugitive pushing emissions in §63.7291(a) for a by-product coke oven battery with vertical flues, fugitive pushing emissions in §63.7292(a) for a by-product coke oven battery with horizontal flues, fugitive pushing emissions in §63.7293 for a non-recovery coke oven battery, soaking for a by-product coke oven battery in §63.7294(a), and quenching for a coke oven battery in §63.7295(b) under §63.6(g).
 - (2) Approval of alternative opacity emission limitations for a by-product coke oven battery under §63.6(h)(9).
 - (3) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90, except for alternative procedures in §63.7334(a)(7).
 - (4) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.
 - (5) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.
 - (6) Approval of the work practice plan for by-product coke oven batteries with horizontal flues submitted under §63.7292(a)(1).

§ 63.7352 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA), in §63.2, and in this section as follows:

Acceptable makeup water means surface water from a river, lake, or stream; water meeting drinking water standards; storm water runoff and production area clean up water except for water from the by-product recovery plant area; process wastewater treated to meet effluent limitations guidelines in 40 CFR part 420; water from any of these sources that has been used only for non-contact cooling or in water seals; or water from scrubbers used to control pushing emissions.

Backup quench station means a quenching device that is used for less than 5 percent of the quenches from any single coke oven battery in the 12-month period from July 1 to June 30.

Baffles means an apparatus comprised of obstructions for checking or deflecting the flow of gases. Baffles are installed in a quench tower to remove droplets of water and particles from the rising vapors by providing a point of impact. Baffles may be installed either inside or on top of quench towers and are typically constructed of treated wood, steel, or plastic.

Battery stack means the stack that is the point of discharge to the atmosphere of the combustion gases from a battery's underfiring system.

Batterywide extended coking means increasing the average coking time for all ovens in the coke oven battery by 25 percent or more over the manufacturer's specified design rate.

By-product coke oven battery means a group of ovens connected by common walls, where coal undergoes destructive distillation under positive pressure to produce coke and coke oven gas from which by-products are recovered.

By-product recovery plant area means that area of the coke plant where process units subject to subpart L in part 61 are located.

Coke oven battery means a group of ovens connected by common walls, where coal undergoes destructive distillation to produce coke. A coke oven battery includes by-product and non-recovery processes.

Coke plant means a facility that produces coke from coal in either a by-product coke oven battery or a non-recovery coke oven battery.

Cokeside shed means a structure used to capture pushing emissions that encloses the cokeside of the battery and ventilates the emissions to a control device.

Coking time means the time interval that starts when an oven is charged with coal and ends when the oven is pushed.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including operating limits) or work practice standard;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or work practice standard in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

Emission limitation means any emission limit, opacity limit, or operating limit.

Four consecutive pushes means four pushes observed successively.

Fugitive pushing emissions means emissions from pushing that are not collected by a capture system.

Horizontal flue means a type of coke oven heating system used on Semet-Solvay batteries where the heating flues run horizontally from one end of the oven to the other end, and the flues are not shared with adjacent ovens.

Hot water scrubber means a mobile scrubber used to control pushing emissions through the creation of an induced draft formed by the expansion of pressurized hot water through a nozzle. Increased coking time means increasing the charge-to-push time for an individual oven.

Non-recovery coke oven battery means a group of ovens connected by common walls and operated as a unit, where coal undergoes destructive distillation under negative pressure to produce coke, and which is designed for the combustion of the coke oven gas from which by-products are not recovered.

Oven means a chamber in the coke oven battery in which coal undergoes destructive distillation to produce coke.

Pushing means the process of removing the coke from the oven. Pushing begins with the first detectable movement of the coke mass and ends when the quench car enters the quench tower.

Quenching means the wet process of cooling (wet quenching) the hot incandescent coke by direct contact with water that begins when the quench car enters the quench tower and ends when the quench car exits the quench tower.

Quench tower means the structure in which hot incandescent coke in the quench car is deluged or quenched with water.

Remove from service means that an oven is not charged with coal and is not used for coking. When removed from service, the oven may remain at the operating temperature or it may be cooled down for repairs.

Responsible official means responsible official as defined in §63.2.

Short battery means a by-product coke oven battery with ovens less than five meters in height.

Soaking means that period in the coking cycle that starts when an oven is dampered off the collecting main and vented to the atmosphere through an open standpipe prior to pushing and ends when the coke begins to be pushed from the oven.

Soaking emissions means the discharge from an open standpipe during soaking of visible emissions due to either incomplete coking or leakage into the standpipe from the collecting main.

Standpipe means an apparatus on the oven that provides a passage for gases from an oven to the atmosphere when the oven is dampered off the collecting main and the standpipe cap is opened.

This includes mini-standpipes that are not connected to the collecting main.

Tall battery means a by-product coke oven battery with ovens five meters or more in height.

Vertical flue means a type of coke oven heating system in which the heating flues run vertically from the bottom to the top of the oven, and flues are shared between adjacent ovens.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof that is promulgated pursuant to section 112(h) of the CAA.

Table 1 to Subpart CCCCC of Part 63—Applicability of General Provisions to Subpart CCCCC

As required in §63.7350, you must comply with each applicable requirement of the NESHAP General Provisions (40 CFR part 63, subpart A) as shown in the following table:

Citation	Subject	Applies to Subpart CCCCC?	Explanation
§ 63.1	Applicability	Yes	
§ 63.2	Definitions	Yes	
§ 63.3	Units and Abbreviations	Yes	
§ 63.4	Prohibited Activities	Yes	
§ 63.5	Construction/Reconstruction	Yes	
§ 63.6(a), (b), (c), (d), (e), (f), (g), (h)(2)-(8).	Compliance with Standards and Maintenance Requirements.	Yes	
§ 63.6(h)(9)	Adjustment to an Opacity Emission Standard.	Yes.	
§ 63.7(a)(3), (b), (c)-(h).	Performance Testing Requirements.	Yes..	
§ 63.7(a)(1)-(2).	Applicability and Performance Test Dates	No	Subpart CCCCC specifies applicability and dates.
§ 63.8(a)(1)-(3), (b), (c)(1)- (3), (c)(4)(i)-(ii), (c)(5)-(8), (d), (e), (f)(1)-(5), (g)(1)-(4).	Monitoring Requirements	Yes	CMS requirements in §63.8(c)(4) (i)-(ii), (c)(5), and (c)(6) apply only to COMS for battery stacks.
§ 63.8(a)(4)	Additional Monitoring Requirements for Control Devices in § 63.11.	No	Flares are not a control device for Subpart CCCCC affected sources.
§ 63.8(c)(4)	Continuous Monitoring System (CMS) Requirements.	No	Subpart CCCCC specifies requirements for operation of CMS.
§ 63.8(e)(4)-(5)	Performance Evaluations	Yes.	Except COMS performance evaluation must be conducted before the compliance date.
§ 63.8(f)(6).	RATA Alternative	NO	Subpart CCCCC does not require CEMS.
§ 63.8(g)(5)	Data Reduction	NO	Subpart CCCCC specifies data that can't be used in computing averages for COMS.
§ 63.9	Notification Requirements.	Yes.	Additional notifications for CMS in § 63.9(g) apply only to COMS for battery stacks.
§ 63.10(a), (b)(1)-(b)(2)(xii), (b)(2)(xiv), (b)(3), (c)(1)-(6), (c)(9)-(15), (d), (e)(1)-(2), (e)(4), (f).	Recordkeeping and Reporting Requirements	Yes.	Additional records for CMS in §63.10(c)(1)-(6), (9)-(15), and reports in §63.10(d)(1)-(2) apply only to COMS for battery stacks.
§ 63.10(b)(2) (xi)-(xii)	CMS Records for RATA Alternative	No	Subpart CCCCC doesn't require CEMS.

§ 63.10(c)(7)-(8)	Records of Excess Emissions and Parameter Monitoring Exceedances for CMS.	No.	Subpart CCCCC specifies record requirements.
§ 63.10(e)(3).	Excess Emission Reports	No	Subpart CCCCC specifies reporting requirements.
§ 63.11	Control Device Requirements.	No	Subpart CCCCC does not require flares.
§ 63.12	State Authority and Delegations	Yes	
§§ 63.13-63.15	Addresses, Incorporation by Reference, Availability of Information.	Yes	

Change 23:

Upon further review, IDEM has determined that once per day monitoring of visible emission notations is generally sufficient to ensure proper operation of the control device. IDEM has also determined that monitoring these parameters once per day is sufficient to satisfy the requirements of the Part 70 rules at 326 IAC 2-7-5 and 326 IAC 2-7-6. The following changes have been made to Condition D.1.21 (now D.1.18) and D.1.29 (now D.1.22):

D.1.186 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

- (a) Visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) shall be performed once per ~~shift~~ **day** during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency. If~~ **abnormal emissions is are observed, the Permittee shall take reasonable steps in accordance with Section C-Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C- Response to Excursions or Exceedances shall be considered a deviation from this permit.**

D.1.202 Record Keeping Requirements

- (a) In order to document compliance with Condition D.1.216, the Permittee shall maintain records of visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) stack exhaust(s) at least once per ~~shift~~ **day**.

Change 24:

Upon further review, IDEM has determined that once per day monitoring of the control device of the pressure drop is generally sufficient to ensure proper operation of the control device. IDEM has also determined that monitoring these parameters once per day is sufficient to satisfy the requirements of the Part 70 rules at 326 IAC 2-7-5 and 326 IAC 2-7-6. The following changes have

been made to Conditions D.1.22 (now D.1.17) and D.1.29 (b) and (f) (now D.1.22):

~~D.1.22~~**17** Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the ~~total static~~ pressure drop across the baghouses for ES202 through ES204 and ES265 at least once per ~~shift~~ **day** when units ES202 through ES204 and ES265 are 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 - 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance 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.

~~D.1.29~~**2** Record Keeping Requirements

- (b) In order to document compliance with condition D.1.~~22~~**17**, the Permittee shall maintain records of the pressure drop across the baghouses **once per day**, during normal operation when venting to the atmosphere.
- (f) In order to document compliance with Condition D.1.~~25~~**19**, the Permittee shall maintain records that the temperature of the common tunnel ducts on a once per **work** shift ~~basis~~.

Change 25:

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 D.1.23 and D.1.29 (now D.1.24) (c) through (h)

~~D.1.23~~ Baghouse Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

~~An inspection shall be performed each calendar quarter of the baghouses for ES202 through ES204 and ES265 when units ES202 through ES204 and ES265 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.~~

~~D.1.22~~ Record Keeping Requirements

- ~~(c)~~ In order to document compliance with Condition D.1.~~23~~, the Permittee shall maintain ~~records of the results of the inspections required under Condition D.1.23 and the dates the vents are redirected.~~
- (~~dc~~) In order to document compliance with Condition D.1.2 (~~a~~), the Permittee shall maintain records of the tons of coal charged per month.
- (~~ed~~) In order to document compliance with Condition D.1.6 (c) and D.1.~~27~~**1**, the Permittee shall maintain records of the total dissolved solids in the quench water as determined by the test protocol required in Condition D.1.8 (c).
- (~~fe~~) In order to document compliance with Condition D.1.19, the Permittee shall maintain records that the temperature of the common tunnel ducts on a once per work shift.
- (~~gf~~) In order to document compliance with Condition D.1.~~26~~**0**, the Permittee shall maintain records that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks.
- (~~hg~~) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Change 26:

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. Conditions D.1.24 (now D.1.18) and D.1.19 (now D.1.14) has been revised as follows:

D.1.2418 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 - Response to Excursions or Exceedances 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 a 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 a failed units and the associated process **shall** be shut down immediately until the failed units ~~have~~ **has** 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.1.194 Particulate Matter (PM) Particulate Control [326 IAC 2-7-6(6)]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998:

- (a) The baghouses for the coal and coke handling equipment (Stack IDs 231 through 234 and 260 through 267) and the charging and pushing equipment (Stack IDs 202 through 204) shall be operated at all times when its associated process is in operation, except during times of required facility maintenance as long as PM emission limits found in conditions D.1.5 and D.1.6 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) The charging unit baghouses (Stack IDs 202, 202B, 203 and 203D) shall be operated within the pressure drop ranges in the work practice plan. The fans associated with these baghouses shall be operated at a minimum fan amperage in the work practice plan. In addition, oven damper adjustments shall be made to maximize oven draft during charging operations. Monitoring of these parameters shall be performed during charging to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306. These procedures along with the requirements established in D.1.6 shall satisfy the requirements

of 326 IAC 6.8-9-3(c)(2) (formerly 326 IAC 6-1-10.2(c)(2)).

- (c) The shed for collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. The pushing unit baghouses (Stack ID 204) shall be operated within the pressure drop range in the work practice plan. The fan associated with the baghouse shall be operated at a minimum fan amperage in the work practice plan. In addition, adjustments shall be made to oven dampers closest to the oven being pushed to maximize oven draft during pushing operations. Monitoring of these parameters shall be performed during pushing to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306.
- (d) **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 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.**

Change 27:

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:

<u>Previous Rule number</u>	<u>New Rule number</u>
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 6-1-10.2	326 IAC 6.8-9-1
326 IAC 6-1-10.2 (c)(3)(C)	326 IAC 6.8-9-3(c)(3)(C)
326 IAC 6-1-10.2 (c)(2)	326 IAC 6.8-9-3(c)(2)
326 IAC 6-1-10.2(c)(6)	326 IAC 6.8-9-3(c)(6)
326 IAC 6-1-10.2(c)(3)(B)	326 IAC 6.8-9-3(c)(3)(B)
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 28:

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 29:

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) Indiana Harbor Coke Company, the on-site contractor, is located at 3210 Watling Street, East Chicago, Indiana 46312.

~~IDEM has determined that Ispat Inland, Inc. and Indiana Harbor Coke Company 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 Indiana Harbor Coke Company as one source.~~

Separate Part 70 permits will be issued to Mittal Steel USA Inc.-Indiana Harbor East and Indiana Harbor Coke Company solely for administrative purposes. For permitting purposes Mittal Steel USA Inc.-Indiana Harbor East is assigned Permit No. 089-6577-00316 and Indiana Harbor Coke Company is assigned Permit No. 089-11311-00382.

Change 30:

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

Operation Permit No.: T089-11311-00382	
Issued by: Paul Dubenetzky, Assistant Commissioner Nisha Sizemore, Branch Chief Office of Air Quality	Issuance Date: Expiration Date:

Change 31:

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.~~

Change 32:

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 33:

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.

Response 34:

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.

The following changes have been made:

D.1.10 Work Practice Requirements [326 IAC 2-2] [326 IAC 2-3]

- (a) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, 326 IAC 2-2 and 326 IAC 2-3, the sixteen (16) heat exchangers shall not utilize waste gas from the coke ovens as a combustion source to produce steam for the steam generators.
- ~~(b) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the coke ovens shall recycle the gases emitted during the coking process and utilize it as the only fuel source for the ovens during normal operations. The coke oven waste gases shall not be routed directly to the atmosphere unless they first pass through the common tunnel afterburner. The Permittee shall be allowed to vent excess coke oven gases to the atmosphere from the 16 vent stacks such that, in any 24 hour period the number of vent stacks allowed to open shall not exceed 19% of the 16 vent stacks. On an annual basis, the Permittee shall allow a maximum of 14% of the 16 vent stacks to open to vent excess coke oven waste gases into the atmosphere.~~

D.1.11 Sulfur Dioxide Limit [326 IAC 2-3 7-4.1-8]

~~Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, in order to make the requirements of 326 IAC 2-3 not applicable, the sulfur dioxide emissions from the 16 vent stacks, combined with the sulfur dioxide emissions from the IHCC waste gas main stack (stack ID 201), shall be limited to a twenty four (24) hour average emission rate of 1656 lb/hour.~~

Pursuant to 326 IAC 7-4.1-8:

- (a) **IHCC, Source ID # 382, shall comply with the sulfur dioxide emission limits in pounds per ton, pounds per hour and other requirements as follows:**
- (1) **IHCC Coal Carbonization charging shall be limited to 0.0069 lb/ton each and 1.57 lb/hr total**
 - (2) **IHCC Coal Carbonization pushing shall be limited to 0.0084 lb/ton and 1.96 lb/hr**
 - (3) **IHCC Coal Carbonization quenching shall be limited to 0.0053 lb/ton and 1.322 lb/hr total**
 - (4) **IHCC Coal Carbonization thaw shed shall be limited to 0.0006 lb/1,000 cubic feet natural gas**
 - (5) **IHCC Vent Stacks (16 total) in combination with Cokenergy's heat recovery coke carbonization was gas stack identified as Stack ID 201 shall be limited to 1,656 total for a 24 hour average**
- (b) **The coke ovens shall recycle the gases emitted during the coking process and utilize it as the only fuel source for the ovens during normal operations. The gases shall not be routed directly to the atmosphere unless they first pass through the common tunnel afterburner. A maximum of nineteen percent (19%) of the coke oven waste gases leaving the common tunnel shall be allowed to be vented to the atmosphere on a twenty-four (24) hour basis and fourteen percent (14%) on an annual basis.**

On April 22, 2004, Anthony Sullivan of Barnes and Thornburg on behalf of Indiana Harbor Coke Company submitted comments on the proposed Part 70 permit. The comments and IDEM responses (with language added shown in bold and deleted language in strikethrough) are as follows:

Comment 1:

Condition A.3—Emission Units and Pollution Control Equipment Summary. The emission unit information contained in Condition A.3 contains a number of minor errors. In general, these are changes that have been incorporated in the October 28, 1999, December 16, 1999, and May 4, 2001 permit amendments and the November 30, 2001 permit modification. There are also some errors that have been carried over since the original permit (e.g., a stack identified as an emission point for fugitive emissions). Even though these are minor errors that do not represent enforceable conditions, we request that the information be revised to make it as accurate as possible.

With regard to some of the specific proposed changes: (1) the maximum throughput for the coal car dump area is higher than 6,072 tons per day because, although only 6,072 tons can be processed during a day, more can be dumped into the car dump area; (2) either water or chemical dust suppressant is equally useful on the coal and coke piles; (3) the coke conveyors are only partially covered in the area leading to the coke crusher and screening station; and (4) the space of the coke storage pile is approximately three acres, not 0.21 acres. Permit application calculations (e.g., those in the March 2001 application) and emission statements are based on three acres.

Condition A.3 and the corresponding D sections should be modified as follows:

- (a) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of ~~35.2~~ **25.2** million Btu per hour and a maximum coal **capacity of 20,000** throughput of ~~6067.2~~ tons of dry coal **in any given** per day, enclosed with emissions controlled by a **wet or** chemical dust suppressant, ~~exhausting through one (1) vent, identified as 210,~~
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of 6067.2 tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a **wet or** chemical dust suppressant, ~~each exhausting through one (1) vent, identified as 211, 213 and 214, respectively.~~
- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of 6067.2 tons of dry coal per day, with emissions controlled by a **wet or** chemical dust suppressant, exhausting directly to the air,
- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons, controlled by a **wet or** chemical dust suppressant, exhausting directly to the air,
- (e) One (1) coal crusher and screening station, identified as ES230, with a maximum throughput of 6067.2 tons of dry coal per day, enclosed and controlled by dust suppressant, ~~exhausting through one (1) stack, identified as 230,~~
- (f) One (1) active coal bin, with a storage capacity of 3,000 tons, **or an alternate coal bin with a capacity of 2,000 tons**, enclosed and controlled by a **wet or** chemical dust suppressant, ~~exhausting through one (1) stack, identified as 246.~~ An emergency storage pile, located southwest of the coal crusher screening building (ES 230), will also be used periodically for emergency purposes only,
- (g) Two (2) coal weigh belts/diverter gates, identified as ES233 and ES234, with a combined maximum throughput of 6067.2 tons of dry coal per day, each enclosed **(except for the belts above the ovens which are not enclosed due to safety reasons)** and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 233 and 234, respectively,
- (h) Two (2) coal silos, identified as ES231 and ES232, each with a storage capacity of 13,600 cubic feet, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 231 and 232, respectively,
- (i) **Four (4)** ~~Two (2)~~ coke oven charging/pushing units, identified as ES202 **ES202B**, and ES203, **and ES203D**, each having a maximum capacity of 2794.5 tons of dry coal per day for charging and 2013.7 tons of coke per day for pushing. **ES202 and ES202B shall be used interchangeably with respect to "A" and "B" batteries, provided that any time only one of these units shall be in use. ES203 and ES203D shall be used interchangeably with respect to "C" and "D" batteries, provided that any time only**

- one of these units shall be in use.** In addition, ~~two (2) additional charging/pushing units will be used for backup purpose only.~~ ES202 and ES202B is used to charge and push coke ovens in batteries A and B, and ES203 and ES 203D is used to charge and push coke ovens in batteries C and D. During charging each unit has emissions captured by a hood and controlled by one (1) baghouse, each exhausting through one (1) stack, **and each** identified as 202, 202B, 203 and 203D, respectively. During pushing **all both** units have emissions captured in a shed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 204,
- (j) Two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 distributed in four batteries identified as A, B, C and D, with a maximum capacity of 5589.0 tons of dry coal per day, heated by recirculating combusted gas, under constant negative pressure, with emissions controlled by one (1) lime spray dryer desulfurization unit and one (1) baghouse, with waste gas emissions exhausting through one (1) main stack, identified as 201 and occasionally through some of the sixteen (16) vent stacks distributed over 4 batteries. Cokenergy LLC (Permit No. 089-11135-00383) is responsible for SO₂, PM₁₀ and TSP emissions from the lime spray dryer desulfurization unit and baghouse. There is a continuous emissions monitoring (CEMs) for SO₂ installed on stack 201, **which is controlled by Cokenergy.**
- (k) Two (2) quench towers, identified as ES206 and ES207, each with a maximum capacity of 2013.7 tons of dry coke per day, used for quenching coke by spraying water from Lake Michigan, quench tower recycle, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers, and clean-up water for changing unit within enclosed tower, each controlled by baffles, each exhausting through one (1) stack, identified as 206 and 207, respectively,
- (l) **Five (5) three (3)** coke transfer towers and coke conveying system with **nine (9) seven (7)** transfer points, identified as ES260 through ES264, **263A and 264A,** and ES266 through ES267, with each tower having a maximum throughput of 4020 tons of dry coke per day, and all conveyors running above ground are covered such that emissions generated during conveying are directed to the enclosed transfer points and controlled by one (1) baghouse, and exhausting inside the tower,
- (m) one (1) run of oven coke storage pile, identified as ES280, with a pile acreage of approximately **3.0** ~~0.24~~ acres and a storage capacity of **4,500** ~~450~~ tons, with emissions controlled by a wet dust suppressant **as needed,** exhausting directly to the air,
- (n) one (1) coke crusher and screening station, identified as ES265, with a maximum throughput of 4020 tons of dry coke per day, enclosed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 265,
- (o) one (1) coke fines storage pile, identified as ES281, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant **as needed,** exhausting directly to the air, ~~and~~
- (p) one (1) rail car coke loadout station, identified as ES250, with a maximum throughput of 4020 tons of dry coke per day, controlled by a wet dust suppressant **as needed,** exhausting directly to the air,-
- (q) **Paved roads and parking lots controlled by periodic washing and unpaved roads controlled by watering, and**
- (r) **Partially covered coke conveyors (ES301) leading to the coke crusher and screening station.**

Response 1:

IDEM OAQ agrees to the majority of changes requested, however A.3 (a) does not include the phrase "in any given day" or the capacity of the car dump area. IHCC is limited to a throughput of 6067.2 tons per dry coal per day and that is the capacity that will remain in the description. The following changes have been made to A.3 and the description box in D.1:

- (a) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of **35.2** ~~25.2~~ million Btu per hour and a maximum coal throughput of 6067.2 tons of dry coal per day, enclosed with emissions controlled by a **wet or** chemical dust suppressant, ~~exhausting through one (1) vent, identified as 240,~~
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of 6067.2 tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a **wet or** chemical dust suppressant, ~~each exhausting through one (1) vent, identified as 241, 243 and 244, respectively.~~
- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of 6067.2 tons of dry coal per day, with emissions controlled by a **wet or** chemical dust suppressant, exhausting directly to the air,
- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons, controlled by a **wet or** chemical dust suppressant, exhausting directly to the air,
- (e) One (1) coal crusher and screening station, identified as ES230, with a maximum throughput of 6067.2 tons of dry coal per day, enclosed and controlled by dust suppressant, ~~exhausting through one (1) stack, identified as 230,~~
- (f) One (1) active coal bin, with a storage capacity of 3,000 tons, **or an alternate coal bin with a capacity of 2000 tons**, enclosed and controlled by a **wet or** chemical dust suppressant, ~~exhausting through one (1) stack, identified as 246.~~ An emergency storage pile, located southwest of the coal crusher screening building (ES 230), will also be used periodically for emergency purposes only,
- (g) Two (2) coal weigh belts/diverter gates, identified as ES233 and ES234, with a combined maximum throughput of 6067.2 tons of dry coal per day, each enclosed (**except for the belts above the ovens which are not enclosed due to safety reasons**) and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 233 and 234, respectively,
- (h) Two (2) coal silos, identified as ES231 and ES232, each with a storage capacity of 13,600 cubic feet, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 231 and 232, respectively,
- (i) **Four (4)** ~~Two (2)~~ coke oven charging/pushing units, identified as ES202 **ES202B**, and ES203, **and ES203D**, each having a maximum capacity of 2794.5 tons of dry coal per day for charging and 2013.7 tons of coke per day for pushing. **ES202 and ES202B shall be used interchangeably with respect to "A" and "B" batteries, provided that any time only one of these units shall be in use. ES203 and ES203D shall be used interchangeably with respect to "C" and "D" batteries, provided that any time only one of these units shall be in use.** ~~In addition, two (2) additional charging/pushing units will be used for backup purpose only. ES202 and ES202B is used to charge and push coke ovens in batteries A and B, and ES203 and ES 203D is used to charge and push coke ovens in batteries C and D.~~ During charging each unit has emissions captured by a hood and controlled by one (1) baghouse, each exhausting through one (1) stack, **and each** identified as 202, 202B, 203 and 203D, respectively. During pushing **all both** units have

- emissions captured in a shed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 204,
- (j) Two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 distributed in four batteries identified as A, B, C and D, with a maximum capacity of 5589.0 tons of dry coal per day, heated by recirculating combusted gas, under constant negative pressure, with emissions controlled by one (1) lime spray dryer desulfurization unit and one (1) baghouse, with waste gas emissions exhausting through one (1) main stack, identified as 201 and occasionally through some of the sixteen (16) vent stacks distributed over 4 batteries. Cokenergy LLC (Permit No. 089-11135-00383) is responsible for SO₂, PM₁₀ and TSP emissions from the lime spray dryer desulfurization unit and baghouse. There is a continuous emissions monitoring (CEMs) for SO₂ installed on stack 201-, **which is controlled by Cokenergy.**
 - (k) Two (2) quench towers, identified as ES206 and ES207, each with a maximum capacity of 2013.7 tons of dry coke per day, used for quenching coke by spraying water from Lake Michigan, quench tower recycle, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers, and clean-up water for charging unit within enclosed tower, each controlled by baffles, each exhausting through one (1) stack, identified as 206 and 207, respectively,
 - (l) **Five (5) three (3)** coke transfer towers and coke conveying system with **nine (9) seven (7)** transfer points, identified as ES260 through ES264, **263A and 264A**, and ES266 through ES267, with each tower having a maximum throughput of 4020 tons of dry coke per day, and all conveyors running above ground are covered such that emissions generated during conveying are directed to the enclosed transfer points and controlled by one (1) baghouse, and exhausting inside the tower,
 - (m) one (1) run of oven coke storage pile, identified as ES280, with a pile acreage of approximately **3.0 0.21** acres and a storage capacity of **4,500 450** tons, with emissions controlled by a wet dust suppressant **as needed**, exhausting directly to the air,
 - (n) one (1) coke crusher and screening station, identified as ES265, with a maximum throughput of 4020 tons of dry coke per day, enclosed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 265,
 - (o) one (1) coke fines storage pile, identified as ES281, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant **as needed**, exhausting directly to the air, ~~and~~
 - (p) one (1) rail car coke loadout station, identified as ES250, with a maximum throughput of 4020 tons of dry coke per day, controlled by a wet dust suppressant **as needed**, exhausting directly to the air,-
 - (q) **Paved roads and parking lots controlled by periodic washing and unpaved roads controlled by watering, and**
 - (r) **Partially covered coke conveyors (ES301) leading to the coke crusher and screening station.**

Comment 2:

Condition B.8—Certification. Because IHCC, Cokenergy, and Ispat Inland are three entities that are considered a single source, IHCC will certify, as required in this condition, to those portions of the source that are under its control, which include the operation and requirements associated with the coke batteries and vent stacks. We request the following change to subsection (a) of this condition 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. **Indiana Harbor Coke will certify, as required in this section, to those portions of the source that are under its control which include the requirements associated with the coke batteries and vent stacks.**

Response 2:

IDEM agrees that Indiana Harbor Coke Company should only certify those portions of the source that are under its control and 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. **Indiana Harbor Coke will certify, as required in this section, to those portions of the source that are under its control which include the requirements associated with the coke batteries and vent stacks, 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 3:

Condition B.23—Annual Fee Payment. In accordance with IDEM's determination in Section A.2 of the draft permit that Indiana Harbor Coke 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, Indiana Harbor Coke is not required to pay a separate Annual Fee. Accordingly, Condition B.23 should be modified as follows:

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. 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 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 Section), to determine the appropriate permit fee.
- (d) Since Mittal Steel USA Inc.-Indiana Harbor East, Indiana Harbor Coke Company, and Cokenergy have all been determined to be a single source, only one fee is due for the combined emissions of all three facilities.**

Response 3:

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 its annual fee, a separate fee will be billed to the on-site contractors. The following changes have been made to condition B.23 as a result of this comment:

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.

Comment 4:

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

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.**

Response 4:

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 5:

Condition C.5—Fugitive Dust Emissions. This condition, which imposes a three-minute 20% opacity standard, should be modified to clarify that it should not apply to charging emissions from the facility. Under Indiana Harbor Coke's permit, this standard was never to be applied but instead charging emissions were expected to be "minimized by collecting in a mobile hood, which is

connected to the charging pushing unit, and exhausted through the charging stacks....” See Construction Permit No. CP-089-9236-0216, issued February 26, 1998, Condition Number 21(b).

The original construction permit required Indiana Harbor Coke to submit to IDEM each period where visible emissions exceeded 20% over a three-minute period, and identify the conditions that may have contributed to those opacity readings. IDEM was then to develop a specific standard for charging emissions. IDEM has never done that, yet, and it is inappropriate to now impose a 20% three-minute opacity standard out of the blue.

If any standard is to be imposed, Indiana Harbor Coke requests that the standards to be proposed for non-recovery charging in amended 40 CFR § 63.303 be adopted as the charging emission limitation. That standard is 20% opacity determined from five consecutive charges (performed weekly) for each charging emissions capture system. Ultimately though, Condition C.5 (a)(11) should be modified to clarify that it does not apply to charging emissions.

In addition, Condition C.5(b) should be modified to indicate that Indiana Harbor Coke is only responsible for the fugitive dust in areas that it controls. Accordingly, Condition C.5 should be modified as follows:

C.5. Fugitive Dust Emissions [326 IAC 6-1-11.1]

- (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:
- (11) Any facility or operation not specified in 326 IAC 6-1-1.1(d) shall meet a twenty percent (20%), three (3) minute average opacity standard. **This limitation does not apply to the charging emissions from the Indiana Harbor Coke Company facilities. Those facilities are subject to a 20% opacity standard based on 5 consecutive charges.**
- (b) The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan. **Indiana Harbor Coke Company shall implement its Fugitive Dust Control Plan for the areas under its control.**

Response 5:

The charging emissions are required to be vented to a control device and exhausted through a stack. Fugitive emissions are only those that are emitted into the atmosphere other than through a stack. Updated language in Condition C.5 to reflect the attachment of the Fugitive Dust Control Plan to the Part 70 Permit. IDEM has made the following changes as a result of these comments:

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

- (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. **This limitation does not apply to the charging emissions from the Indiana Harbor Coke Company facilities. Those facilities are subject to a 20% opacity standard based on 5 consecutive charges.**
- (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. **Indiana Harbor Coke Company shall implement its Fugitive Dust Control Plan for the areas under its control. The Fugitive Dust Control Plan is attached to this permit.**

Comment 6:

Condition C.16—Compliance Response Plan – Preparation, Implementation, Records, and Reports.

As a legal matter, IDEM is not authorized to impose a requirement to develop and implement a “compliance response plan.” There is no requirement in the Indiana regulations or statutes that a source develop a “compliance response plan”—on the contrary, that term is not defined anywhere. “Title V does not impose substantive new requirements,” but instead requires that all the “applicable requirements” be consolidated into one document—the Part 70 Operating Permit. See *New York Public Interest Research Group v. Whitman*, 321 F.3d 316, 320 (2d Cir. 2003); (see also the EPA statement in the Federal Register with respect to Indiana’s Part 70 program: “Applicable requirements must exist independently of title V permits... [T]itle V authority cannot modify existing applicable requirements.” 67 Fed. Reg. 34,844, 34,847 (May 16, 2002)).

It is also important to note that IDEM is not authorized to create requirements out of whole cloth. As agencies of state government, IDEM has only the powers expressly conferred by statute.

The authority of the State to engage in administrative action is limited to that which is granted by statute.

Charles A. Beard Classroom Teachers Ass’n v. Bd. of School Trustees, 668 N.E.2d 1222, 1224 (Ind. 1996).

A keystone of administrative law is the proposition that an administrative agency has no powers which are not expressly or impliedly granted by statute. *Gordon v. Review Bd. of Indiana Employment Sec. Division*, (1981) Ind.App., 426 N.E.2d 1364; *Indiana State Bd., etc. v. Keller*, (1980) Ind., 409 N.E.2d 583. All doubtful claims to a power claimed by a governmental agency must be resolved against the agency. *Indiana Civil Rights Commission v. Holman*, (1978) 177 Ind.App. 648, 380 N.E.2d 1281; *Monon Railroad Company v. Citizens of Sherwood Forest, Marion County*, (1969) 146 Ind.App. 620, 257 N.E.2d 846; *Good v. Western Pulaski County School Corp.*, (1965) 139 Ind.App. 567, 210 N.E.2d 100. The administrative agency can only exercise its powers in conformity with the statutes. *Boone County Rural Elec. Membership Corp. v. Public Service Commission of Ind.*, (1958) 129 Ind.App. 175, 155 N.E.2d 149.

Indiana State Bd. of Embalmers v. Kaufman, 463 N.E.2d 513, 521-22 (Ind. Ct. App. 1984). For these reasons, Condition C.16 should be deleted, along with every other reference to “compliance response plans.”

Condition C.16 should be deleted as follows:

~~C.16—Compliance Response Plan—Preparation, Implementation, Records, and Reports [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 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 CFR 60/63 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 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.~~

Response 6:

See Change 17.

Comment 7:

Condition C.18—Emission Statement. IDEM rules related to the deadline for the annual emission statement have recently changed. We request that the deadline be changed from April 15 to July 1 in accordance with the 326 IAC 2-6-3 compliance schedule.

C.18 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 July 1 ~~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:

Response 7:

See Change 18.

Comment 8:

Section D.1—Facility Operation Conditions. The same changes should be made to the Facility Description as indicated in comment number 1 (Condition A.3). (The comment included the list of equipment found in D.1 description box)

Response 8:

These changes have been made. See Response 1.

Comment 9:

Condition D.1.3—Nonattainment Area Particulate Limitations. These emission limitations should be removed for all referenced emission units, except the main stack and the vent stacks, in which case the limitation should be identified as a 24-hour average. Many reasons support this conclusion. First, many of these emission units already have particulate matter limits established under Condition D.1.7. Those limitations were established in the original construction permit development and supercede the limits set out in 326 IAC 6-1-2.

In addition, many of the units have actual emissions below 10 tons per year of actual particulate matter emissions and therefore are not subject to 326 IAC 6-1-2. That rule applies only if the source or facility "has the potential to emit 100 tons per year or more, or has actual emissions of 10 tons or more of particulate matter per year." These facilities do not satisfy those thresholds and therefore are not subject to 326 IAC 6-1-2.

Third, the limitation for the HRCC waste gas stack and the 16 vent stacks is a weighted average as set out in Significant Modification No. 089-14241, issued on November 30, 2001. This condition should be modified as follows:

D.1.3 Nonattainment Area Particulate Limitations [326 IAC 6-1-2]

Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), the particulate matter emissions from the HRCC waste gas stack (Stack ID 201) and 16 vent stacks **shall not exceed 0.03 grains per dry standard cubic foot. Compliance with this limit will be determined through a weighted average of the gases exhausted from the vent stack(s) and the main stack.** the HRCC charging unit stacks (Stack IDs 202, 202B, 203, and 203D), the HRCC pushing stack (Stack ID 204), the quench towers stacks (Stack IDs 206 and 207), the coal rail car dump (Stack ID 210), coal transfer towers (Stack IDs 211, 213, and 214), the coal pile stacking unit (Stack ID 212), the coal crusher and screening station (Stack ID 230), the east and west coal silos, (Stack IDs 231 and 232), the coal weigh belts/diverter gates (Stack IDs 233 and 234), the coke transfer towers (Stack IDs 206 through 264, 266 and 267), the coke crusher and screening station (Stack ID 265), and the rail car coke loadout station (Stack ID 250) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

Response 9:

Under Part 70 Operating permit program, all applicable requirements must be included in the Part 70 Operating Permit.

In construction permit 089-9236-00382 issued on February 26, 1998 and Significant Modification 089-14241-00382 issued on November 30, 2001, the PM limitations were established in order to make the requirements of 326 IAC 2-3 not applicable. The limits are also more stringent than 326 IAC 6.8-1-2 (formerly 326 IAC 6-1). However, pursuant to 326 IAC 6.8-1-1, 326 IAC 6.8-2 applies to facilities not otherwise listed in 326 IAC 6.8-2 through 11 with potential to emit greater than 100 tpy or actual emissions of 10 tpy or more of Particulate Matter per year.

Indiana Harbor Coke Company is considered "one source" with Mittal Steel USA Inc.-Indiana Harbor East (formerly Ispat Inland, Inc.). In addition, Indiana Harbor Coke Company reported actual PM emissions exceeding ten (10) tons per year on emission statements submitted to IDEM OAQ, therefore 326 IAC 6.8-1-2 applies to the source as well as all facilities. Although the requirements of 326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2) was inadvertently omitted from the original construction permit, the requirements has been applicable to this facility.

In addition, 326 6.8-1-3 (formerly 326 IAC 6-1-3) specifies that the appropriate method for determining compliance with the provisions of 326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2) is a Method 5 stack test. Since the coal rail car dump, coal transfer towers, coal pile stacking, coal crusher and screening and the rail car coke loadout station are sources of fugitive emissions, which do not vent to a stack, IDEM agrees that a reasonable interpretation of the rule is that it was not intended to apply to fugitive emissions.

The following changes have been made to Condition D.1.3 (now D.1.1):

D.1.1 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 HRCC waste gas stack (Stack ID 201) and 16 vent stacks, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D), the HRCC pushing stack (Stack ID 204), the quench towers stacks (Stack IDs 206 and 207), ~~the coal rail car dump (Stack ID 210), coal transfer towers (Stack IDs 211, 213, and 214), the coal pile stacking unit (Stack ID 212), the coal crusher and screening station (Stack ID 230),~~ the east and west coal silos **baghouse**, (Stack IDs 231 and 232), the coal weigh belts/diverter gates **baghouse** (Stack ID 233 and 234), the coke transfer towers **baghouse** (Stack IDs ~~206~~**260** through ~~264, 266 and 267~~), the coke crusher and screening station **baghouse** (Stack ID 265), and ~~the rail car coke loadout station (Stack ID 250)~~ shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf). **Compliance with this limit will be determined through a weighted average of the gases exhausted from the vent stack(s) and main stack.**

Comment 10:

Condition D.1.4—PSD and Emission Offset Minor Source Limits. The applicable limitation should indicate that the coke oven facility shall be limited to less than or equal to 170,000 tons per month, not “less than” 170,000 tons per month. Accordingly, this condition should be modified as follows:

D.1.4 PSD and Emission Offset Minor Source Limits [326 IAC 2-2] [326 IAC 2-3]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable, the amount of dry coal processed through the nonrecovery coke oven facility shall be limited to less than or equal to 170,000 tons per month.

Response 10:

IDEM OAQ agrees to this change and has made the following changes to D.1.4 (now D.1.2):

D.1.2 PSD and Emission Offset Minor Source Limits [326 IAC 2-2][326 IAC 2-3]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable, the amount of dry coal processed through the nonrecovery coke oven facility shall be limited to less than or equal to 170,000 tons per month.

Comment 11:

Condition D.1.7—Particulate Matter. These limitations should not include references to “condensable components.” The referenced operations consist of coal handling operations that do not generate condensable components. In a letter dated October 28, 1999, IDEM clarified that PM limits for pushing, crushing, screening, and coal handling operations only involve filterable particulate matter. *Attachment A* is a copy of that letter. Accordingly, Condition D.1.7 should be modified as follows:

D.1.7 Particulate Matter [326 IAC 2-3]

(a) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-3 not applicable, particulate matter (PM) (where PM includes filterable ~~and condensable~~ components) emissions from the coal and coke handling equipment and vent stacks shall be limited as follows:

Response 11:

IDEM OAQ agree and has made the following revision to Condition D.1.7 (now D.1.5) as follows:

D.1.5 Particulate Matter [326 IAC 2-3]

(a) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-3 not applicable, particulate matter (PM)(where PM includes filterable ~~and condensable~~ components) emissions from the coal and coke handling equipment and vent stacks shall be limited as follows:

Comment 12:

Condition D.1.9(a) and (c)—Opacity. 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 089-9236-00316 (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:

D.1.9 Opacity

- ~~(a) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coal and coke handling system controlled by baghouses (Stack IDs 231 through 234 and 260 through 267) shall not exceed an opacity of **twenty percent (20%)** ~~five percent (5%)~~ six minute average. Compliance with this opacity limit will satisfy the requirement of 40 CFR 60, Subpart Y (Coal Preparation Plants).~~
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coke oven facility stacks (Stack IDs 201 through 204) shall not exceed an opacity of **twenty percent (20%)** ~~ten percent (10%)~~ six minute average.

Response 12:

CP 089-9236-00383, issued under 326 IAC 2-1-3(i)(8), which was repealed, was the appropriate rule of authority until November 25, 1998. 326 IAC 2-1-3(i)(8) and was not replaced by 326 IAC 5-1-2, which is the opacity rule. D.1.9(b) was established under 40 CFR Part 60 Subpart Y and not under 326 IAC 2-1-3(i)(8) and will remain in the Part 70 permit. After reviewing CP 089-9236-000383, IDEM has determined that D.1.9(a) and (c) serve no technical purpose in regards to the review of 326 IAC 2-3. Therefore, D.1.9 (now D.1.7) (a) and (c) have been deleted.

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.1.7 Opacity

- ~~(a) Pursuant construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coal and coke handling system controlled by baghouses (Stack IDs 231 through 234 and 260 through 267) shall not exceed an opacity of five percent (5%) six minute average. Compliance with this opacity limit will satisfy the requirement of 40 CFR 60, Subpart Y (Coal Preparation Plants).~~
- (b) Pursuant to 326 IAC 12-1, 40 CFR 60.250, and construction permit 089-9236-00382 issued on February 26, 1998, the coal handling equipment, including the crusher, screener, conveyors, storage piles, storage bins, and transfer points shall not cause to be discharged into the atmosphere any gases which exhibit twenty percent (20%) opacity of greater, as determined by EPA referenced Method 9.
- ~~(c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coke oven facility stacks (Stack IDs 201 through 204) shall not exceed an opacity of ten percent (10%) six minute average.~~

Comment 13:

Condition D.1.14—Minor Modification. Indiana Harbor Coke reiterates that it has not violated any law and it intends to continue to vigorously contest the notice of violation issued to it by the United States Environmental Protection Agency. There is no basis for IDEM to state in this permit that it “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.” We do not expect there will be any new requirements since there has been no violation of any law, and therefore we object to the implication that new requirements will be imposed and OAQ will insert them into this permit. Indiana Harbor Coke requests that this entire condition be deleted as follows:

~~D.1.14 Minor Modification [326 IAC 2-3] [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.~~

Or in the alternative, Condition D.1.14 should be modified as follows:

D.1.14 Minor Modification [326 IAC 2-3] [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). **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** 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.

It is also important to note that notices of violation were issued to all three companies (Ispat Inland, Cokenergy, and Indiana Harbor Coke), not just to Indiana Harbor Coke.

Response 13:

IDEM OAQ is deleting Condition D.1.14 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.1.14 has been deleted and the subsequent Section D.1 conditions renumbered.

D.1.14 Minor Modification [326 IAC 2-3] [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 14:

Condition D.1.15—Preventive Maintenance Plan. Condition D.1.15 in this draft permit includes

preventive maintenance plan requirements for emission control devices and “facilities,” and it also includes specific detailed maintenance requirements to be performed on the equipment. We object to those conditions on two grounds.

First, there is no direct statutory or regulatory authority, state or federal, for the preventive maintenance plan requirement. The preventive maintenance plan requirement arises out of 326 IAC 1-6-1 *et seq.* That rule “applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1 or 326 IAC 2-6.1.” See 326 IAC 1-6-1. 326 IAC 2-5.1 applies to construction of “new sources” built after late 1998 and exempts “existing sources” operating pursuant to a permit issued under 326 IAC 2-6.1 or 2-7. So, § 2-5.1 does not apply to these units. 326 IAC 2-6.1 (Minor Source Operating Program) applies to sources in existence before December 25, 1998, that meet an applicability criterion in 326 IAC 2-5.1-3(a), “[e]xcept for sources required to have a Part 70 permit as described in 326 IAC 2-7-2....” 326 IAC 2-6.1-2. Thus, § 2-6.1 does not apply to these units either, and so there is no basis for mentioning PMPs in the Part 70 permit for Indiana Harbor Coke Company.

Second, even if a PMP were required, 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.”

All references to Preventive Maintenance Plans should be stricken from the permit because IDEM is without authority to require PMPs of Indiana Harbor Coke. If the PMP requirement is nonetheless included within this permit, it should at a minimum be modified, as follows:

D.1.15 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 14:

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, etc.

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

Comment 15:

Condition D.1.16—National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks – Compliance Requirements for Coke Batteries.

Subsection (c)(1) should be deleted because it refers to a standard that is a standard for byproduct coke ovens, which does not apply in this case. Subsection (g)(1) should be modified to incorporate nonrecovery work practices. These would include changing the language as set out below:

D.1.16 National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks – Compliance Requirements for Coke Batteries [40 CFR 63.7310(a)] [40 CFR 63.7324] [40 CFR 63.7326] [40 CFR 63.7328] [40 CFR 63.7332] [40 CFR 63.7333] [40 CFR 63.7334] [40 CFR 63.7335]

- (a) Pursuant to 40 CFR 63.7310(a), the Permittee shall be in compliance with the emission limitations and operation and maintenance requirements in Condition D.1.2 at all times, except during periods of start-up, shutdown and malfunction as defined in 40 CFR 63.2, which incorporated by reference in 326 IAC 20-1-3.
- (b) Pursuant to 40 CFR 63.7326(a), the Permittee shall demonstrate initial compliance with the particulate matter emission limit from a control device applied to pushing emissions from nonrecovery coke batteries: two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201.
- (c) Pursuant to 40 CFR 63.7327 and 63.7320(c), the Permittee shall demonstrate initial compliance with the work practice standards for non-recovery coke oven batteries that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 for the following:
 - ~~(1) Work practice standards for fugitive pushing emissions, in accordance with 40 CFR 63.7327(d); and~~
 - (1)(2)** Work practice standards for quenching, in accordance with 40 CFR 63.7327(e).
- (d) The Permittee shall demonstrate initial compliance with the operation and maintenance requirements that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, in accordance with 40 CFR 63.7328 and 63.7320(c).
- (e) The Permittee shall monitor and collect data to demonstrate continuous compliance with 40 CFR 63, Subpart CCCCC, in accordance with 40 CFR 63.7332.
- (f) The Permittee shall demonstrate continuous compliance with the emissions limitations of 40 CFR 63, Subpart CCCCC, that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment in accordance with 40 CFR 63.7333.
- (g) Pursuant to 40 CFR 63.7334, the Permittee shall demonstrate continuous compliance with work practice standards for non-recovery coke oven batteries, that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, for the following:
 - (1) Work practice standards for **inspecting ovens prior to** fugitive pushing emissions, in accordance with 40 CFR 63.7334(c); and
 - (2) Work practice standards for quenching, in accordance with 40 CFR 63.7334(e).
- (h) Pursuant to 40 CFR 63.7335 (b) through (d), the Permittee shall demonstrate continuous compliance with the operation and maintenance requirements of 40 CFR 63, Subpart CCCCC, that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment. (Only Subsections b through d of 40 CFR 63.7335 apply to non-recovery batteries)

Response 15:

See Change 22, Condition D.1.16 has been deleted.

Comment 16:

Condition D.1.18—Testing Requirements. Since some of the compliance testing has been performed more than five years previous to the permit issuance, Indiana Harbor Coke would be in noncompliance with the permit as written immediately upon permit issuance. Accordingly, Indiana Harbor Coke requests the clause “or within five (5) years of the date of the last valid compliance test” be deleted in subsections (a), (b), and (c).

In addition, under subsection (c), only one vent stack should be required to be tested, not “a representative number of the sixteen vent stacks.” The vent stacks generate the same types of emissions.

In light of these two comments, Condition D.1.18 should be modified, as follows:

D.1.18 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 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 perform PM and PM10 testing of a representative number of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.7(c). Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack, vent stacks and charging operations 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. 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 Cokenergy LLC 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. 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.
- (c) 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 perform SO₂ testing on **one representative stack** ~~a representative number~~ of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with condition D.1.13 by combining SO₂ emissions from vent stacks with SO₂ emissions from the main stack (stack ID 201). 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.

Response 16:

IDEM does not agree that one stack is representative; however, the Compliance Section of OAQ has determined that testing twenty percent (20%) of the stacks is representative, which is equal to testing four of the sixteen of the stacks. The following changes have been made to Condition D.1.18 (now D.1.13) as a result of the company comments:

D.1.13 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 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 perform PM and PM10 testing of a representative number of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.5(c). Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack, vent stacks and charging operations 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. 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 Cokenergy LLC 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.1.8. 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.
- (c) 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 perform SO₂ testing of **four (4)** of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.11 by combining SO₂ emissions from vent stacks with the SO₂ emissions from the main stack (stack ID 201). 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.

Comment 17:

Condition D.1.19—Particulate Matter. The operating ranges of the parameters will not be established during testing, but instead will be the ranges utilized in the work practice plan, and the testing will be to demonstrate compliance when operating at some value within those ranges. In addition, an allowance should be included for continued operation during baghouse maintenance. Accordingly, Condition D.1.19 should be modified as follows:

D.1.19 Particulate Matter

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998:

- (a) The baghouses for the coal and coke handling equipment (Stack IDs 231 through 234 and 260 through 267) and the charging and pushing equipment (Stack IDs 202 through 204) shall be operated at all times when its associated process is in operation, **except during times of required maintenance.**
- (b) The charging unit baghouses (Stack IDs 202, 202B, 203 and 203D) shall be operated within the pressure drop ranges **in the work practice plan** ~~as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998.~~ The fans associated with these baghouses shall be operated at a minimum fan amperage **in the work practice plan.** ~~determined by the Permittee within the first 60 days of operation.~~ In addition, oven damper adjustments shall be made to maximize oven draft during charging operations. Monitoring of these parameters shall be performed during charging to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306. These procedures along with the requirements established in D.1.8 shall satisfy the requirements

of 326 IAC 6-1-10.2(c)(2).

- (c) The shed for collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. The pushing unit baghouses (Stack ID 204) shall be operated within the pressure drop range **in the work practice plan, as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998.** The fan associated with the baghouse shall be operated at a minimum fan amperage **in the work practice plan, determined by the Permittee within the first 60 days of operation.** In addition, adjustments shall be made to oven dampers closest to the oven being pushed to maximize oven draft during pushing operations. Monitoring of these parameters shall be performed during pushing to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306.

Response 17:

IDEM OAQ agrees and the following changes have been made to Condition D.1.19 (now D.1.14):

D.1.14 Particulate Matter

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998:

- (a) The baghouses for the coal and coke handling equipment (Stack IDs 231 through 234 and 260 through 267) and the charging and pushing equipment (Stack IDs 202 through 204) shall be operated at all times when its associated process is in operation-, **except during times of required facility maintenance as long as PM emission limits found in conditions D.1.5 and D.1.6 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) The charging unit baghouses (Stack IDs 202, 202B, 203 and 203D) shall be operated within the pressure drop ranges **in the work practice plan, as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998.** The fans associated with these baghouses shall be operated at a minimum fan amperage **in the work practice plan, determined by the Permittee within the first 60 days of operation.** In addition, oven damper adjustments shall be made to maximize oven draft during charging operations. Monitoring of these parameters shall be performed during charging to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306. These procedures along with the requirements established in D.1.6 shall satisfy the requirements of 326 IAC 6-1-10.2(c)(2).
- (c) The shed for collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. The pushing unit baghouses (Stack ID 204) shall be operated within the pressure drop range **in the work practice plan, as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998.** The fan associated with the baghouse shall be operated at a minimum fan amperage **in the work practice plan, determined by the Permittee within the first 60 days of operation.** In addition, adjustments shall be made to oven dampers closest to the oven being pushed to maximize oven draft during pushing operations. Monitoring of these parameters shall be performed during pushing to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306.
- (d) 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 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.

Comment 18:

Condition D.1.20—Duct Temperature. The duct temperature requirement will not be established in the performance test, but instead was established during the first 60 days of operation. Accordingly, Condition D.1.20 should be modified as follows:

D.1.20 Duct Temperature

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall operate and maintain common duct temperatures in a range of 1200-2400 degrees Fahrenheit, ~~or a range established in more recent VOC stack test showing compliance with applicable limit in condition D.1.5 and NO_x limits established in Condition D.1.10.~~

Response 18:

IDEM agrees and the following change has been made to D.1.20 (now D.1.15) as follows:

D.1.15 Duct Temperature

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall operate and maintain common duct temperatures in a range of 1200-2400 degrees Fahrenheit, ~~or a range established in more recent VOC stack test showing compliance with applicable limit in condition D.1.5 and NO_x limits established in Condition D.1.10.~~

Comment 19:

Condition D.1.21—Visible Emissions Notations. Plant operators are familiar with proper performance of transfer towers, belt enclosures, and baghouses and actually make more frequent observations. Mandatory recordkeeping of once/day is adequate to ensure that the equipment is operating properly. Condition D.1.21 should be modified as follows:

D.1.21 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) shall be performed once per day shift during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency.

Response 19:

See Change 23.

Comment 20:

Condition D.1.22—Parametric Monitoring. This condition should be modified for the reasons set forth in comment number 17 above and because the once-per-shift requirement is excessive given

the low level of emissions that derive from these emission sources.

D.1.22 Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

The Permittee shall record the total static pressure drop across the baghouses for ES202 through ES204 and ES265 at least once day shift when units ES202 through ES204 are 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 – 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 deviation from this permit.

Response 20:

See Change 24

The following change has been made as a result of this comment:

D.1.17 Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouses for ES202 through ES204 and ES265 at least once day when units ES202 through ES204 and ES265 are 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 - 8.0inches of water ~~or a range established during the latest stack test~~, the Permittee shall take reasonable response steps in accordance 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.

Comment 21:

Condition D.1.25—Duct Temperature Monitoring. A new range for monitoring duct temperature will not be established during compliance testing, but instead the values will be in the established range. Therefore, the phrase “or the range established in most recent compliant stack test” should be deleted. Accordingly, Condition D.1.25 should be modified, as follows:

D.1.25 Duct Temperature Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the temperature of the common tunnel duct shall be monitored at least once per work shift. When for any one reading, the temperature of the common tunnel duct is outside the normal range of 1200-2400 degrees Fahrenheit, ~~or the range established in most recent compliant stack test~~, the Permittee shall take reasonable response steps in accordance with Section C – Compliance Response Plan – Preparation, Implementation, Records and Reports. A reading that is outside the range ~~as established in the most recent compliant stack test~~ 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 deviation from this permit.

Response 21:

See Change 24.

IDEM agrees with the changes requested and the following changes have been made to Condition D.1.19 (was D.1.25):

D.1.19 Duct Temperature Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998; the temperature of the common tunnel duct shall be monitored at least once per work shift. When for any one reading, the temperature of the common tunnel duct is outside the normal range of 1200-2400 degrees

Fahrenheit, or the range established in most recent compliant stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A reading that is outside the range as established in the most recent compliant stack test 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.

Comment 22:

Condition D.1.27—Quench Tower Water Testing. For the reasons set out in comment numbers 17, 18, 20, and 21, Condition D.1.27 should be modified, as follows:

D.1.27 Quench Tower Water Testing

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall perform tests of total dissolved solids (TDS) in the quench water on weekly basis. When for any one reading the TDS exceeds amount stated in D.1.8(c), the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan – Preparation, Implementation, Records and Reports. A reading that is outside the range as established in the most recent compliant stack test 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 deviation from this permit.

Response 22:

IDEM has made the following change to Condition D.1.27 (now D.1.21) as follows:

D.1.21 Quench Tower Water Testing

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the Permittee shall perform tests of total dissolved solids (TDS) in the quench water on a weekly basis. When for any one reading the TDS exceeds the amount stated in D.1.6(c), the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A reading that is outside the range as established in the most recent compliant stack test 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.

Comment 23:

Condition D.1.28—National Emission Standards for Hazardous Air Pollutants from National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks – Record Keeping Requirements for Coke Oven Batteries. In order to identify the requirements for non-recovery batteries and remove the requirements for byproduct batteries, this condition should be modified, as follows:

D.1.28 National Emission Standards for Hazardous Air Pollutants from National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks – Record Keeping Requirements for Coke Oven Batteries [40 CFR 63.7310(b)] [40 CFR 63.7]

- (a) During the period between April 14, 2006 and the date upon which continuous monitoring systems have been installed and certified and any applicable operating limits have been set, the Permittee shall maintain a log detailing the operation and maintenance of the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and control equipment, in accordance with 40 CFR 63.7310(b).
- (b) The Permittee shall keep the records required by 40 CFR 63.7342(a).
- (c) ~~If a Continuous Opacity Monitoring System (COMS) is used to comply with an opacity standard, the Permittee shall keep the records specified in 40 CFR 63.7342(b).~~
- (d) ~~The Permittee shall keep the records required in 40 CFR 63.6(h)(6) for visible observations in accordance with 40 CFR 63.7342(c).~~

- ~~(c)~~(e) Pursuant to 40 CFR 63.7333 and 63.7342 (d), the Permittee shall keep the records required to demonstrate continuous compliance with each emission limitation requirement for each non-recovery coke battery that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, for the following:
- (1) Each control device and capture system applied to pushing emissions; **and**
 - (2) TDS limit for quenching; **or constituent limit for quenching.** ~~and~~
 - ~~(3) Constituent limit for quenching.~~
- ~~(d)~~(f) Pursuant to 40 CFR 63.7334 and 63.7342(d), the Permittee shall keep the records required in to show continuous compliance with the work practice standards for each non-recovery Coke Battery that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, as follows:
- (1) Work practice standards for **inspecting ovens prior to** ~~fugitive pushing emissions,~~ in accordance with 40 CFR 63.7334(c); and
 - (2) Work practice standards for quenching, in accordance with 40 CFR 63.7334(e).
- ~~(e)~~(g) Pursuant to 40 CFR 63.7335 and 63.7342 (d), the Permittee shall keep the records required to show continuous compliance with each operation and maintenance requirement that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, for the following:
- (1) Capture systems or control devices applied to pushing emissions;
 - (2) Baghouses applied to pushing emissions; and
 - (3) The requirement to maintain a current copy of the operation and maintenance plan.
- ~~(f)~~(h) The Permittee shall keep the records required by 40 CFR 63, CCCCC in accordance with 40 CFR 63.7343 and the General Record Keeping Requirements in Section C of this permit.

Response 23:

See Change 22, the condition has been deleted.

Comment 24:

Condition D.1.29—Record Keeping Requirements. In order to be consistent with previously-requested changes, Condition D.1.29 should be modified as follows:

D.1.29 Record Keeping Requirements

-
- (a) In order to document compliance with Condition D.1.21, the Permittee shall maintain records of visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) stack exhaust(s) at least once per **day.** ~~shift.~~
 - (b) In order to document compliance with condition D.1.22, the Permittee shall maintain records of the pressure drop across the baghouses during normal operation when venting to the atmosphere.
 - ~~(c) In order to document compliance with Condition D.1.23, the Permittee shall maintain records of the results of the inspections required under Condition D.1.23 and the dates the~~

~~vents are redirected.~~

- ~~(c)~~(d) In order to document compliance with Condition D.1.4 (a), the Permittee shall maintain records of the tons of coal charged per month.
- ~~(d)~~(e) In order to document compliance with Condition D.1.8 (c) and D.1.27, the Permittee shall maintain records of the total dissolved solids in the quench water as determined by the test protocol required in Condition D.1.8 (c).
- ~~(e)~~(f) In order to document compliance with Condition D.1.25, the Permittee shall maintain records that the temperature of the common tunnel ducts on a once per shift basis.
- ~~(f)~~(g) In order to document compliance with Condition D.1.26, the Permittee shall maintain records that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks.
- ~~(g)~~(h) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Response 24:

All changes have been identified as they were made in Changes 23, 24 and 25; however, following are all of the changes made to Condition D.1.29 (now D.1.22):

D.1.29 Record Keeping Requirements

- (a) In order to document compliance with Condition D.1.216, the Permittee shall maintain records of visible emission notations of the coal and coke handling stack exhausts (ES234, ES260 through 264, ES266, ES267) stack exhaust(s) at least once per **shift day**.
- (b) In order to document compliance with condition D.1.2217, the Permittee shall maintain records of the pressure drop across the baghouses **once per day**, during normal operation when venting to the atmosphere.
- ~~(c) In order to document compliance with Condition D.1.23, the Permittee shall maintain records of the results of the inspections required under Condition D.1.23 and the dates the vents are redirected.~~
- ~~(dc)~~ In order to document compliance with Condition D.1.42 (a), the Permittee shall maintain records of the tons of coal charged per month.
- ~~(ed)~~ In order to document compliance with Condition D.1.86 (c) and D.1.271, the Permittee shall maintain records of the total dissolved solids in the quench water as determined by the test protocol required in Condition D.1.86 (c).
- ~~(fe)~~ In order to document compliance with Condition D.1.2519, the Permittee shall maintain records that the temperature of the common tunnel ducts on a once per **work shift basis**.
- ~~(gf)~~ In order to document compliance with Condition D.1.260, the Permittee shall maintain records that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks.
- ~~(hg)~~ All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Comment 25:

Condition D.2.1—Nonattainment Particulate Matter Limitations. This condition should be deleted for

the reasons set out in comment number 9 because the potential emissions from these operations are below 100 tons per year and the actual emissions are below 10 tons per year. Accordingly, Condition D.2.1 should be deleted, as follows:

~~D.2.1 Nonattainment Particulate Matter Limitations [326 IAC 6-1-2]~~

~~Pursuant to 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).~~

Response 25:

IDEM, OAQ interprets the rule to state that if the source is subject to 326 IAC 6.8-1 (formerly 326 IAC 6-1-2) because either facilities of the source are specifically listed and/or the source has a potential to emit greater than one hundred (100) tons per year of PM or has actual total source emissions of PM of greater than ten (10) tons per year. Since Indiana Harbor Coke Company is not only considered "one source" with Mittal Steel USA Inc.-Indiana Harbor East (formerly Ispat Inland, Inc.), it reported actual PM emissions exceeding one hundred (100) tons per year on emission statements submitted to IDEM OAQ, therefore 326 IAC 6.8-1 applies to the source as well as all facilities, including those that the Part 70 Operating permit designates as insignificant activities. Therefore, 326 IAC 6.8-1-2 (formerly 326 IAC 6-1-2) is applicable to the insignificant activities at this source that were specifically cited, i.e., grinding and machining operations. Thus, no changes to the proposed permit are required.

Comment 26:

The first page of the Technical Support Document for the draft Title V permit for Cokenergy, T089-11135-00383, should be clarified to reflect that Cokenergy, not the Indiana Harbor Coke Company, is responsible for operating the lime sprayer Flue Gas Desulfurization unit and baghouse system.

Response 26:

Although IDEM agrees that Cokenergy is responsible for operating the lime sprayer Flue Gas Desulfurization unit and baghouse system; 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.

Additional Changes

On May 17, 2004, George Bradley, Jr. at Indiana Harbor Coke Company requested additional changes made to the Part 70 Permit to include procedure changes for the loading of coal and allow for loading into trucks to deliver offsite. All the coal handling will use existing equipment. These changes will result in an increase of 3.8 tons per year of TSP and 1.1 tons per year of PM10. The following changes have been made to Condition A.3 and Section D.1 description box as a result of this request:

- (a) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of 35.2 million Btu per hour and a maximum coal throughput of 6067.2 tons of dry coal per day, enclosed with emissions controlled by a wet or chemical dust suppressant,
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of ~~6067.2~~ **6811** tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a wet or chemical dust suppressant,
- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of

~~6067.2~~ **6811** tons of dry coal per day, with emissions controlled by a wet or chemical dust suppressant, exhausting directly to the air,

- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons; and **one (1) coal storage pile, identified as ES247 with a pile acreage of approximately 0.50 acres and a storage capacity of 5,000 tons, all** controlled by a wet or chemical dust suppressant, exhausting directly to the air.

Changes Made After Proposed

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 coal carbonization facility (HRCC).

Responsible Official:	Ken Schuett Peter Zasowski
Source Address:	3210 Watling Street, East Chicago, Indiana 46312
Mailing Address:	3210 Watling Street, East Chicago, Indiana 46312
SIC Code:	3312
County Location:	Lake
Source Location Status:	Nonattainment for SO₂, 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

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, 1-hour and SO2 designation changes.

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 regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for 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 standard. 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.~~

- ~~(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 Emission Offset, 326 IAC 2-3.~~

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. 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 Emission Offset, 326 IAC 2-3.
- ~~(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.~~
- (eb) 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.
- (ec) 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.
- (ed) 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.

D.1.2 PSD and Emission Offset Minor Source Limits [326 IAC 2-2][326 IAC 2-3]

Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, in order to make the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable, the amount of dry coal processed through the nonrecovery coke oven facility shall be limited to less than or equal to ~~170,000 tons per month~~ **2,040,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.**

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF AIR QUALITY

COMPLIANCE DATA SECTION

Part 70 Quarterly Report

Source Name: Indiana Harbor Coke Company, a contractor of Mittal Steel USA Inc.- Indiana Harbor East
Source Address: 3210 Watling Street, East Chicago, Indiana 46312
Mailing Address: 3210 Watling Street, East Chicago, Indiana 46312
Part 70 Permit No.: T089-11311-00382
Source/Facility: HRCC
Limit: ~~170,000 tons of dry coal charged per month.~~ **2,040,000 tons of dry coal charged per twelve (12) consecutive month period with compliance determined at the end of each month**

D.1.17 Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouses for ES202 through ES204 and ES265 at least once per day when units ES202 through ES204 and ES265 are in operation when

venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 21.0 - 8.0 inches of water, the Permittee shall take reasonable response steps in accordance 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.

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: Indiana Harbor Coke Company, a contractor of Ispat Inland, Inc.
Source Location: 3210 Watling Street, East Chicago, Indiana 46312
County: Lake
SIC Code: 3312
Operation Permit No.: T089-11311-00382
Permit Reviewer: Teresa Freeman

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Indiana Harbor Coke Company relating to the operation of Heat Recovery Coal Carbonization (HRCC) facility.

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 46312
- (b) Indiana Harbor Coke Company (IHCC), the on-site contractor, is located at 3210 Watling Street, East Chicago, Indiana 46312.

IDEM has determined that Ispat Inland, Inc. and Indiana Harbor Coke Company 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 Indiana Harbor Coke Company as one source.

Separate Part 70 permits will be issued to Ispat Inland, Inc. and Indiana Harbor Coke Company solely for administrative purposes. For permitting purposes Ispat Inland, Inc. is assigned Permit No. 089-6577-00316 and Indiana Harbor Coke Company is assigned Permit No. 089-11311-00382.

Permitted Emission Units and Pollution Control Equipment

The Indiana Harbor Coke Company, installed in 1998, consists of the following permitted emission units and pollution control devices:

- (a) One (1) coal thaw shed/rail car dump, identified as ES210, with a heat input capacity of 25.2 million Btu per hour and a maximum coal throughput of 6067.2 tons of dry coal per day, enclosed with emissions controlled by a chemical dust suppressant, exhausting through one (1) vent, identified as 210,
- (b) Three (3) enclosed coal transfer towers and coal conveying system with three (3) transfer points, identified as ES211, ES213 and ES214, each with a maximum throughput of 6067.2 tons of dry coal per day. With the exception of the yard belt conveyor #2, all conveyors running above ground are covered on top and sides such that emissions generated during conveying are directed to the transfer points controlled by a chemical dust suppressant, each exhausting through one (1) vent, identified as 211, 213 and 214, respectively.

- (c) One (1) coal storage pile stacking unit, identified as ES212, with a maximum capacity of 6067.2 tons of dry coal per day, with emissions controlled by a chemical dust suppressant, exhausting directly to the air,
- (d) Six (6) coal storage piles, identified as ES240 through ES245, each with a pile acreage of approximately 0.96 acres and a storage capacity of 20,000 tons, controlled by a chemical dust suppressant, exhausting directly to the air,
- (e) One (1) coal crusher and screening station, identified as ES230, with a maximum throughput of 6067.2 tons of dry coal per day, enclosed and controlled by dust suppressant, exhausting through one (1) stack, identified as 230,
- (f) One (1) active coal bin, with a storage capacity of 3,000 ton, enclosed and controlled by a chemical dust suppressant, exhausting through one (1) stack, identified as 246. An emergency storage pile, located southwest of the coal crusher screening building (ES 230), will also be used periodically for emergency purposes only,
- (g) Two (2) coal weigh belts/diverter gates, identified as ES233 and ES234, with a combined maximum throughput of 6067.2 tons of dry coal per day, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 233 and 234, respectively,
- (h) Two (2) coal silos, identified as ES231 and ES232, each with a storage capacity of 13,600 cubic feet, each enclosed and controlled by one (1) baghouse, each exhausting through one (1) vent, identified as 231 and 232, respectively,
- (i) Two (2) coke oven charging/pushing units, identified as ES202 and ES203, each having a maximum capacity of 2794.5 tons of dry coal per day for charging and 2013.7 tons of coke per day for pushing. In addition, two (2) additional charging/pushing units will be used for backup purpose only. ES202 and ES202B is used to charge and push coke ovens in batteries A and B, and ES203 and ES 203D is used to charge and push coke ovens in batteries C and D. During charging each unit has emissions captured by a hood and controlled by one (1) baghouse, each exhausting through one (1) stack identified as 202, 202B, 203 and 203D, respectively. During pushing both units have emissions captured in a shed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 204,
- (j) Two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 distributed in four batteries identified as A, B, C and D, with a maximum capacity of 5589.0 tons of dry coal per day, heated by recirculating combusted gas, under constant negative pressure, with emissions controlled by one (1) lime spray dryer desulfurization unit and one (1) baghouse, with waste gas emissions exhausting through one (1) main stack, identified as 201 and occasionally through some of the sixteen (16) vent stacks distributed over 4 batteries. Cokenergy LLC (Permit No. 089-11135-00383) is responsible for SO₂, PM₁₀ and TSP emissions from the lime spray dryer desulfurization unit and baghouse. There is a continuous emissions monitoring (CEMs) for SO₂ installed on stack 201.
- (k) Two (2) quench towers, identified as ES206 and ES207, each with a maximum capacity of 2013.7 tons of dry coke per day, used for quenching coke by spraying water from Lake Michigan, quench tower recycle, non-contact charging unit cooling water, non-contact blowdown water from the sixteen (16) heat exchangers, and clean-up water for charging unit within enclosed tower, each controlled by baffles, each exhausting through one (1) stack, identified as 206 and 207, respectively,
- (l) three (3) coke transfer towers and coke conveying system with seven (7) transfer points, identified as ES260 through ES264 and ES266 through ES267, with each tower having a maximum throughput of 4020 tons of dry coke per day, and all conveyors running above ground are covered such that emissions generated during conveying are directed to the

- enclosed transfer points and controlled by one (1) baghouse, and exhausting inside the tower,
- (m) one (1) run of oven coke storage pile, identified as ES280, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant, exhausting directly to the air,
 - (n) one (1) coke crusher and screening station, identified as ES265, with a maximum throughput of 4020 tons of dry coke per day, enclosed and controlled by one (1) baghouse, exhausting through one (1) stack, identified as 265,
 - (o) one (1) coke fines storage pile, identified as ES281, with a pile acreage of approximately 0.21 acres and a storage capacity of 450 tons, with emissions controlled by a wet dust suppressant, exhausting directly to the air, and
 - (p) one (1) rail car coke loadout station, identified as ES250, with a maximum throughput of 4020 tons of dry coke per day, controlled by a wet dust suppressant, exhausting directly to the air.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review process.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Space heaters, process heaters, or boilers using the following fuels:
 - (1) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour.
 - (2) 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.
- (b) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2,000,000 Btu/hour.
- (c) 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.
- (d) 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.
- (e) 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.
 - (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (f) Refractory storage not requiring air pollution control equipment.
- (g) Equipment used exclusively for the following:
 - (1) Packaging lubricants or greases.

- (2) Filling drums, pails or other packaging containers with lubricating oils, waxes, and greases.
- (h) Cleaners and solvents characterized as follows:
 - (1) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100°F) or;
 - (2) Having a vapor pressure equal to or less than 0.7 kPa; 5mm Hg; or 0.1 psi measured at 20°C (68°F); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (i) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment.
- (j) Closed loop heating and cooling systems.
- (k) Any of the following structural steel and bridge fabrication activities:
 - (1) Cutting 200,000 linear feet or less of one inch (10) plate or equivalent.
 - (2) Using 80 tons or less of welding consumables.
- (l) Water runoff ponds for petroleum coke-cutting and coke storage piles.
- (m) Any operation using aqueous solutions containing less than 1% by weight of VOCs, excluding HAPs.
- (n) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (o) Heat exchanger cleaning and repair.
- (p) Process vessel degreasing and cleaning to prepare for internal repairs.
- (q) Paved and unpaved roads and parking lots with public access.
- (r) Conveyors as follows:
 - Underground conveyors.
- (s) Coal bunker and coal scale exhausts and associated dust collector vents.
- (t) 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.
- (u) 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.
- (v) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (w) On-site fire and emergency response training approved by the department.
- (x) Emergency generators as follows:

- (1) Gasoline generators not exceeding 110 horsepower.
- (2) Diesel generators not exceeding 1600 horsepower.
- (y) A laboratory as defined in 326 IAC 2-7(20)(c).
- (z) Other activities of categories not previously identified:

Insignificant Thresholds: Activities with emissions equal to or less than thresholds require listing only

Lead (PB) = 0.6ton/year or 3.29 lbs/day	Carbon Monoxide (CO) = 25 lbs/day
Sulfur Dioxide (SO ₂) = 5 lbs/hour or 25 lbs/day	Particulate Matter (PM) = 5 lbs/hour or 25 lbs/day
Nitrogen Oxides (NO _x) = 5 lbs/hour or 25 lbs/day	Volatile Organic Compounds = 3 lbs/hour or 15 lbs/day

- (1) 1500 gal Diesel AST
- (2) Maintenance Painting Activities

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 089-9236-00382, issued on February 26, 1998; and
- (c) Amendment 089-11015-00382, issued on December 12, 1999
- (d) Amendment 089-11485-00382, issued on October 28, 1999
- (e) Amendment 089-13665-00382, issued on May 4, 2001
- (e) Significant Modification 089-14241-00382, issued on November 30, 2001

All conditions from previous approvals were incorporated into this Part 70 permit, except the following:

- (a) Pursuant to 326 IAC 326 IAC 2-2, 326 IAC 2-3, and Significant Modification 089-14241-00382, issued November 30, 2001, the No. 4 AC Station (at Ispat Inland, Inc.) 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 ₂ SO 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 (at Ispat Inland, Inc.):

- (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 PM₁₀ emissions from:

- (A) coal or mixed gas combustion shall be calculated using PM₁₀ SIP limits or site specific stack test results as the emission factor, and
- (B) natural gas combustion shall be calculated using AP-42 PM₁₀ 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.

- (b) Pursuant to CP 089-9236, issued on February 26, 1998, and 326 IAC 6-1-10.2(c)(2), the Permittee shall have an individual certified to read opacity, and said individual shall observe the opacity of charging emissions escaping the hood during daylight hours each day for the first year of operation of the coke batteries. Opacity readings shall be recorded and submitted to the Office of Air Quality with the Permittee's Quarterly Report for each period in which observed visible emissions bypassing the capture hood exceed an average of twenty percent (20%) over a three (3) minute period. The report shall describe conditions during the three minute period that may have contributed to the opacity reading (e.g. high winds, moisture content of the coal, etc.).

All visible emissions observations shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9. The charging shall be considered to begin when the charging conveyor enter the coke oven and to end when the push side oven door is closed.

Upon review of the opacity data from the first year of operation, the Office of Air Quality may request that the Permittee continue opacity readings at the capture hood as necessary to further document causes of opacity readings greater than twenty percent (20%) over a three (3) minute period. The Office of Air Quality shall provide documentation on the basis of such a request and shall make this request no later than 120 days after receipt of the final quarterly report containing opacity readings from the first year.

Reason not incorporated: Requirements of this condition have been completed as required by the construction permit.

- (c) CP 089-9236, issued on February 26, 1998: A protocol for the testing of quench water to measure TDS and the maintenance of quench tower baffles shall be submitted to IDEM, Office of Air Quality, for approval before operation of the HRCC unit.

Reason not incorporated: Requirements of this condition have been completed as required by the construction permit.

Enforcement Issue

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.

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 September 1, 1999.

There was no notice of completeness letter mailed to the source.

Potential To Emit-Ispat Inland, Inc. and Indiana Harbor Coke Company

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, SO₂, CO and NO_x are equal to or greater than 100 tons per year and the potential to emit (as defined in 326 IAC 2-1.1-1(16)) of VOC is equal to or greater than 25 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 and since there are applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Actual Emissions- Indiana Harbor Coke Company only

The following table shows the actual emissions from Indiana Harbor Coke Company. This information reflects the 2001 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	96
PM-10	96
SO ₂	413.6
VOC	2.3
CO	451.2
NO _x	910.4
HAPs	0.69

County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM-10	Attainment
SO ₂	Marginal Nonattainment
NO ₂	Attainment
Ozone	Severe Nonattainment
CO	Attainment
Lead	Attainment or unclassifiable

- (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 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) The coke oven is not subject to the National Emissions Standard for Hazardous Air Pollutants (NESHAP), 326 IAC 14, (40 CFR Part 61.130, Subpart L) because it is not a by-product recovery coke oven.
- (b) The coke oven is subject to the National Emissions Standard for Hazardous Air pollutants for Source Categories, 326 IAC 20, (40 CFR Part 63.300, Subpart L). Included in the requirements for this rule are coke oven door emission limitations, charging emission limitations, and preparation of a work practice plan. Pursuant to 326 IAC 20-1-1, 40 CFR 63, Subpart L (Coke Oven Batteries), and construction permit 089-9236-00382 issued on February 26, 1998, the nonrecovery coke oven facility shall comply with requirements of this rule including, but not limited to, the following:
 - (1) 0.0 percent (0.0%) leaking coke oven doors, as determined by the procedures in 40 CFR 63.309(d)(1), or the Permittee shall monitor and record, once per day for each day of operation, the pressure in each oven or in a common battery tunnel to ensure that the ovens are operated under a negative pressure,
 - (2) for charging operations, the Permittee shall install, operate, and maintain an emission control system for the capture and collection of emissions in a manner consistent with good air pollution control practices for minimizing emission from the from the charging operation,
 - (3) the Permittee shall prepare and submit to the Commissioner a written emission control work practice plan for each coke oven battery. The plan components are outlined in 40 CFR 63.306, and
 - (4) reporting and record keeping requirements shall be followed as stated in 40 CFR 63.311, where applicable.
- (c) The coal handling equipment and storage bins are subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.250, Subpart Y). This rule limits emissions from this equipment as follows:
 - (1) Pursuant construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coal and coke handling system controlled by baghouses (Stack IDs 231 through 234 and 260 through 267) shall not exceed an opacity of five percent (5%) six minute average. Compliance with this opacity limit will satisfy the requirement of 40 CFR 60, Subpart Y (Coal Preparation Plants).
 - (2) Pursuant to 326 IAC 12-1, 40 CFR 60.250, and construction permit 089-9236-00382 issued on February 26, 1998, the coal handling equipment, including the crusher, screener, conveyors, storage piles, storage bins, and transfer points shall not cause to be discharged into the atmosphere any gases which exhibit twenty percent (20%) opacity of greater, as determined by EPA referenced Method 9.
- (d) The provisions of 40 CFR 63, Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks) apply to the affected

sources: two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201. The Permittee must comply with these requirements on and after April 14, 2006.

- (1) The definitions of 40 CFR 63, Subpart CCCCC are applicable to the processes in 40 CFR 63.7352.
 - (2) Pursuant to 40 CFR 63.7290, the Permittee shall meet each emission limitation that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 capture systems and control devices for pushing emissions.
 - (3) Pursuant to 40 CFR 63.7293, the Permittee shall meet each work practice standard for fugitive pushing emissions for non-recovery coke oven batteries that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201.
 - (4) Pursuant to 40 CFR 63.7295, the Permittee shall meet each requirement for quenching that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201.
 - (5) Pursuant to 40 CFR 63.7300(a) and (c)(1) through (3), the Permittee shall meet each operation and maintenance requirement that applies to non-recovery coke oven batteries: two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
 - (6) Pursuant to 40 CFR 63.7310(c), the Permittee shall develop and implement a written start-up, shutdown and malfunction plan. During periods of start-up, shutdown or malfunction, the Permittee shall operate in accordance with the plan and 40 CFR 63.7336(b).
 - (7) Pursuant to 40 CFR 63.7330, the Permittee shall meet each monitoring requirement that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
 - (8) Pursuant to 40 CFR 63.7331, the Permittee shall meet each requirement regarding installation, operation and maintenance of monitors for each monitor required by 40 CFR 63, Subpart CCCCC that applies to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
- (e) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because the source does not include one or more units that belong to one or more of the remaining source categories affected by the Section 112(j) maximum achievable control technology (MACT) Hammer date of May 15, 2002. The Permittee submitted a Section 112(j) Part 1 MACT Application on May 17, 2002, stating that the source was subject to Section 112(j) for the following source categories: Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks). However, since that time, the U.S. EPA has promulgated MACT standards for those source categories in 40 CFR Part 63; therefore, the source is no longer subject to Section 112(j) for those source categories. As a result, the Permittee shall comply with the applicable MACT standards, which are included in this permit, in accordance with the compliance schedules provided in the MACT standards.

State Rule Applicability - Entire Source

326 IAC 1-6-3 (Preventive Maintenance Plan)

The source has submitted a Preventive Maintenance Plan (PMP) on September 1, 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 construction permit 089-9236-00382 issued on February 26, 1998, the amount of dry coal processed through the nonrecovery coke oven facility shall not exceed 170,000 tons per month.
- (b) The VOC emissions shall be limited as follows:
 - (1) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, and 326 IAC 2-3, the HRCC waste gas stack (Stack ID 201) and 16 vent stacks shall be limited to 2.28 pounds per hour, averaged over a 24 hour period,
 - (2) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.000032 pounds per ton of dry coal charged,
 - (3) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the HRCC pushing stack (Stack ID 204) shall be limited to 0.000076 pounds per ton of dry coal charged, and
 - (4) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, the quench towers stacks (Stack IDs 206 and 207) shall be limited to 0.001 pounds per ton of dry coal charged.
- (c) The lead emissions from the coke oven facility shall be limited as follows:
 - (1) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the HRCC waste gas stack (Stack ID 201) and 16 vent stacks shall be limited to 0.19 pounds per hour, averaged over a six (6) hour period,
 - (2) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.0000012 pounds per ton of dry coal charged,
 - (3) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the HRCC pushing stack (Stack ID 204) shall be limited to 0.00000285 pounds per ton of dry coal charged, and
 - (4) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998 as amended by 089-11485 issued on October 28, 1999, and 326 IAC 2-2, the quench towers stacks (Stack IDs 206 and 207) shall be limited to 0.0 pounds per ton of dry coal charged.
- (d) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, and 326 IAC 2-3, particulate matter (PM) emissions from the coal and coke handling equipment and vent stacks shall be limited as follows:
 - (1) the coal rail car dump (Stack ID 210) and coal transfer towers (Stack IDs 211, 213, and 214) shall each be limited to 0.01 pounds per hour, averaged over a 24 hour period,
 - (2) the coal pile stacking unit (Stack ID 212) shall be limited to 0.14 pounds per hour, averaged over a 24 hour period,
 - (3) the coal crusher and screening station (Stack ID 230) shall be limited to 0.36 pounds per hour,

- (4) the east and west coal silos, (Stack IDs 231 and 232) and the coal weigh belts/diverter gates (Stack IDs 233 and 234) shall each be limited to 0.075 pounds per hour,
 - (5) the coke transfer towers (Stack IDs 206 through 264, 266 and 267) shall each be limited to 0.075 pounds per hour,
 - (6) the coke crusher and screening station (Stack ID 265) shall be limited to 1.34 pounds per hour, and
 - (7) the rail car coke loadout station (Stack ID 250) shall be limited to 0.42 pounds per hour.
- (e) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, each vent stack shall be limited to 11.875 lb/hour (both filterable and condensable), averaged over a 24 hour period, and
 - (f) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, combined PM from the 16 vent stacks shall be limited to 36.1 lb/hour (both filterable and condensable), averaged over a 24 hour period. This is equivalent to exhaust waste gases being vented from the coke ovens from 19% of vent stacks in a 24 hour period.
 - (g) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, particulate matter (PM) emissions from each HRCC charging stack (Stack IDs 202, 202B, 203 and 203D) shall be limited to 0.0081 pounds per ton of dry coal charged.
 - (h) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, visible emissions from the coke oven facility stacks (Stack IDs 201 through 204) shall not exceed an opacity of ten percent (10%) six minute average.
 - (i) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the combined NO_x emissions from the main stack (Stack ID 201) and 16 vent stacks shall not exceed 304.7 pounds per hour, averaged over a 24 hour period.
 - (j) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, 326 IAC 2-2 and 326 IAC 2-3, the sixteen (16) heat exchangers shall not utilize waste gas from the coke ovens as a combustion source to produce steam for the steam generators.
 - (k) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the coke ovens shall recycle the gases emitted during the coking process and utilize it as the only fuel source for the ovens during normal operations. The coke oven waste gases shall not be routed directly to the atmosphere unless they first pass through the common tunnel afterburner. The Permittee shall be allowed to vent excess coke oven gases to the atmosphere from the 16 vent stacks such that, in any 24 hour period the number of vent stacks allowed to open shall not exceed 19% of the 16 vent stacks. On an annual basis, the Permittee shall allow a maximum of 14% of the 16 vent stacks to open to vent excess coke oven waste gases into the atmosphere.
 - (l) Pursuant to Significant Modification 089-14241-00382 issued on November 30, 2001, the sulfur dioxide emissions from the 16 vent stacks, combined with the sulfur dioxide emissions from the HRCC waste gas main stack (stack ID 201), shall be limited to a twenty four (24) hour average emission rate of 1656 lb/hour.

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 one hundred (100) tons per year of PM₁₀, CO and SO₂ and more than ten (10) tons per year of VOC and NO_x in Lake County. 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 twenty percent (20%) 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.

326 IAC 6-1-2 (Nonattainment Area Particulate Limitations)

- (a) Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), the particulate matter emissions from the HRCC waste gas stack (Stack ID 201) and 16 vent stacks, the HRCC charging unit stacks (Stack IDs 202, 202B, 203 and 203D), the HRCC pushing stack (Stack ID 204), the quench towers stacks (Stack IDs 206 and 207), the coal rail car dump (Stack ID 210), coal transfer towers (Stack IDs 211, 213, and 214), the coal pile stacking unit (Stack ID 212), the coal crusher and screening station (Stack ID 230), the east and west coal silos, (Stack IDs 231 and 232), the coal weigh belts/diverter gates (Stack IDs 233 and 234), the coke transfer towers (Stack IDs 206 through 264, 266 and 267), the coke crusher and screening station (Stack ID 265), and the rail car coke loadout station (Stack ID 250) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).
- (b) Pursuant to 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).

326 IAC 6-1-10.1 (Lake County PM10 Emission Requirements)

There are no specific emissions limitations established in 326 IAC 6-1-10.1 for the facilities in this permit. Therefore, the requirements of 326 IAC 6-1-10.1 do not apply to these facilities.

326 IAC 6-3 (Particulate Emissions Limitations for 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 Emission Limitations)

The source is subject to the requirements of 326 IAC 6-4 because this rule applies to all sources of fugitive dust. Pursuant to the applicability requirements (326 IAC 6-2-1(d) and (e)), "fugitive dust" means the generation of particulate matter to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located. The source shall be considered in violation of this rule if any of the criteria presented in 326 IAC 6-4-2 are violated.

326 IAC 9 (Carbon Monoxide Emission Limitations)

The source is not subject to 326 IAC 9 (Carbon Monoxide Emission Limitations) because the source is not an operation listed in 326 IAC 9-1-2.

326 IAC 10 (Nitrogen Oxide Emission Limitations)

The source is not subject to the requirements of 326 IAC 10 (Nitrogen Oxide Emission Limitations)

because the plant is not located in Clark County or Floyd County.

State Rule Applicability - Individual Facilities

326 IAC 6-1-10.2 (Nonattainment Area Particulate Limitations: Lake County PM10 Coke Batteries)

- (a) Each coke battery shall comply with the following applicable requirements contained in 326 IAC 6-1-10.2:
- (1) Pursuant to 326 IAC 6-1-10.2(c)(3)(C), the particulate emissions from the pushing shed stack (Stack ID 204) shall not exceed 0.04 pounds per ton of coke pushed. Compliance with this emission limit shall be determined by 40 CFR 60, Appendix A, Method 5.
 - (2) Pursuant to 326 IAC 6-1-10.2(c)(2) and construction permit 089-9236-00382 issued on February 26, 1998, charging emissions which escape the oven door shall be minimized by collecting in a mobile hood, which is connected to the charging/pushing unit, and exhausting through the charging stacks (Stack IDs 202, 202B, 203 and 203D).
 - (3) The charging unit baghouses (Stack IDs 202, 202B, 203 and 203D) shall be operated within the pressure drop ranges as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998. The fans associated with these baghouses shall be operated at a minimum fan amperage determined by the Permittee within the first 60 days of operation. In addition, oven damper adjustments shall be made to maximize oven draft during charging operations. Monitoring of these parameters shall be performed during charging to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306. These procedures along with the requirements established in D.1.5(c)(ii) shall satisfy the requirements of 326 IAC 6-1-10.2(c)(2).
 - (4) Pursuant to 326 IAC 6-1-10.2(c)(6) and construction permit 089-9236-00382 issued on February 26, 1998, no visible emissions shall be permitted from the waste gas common duct or its associated piping.
- (b) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, pushing emissions which escape the cokeside oven door shall be minimized by collecting in a stationary shed, which runs the length of the coke oven battery, and exhausted through the pusher stack (Stack ID 204).
- (1) Visible emissions escaping the shed shall not exceed an average of twenty percent (20%) over a three (3) minute time period. Compliance with this limit shall satisfy the requirement of 326 IAC 6-1-10.2(c)(3)(B).
 - (2) The shed shall be visually examined weekly for areas potentially needing repair. The pushing unit baghouses (Stack ID 204) shall be operated within the pressure drop range as determined by performance testing required by construction permit 089-9236-00382 issued on February 26, 1998. The fan associated with the baghouse shall be operated at a minimum fan amperage determined by the Permittee within the first 60 days of operation. In addition, adjustments shall be made to oven dampers closest to the oven being pushed to maximize oven draft during pushing operations. Monitoring of these parameters shall be performed during pushing to assure that the systems are working correctly and at design capacity. These procedures shall be documented in the Permittee's Work Practice Plan as required by 40 CFR 63.306.
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the water used in the quenching process shall come only from surface water, specifically Lake Michigan, quench tower recycle water, non-contact charging unit cooling water, non-contact

blowdown water from the sixteen (16) heat exchangers and two (2) natural gas-fired turbines, and clean-up water for charging unit surface water. The total dissolved solids (TDS) shall not exceed an average of 1100 milligrams per liter and the quench tower baffles shall cover 95% or more of the cross sectional area of the exhaust to ensure particulate emissions do not exceed 0.43 pounds per ton of coal.

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 7-1.1 (Sulfur Dioxide Emission Limitations)

The coke oven battery is subject to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations) because it has a potential to emit 25 tons of SO₂ per year. This rule limits the SO₂ emissions to 6.0 pounds per million Btu for coal combustion.

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°C) (one hundred degrees Fahrenheit (100°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°C) (one hundred degrees Fahrenheit (100°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°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°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 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.

326 IAC 8-7 (VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties)

The nonrecovery coke oven battery is not subject to this rule because it is specifically listed as exempt in 326 IAC 8-7-2(a)(2)(C). The rule also only applies to facilities constructed prior to May 31, 1995.

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.

326 IAC 11-3 (Coke Oven Batteries)

The new nonrecovery coke oven battery being constructed is not subject to 326 IAC 11-

3 (Coke Oven Batteries) because the rule only applies to coke oven batteries constructed prior to June 19, 1979.

Testing Requirements

Indiana Harbor Coke Company has applicable performance testing conditions as specified below:

- (a) 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 perform PM and PM10 testing of a representative number of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.7(c). Pursuant to Significant Modification 089-14241-00382, the PM limits for the main stack, vent stacks and charging operations 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. 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 Cokenergy LLC (Part 70 permit 089-11135-00383) shall perform NO_x 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. 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.
- (c) 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 perform SO₂ testing of a representative number of the sixteen vent stacks, using methods as approved by the Commissioner, in order to demonstrate compliance with conditions D.1.13 by combining SO₂ emissions from vent stacks with the SO₂ emissions from the main stack (stack ID 201). 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.
- (d) National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks -Testing Requirements as follows:
 - (1) The Permittee shall conduct performance tests and other initial compliance demonstrations that apply to the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201, in accordance with 40 CFR 63.7320 for the following:
 - (A) Each emission limit in 40 CFR 63.7290(a) for particulate matter from a control device applied to pushing emissions within 180 days of April 14, 2006; and
 - (B) TDS limit or constituent for quench water in 40 CFR 63.7295(a)(1) by April 14, 2006.
 - (2) The Permittee shall conduct subsequent performance tests that apply to each control device subject to an emission limit for particulate matter in 40 CFR 63.7290(a) that is used at the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 in accordance with 40 CFR 63.7321.
 - (3) The Permittee shall use the test methods and other procedures in 40 CFR 63.7322,

when demonstrating compliance with the emission limits for particulate matter from the pushing control device for the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201.

- (4) The Permittee shall use the test methods and other procedures in 40 CFR 63.7323 to establish and demonstrate initial compliance with operating limits for the two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201 and required capture and control equipment.
- (5) The Permittee shall use the test methods and other procedures in 40 CFR 63.7325 to demonstrate initial compliance with the TDS or constituent limits for quench water for two hundred sixty-eight (268) nonrecovery coke ovens, identified as ES201.

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) Visible emission notations of the coal and coke handling stack exhausts (ES231 through ES234, ES260 through 264, ES266, ES267) shall be performed once per shift during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal. For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The Compliance Response Plan for this unit shall contain troubleshooting contingency
- (b) The Permittee shall record the total static pressure drop across the baghouses for ES202 through ES204 and ES265 at least once daily when units ES202 through ES204 and ES265 are in operation when venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouses shall be maintained within the range of 2.0 - 8.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.
- (c) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, an inspection shall be performed each calendar quarter of all bags controlling coke handling equipment that vent to the atmosphere. A baghouse inspection shall be performed within three months of

redirecting vents to the atmosphere and every three months thereafter. All defective bags shall be replaced.

- (d) Pursuant to construction permit 089-9236-00382 issued on February 26, 1998, the temperature of the common tunnel duct shall be monitored at least once per work shift. When for any one reading, the temperature of the common tunnel duct is outside the normal range of 1200-2400 degrees Fahrenheit, as established in most recent compliant stack test, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records and Reports. A reading that is outside the range as established in the most recent compliant stack test 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 deviation from this permit.
- (e) Pursuant to construction Significant Modification 089-14241-00382 issued on November 30, 2001, an emission tracking program that quantifies the combined emissions of SO₂ and of PM (filterable and condensable) from the coke oven waste gas main stack (stack 201) and the 16 vent stacks shall be maintained. This program shall also track the percentage of waste gas vented. Information calculated by this program shall be made available to Cokenergy LLC.

Conclusion

The operation of this heat recovery coal carbonization facility shall be subject to the conditions of the attached proposed Part 70 Permit No. T089-11311-00382.