



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant
DATE: August 15, 2006
RE: American Iron Oxide / 127-14756-00085
FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

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

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

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

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

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

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

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

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

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

**American Iron Oxide Company
6300 U.S.Highway Route 12
Portage, Indiana 46368**

(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.

Operation Permit No.: T127-14756-00085	
Origina signed by: Nisha Sizemore, Branch Chief Office of Air Quality	Issuance Date: August 15, 2006 Expiration Date: August 15, 2011

TABLE OF CONTENTS

A	SOURCE SUMMARY
A.1	General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(15)][326 IAC 2-7-1(22)]
A.2	Part 70 Source Definition [326 IAC 2-7-1(22)]
A.3	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]
A.4	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]
A.5	Part 70 Permit Applicability [326 IAC 2-7-2]
B	GENERAL CONDITIONS
B.1	Definitions [326 IAC 2-7-1]
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 13-15-3- 6(a)]
B.3	Enforceability [326 IAC 2-7-7]
B.4	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]
B.5	Severability [326 IAC 2-7-5(5)]
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
B.7	Duty to Provide Information [326 IAC 2-7-5(6)(E)]
B.8	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]
B.9	Annual Compliance Certification [326 IAC 2-7-6(5)]
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]
B.11	Emergency Provisions [326 IAC 2-7-16]
B.12	Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]
B.13	Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]
B.14	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]
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]
B.16	Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4] [326 IAC 2-7-8(e)]
B.17	Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]
B.18	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]
B.19	Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]
B.20	Source Modification Requirement [326 IAC 2-7-10.5]
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]
B.22	Transfer of Ownership or Operational Control [326 IAC 2-7-11]
B.23	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]
B.24	Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314]
B.25	Term of Conditions [326 IAC 2-1.1-9.5]
C	SOURCE OPERATION CONDITIONS.....
	Emission Limitations and Standards [326 IAC 2-7-5(1)]
C.1	Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2]
C.2	Opacity [326 IAC 5-1]
C.3	Open Burning [326 IAC 4-1] [IC 13-17-9]
C.4	Incineration [326 IAC 4-2] [326 IAC 9-1-2]
C.5	Fugitive Dust Emissions [326 IAC 6-4]
C.6	Stack Height [326 IAC 1-7]
C.7	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]
	Testing Requirements [326 IAC 2-7-6(1)]
C.8	Performance Testing [326 IAC 3-6]

Compliance Requirements [326 IAC 2-1.1-11]

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

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)]

C.11 Monitoring Methods [326 IAC 3][40 CFR 60][40 CFR 63]

C.12 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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

C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

C.15 Response to Excursions or Exceedences [326 IAC 2-7-5] [326 IAC 2-7-6]

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

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

C.17 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]

C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

Stratospheric Ozone Protection

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

D.1 FACILITY OPERATION CONDITIONS – Acid Regeneration Facility

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

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

D.1.2 National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl
Process Facilities and Hydrochloric Acid Regeneration Plants [40 CFR 63,
Subpart CCC][40 CFR 63.1157]

D.1.3 NESHAP Operational and equipment standards [40 CFR 63.1159, Subpart CCC]

D.1.4 NESHAP Maintenance Requirements [40 CFR 63.1160, Subpart CCC]

D.1.5 Particulate Matter (PM) [326 IAC 6-3-2]

D.1.6 Contractual Limits [326 IAC 2-7-1(22)]

D.1.7 Compliance and Enforcement [326 IAC 2-7-6(3)][326 IAC 2-7-15]

D.1.8 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements

D.1.9 Testing Requirements [40 CFR 63.1161, Subpart CCC]

D.1.10 Particulate and HCl Control [326 IAC 2-7-6(6)]

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

D.1.11 Monitoring Requirements [40 CFR 63.1162]

D.1.12 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

D.1.13 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

D.1.14 Broken or Failed Bag Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

D.1.15 Scrubber Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

D.1.16 Failure Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

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

D.1.17 Record Keeping Requirements

D.1.18 Reporting Requirements [40 CFR 63.1164]

Certification

Emergency Occurrence Report

Quarterly Deviation and Compliance Monitoring Report

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.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 stationary iron oxide and hydrochloric acid production facility.

Responsible Official:	Michael Sieckmann
Source Address:	6300 U.S.Highway Route 12, Portage, IN 46368
Mailing Address:	6300 U.S.Highway Route 12, Portage, IN 46368
General Source Phone Number:	(219)763-2623
SIC Code:	2819
County Location:	Porter
Source Location Status:	Nonattainment for 1-hour ozone, 8-hour ozone standard and PM2.5 Unclassifiable for PM10 and SO2 Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Major Source, Section 112 of the Clean Air Act

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

This source is located adjacent to US Steel-Midwest Plant, Portage, Indiana. AMROX has leased property from US Steel-Midwest Plant to construct and operate this facility. AMROX is considered a separate source from US Steel-Midwest Plant. The factors that are the basis for determining AMROX as a separate and independent source are as follows:

- (a) AMROX shall not devote more than fifty percent (50%) of its total capacity to the processing of ferrous chloride produced by US Steel-Midwest Plant.
- (b) AMROX shall not supply iron oxide to US Steel-Midwest Plant.
- (c) AMROX shall not supply over fifty percent of the regenerated HCl to US Steel-Midwest Plant.
- (d) AMROX shall not be financed or owned by US Steel-Midwest Plant.
- (e) AMROX's day to day operations shall not be subject to control by US Steel-Midwest Plant.

IDEM has determined that US Steel-Midwest Plant and American Iron Oxide Company are not under the common control of US Steel-Midwest Plant and have different SIC. These two plants are considered separate sources. Therefore, the term "source" in the Part 70 documents refers to US Steel-Midwest Plant. American Iron Oxide Company will obtain their own Part 70 permit (T127-14756-00085).

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

This stationary source consists of the following emission units and pollution control devices:

- (a) Two (2) Process Lines consisting of:
- (1) Roaster No.1-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-1
 - (2) Roaster No. 2-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-2
- (b) three (3) iron oxide storage bins, identified as O-1, O-2 and O-3, each with a storage capacity of 100 tons, each attached to an individual baghouse for particulate control, and each exhausting through an individual stack S-3, S-4 and S-5, respectively.
- (c) one (1) bagging facility
- (d) one (1) tank farm, identified as T-6, consisting of twelve (12) storage tanks with ten (10) having a capacity of 50,000 gallons and used to store either ferrous chloride waste or regenerated hydrochloric acid, one (1) having a capacity of 35,000 gallons used to store virgin hydrochloric acid and one (1) having a capacity of 6,000 gallons used to store inhibitor. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausted through stack, identified as S-2. HCl emissions are controlled by two (2) scrubbers in series.
- (e) one (1) truck and railcar loadout station, uncontrolled

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

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

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)] [IC 13-15-3-6(a)]

- (a) This permit, T127-14756-00085 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.

- (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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (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 T127-14756-00085 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. 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]

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 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 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 forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of 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.3 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.4 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.5 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).

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 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.12 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.13 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.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

C.15 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.16 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.17 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.18 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.19 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.20 Compliance with 40 CFR 82 and 326 IAC 22-1

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

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) Two (2) Process Lines consisting of:
 - (1) Roaster No.1-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-1
 - (2) Roaster No. 2-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-2
- (b) three (3) iron oxide storage bins, identified as O-1, O-2 and O-3, each with a storage capacity of 100 tons, each attached to an individual baghouse for particulate control, and each exhausting through an individual stack S-3, S-4 and S-5, respectively.
- (c) one (1) bagging facility
- (d) one (1) tank farm, identified as T-6, consisting of twelve (12) storage tanks with ten (10) having a capacity of 50,000 gallons and used to store either ferrous chloride waste or regenerated hydrochloric acid, one (1) having a capacity of 35,000 gallons used to store virgin hydrochloric acid and one (1) having a capacity of 6,000 gallons used to store inhibitor. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausted through stack, identified as S-2. HCl emissions are controlled by two (2) scrubbers in series.
- (e) one (1) truck and railcar loadout station, uncontrolled

(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 General Provisions Relating to HAPs [326 IAC 20-1-1][40 CFR 63, Subpart A]

The provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the emission units described in this section except when otherwise specified in 40 CFR 63, Subpart CCC.

D.1.2 National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants [40 CFR 63, Subpart CCC] [40 CFR 63.1157]

Pursuant to 40 CFR 63.1157(b) Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (a) Any gases that contain HCl in a concentration in excess of 25 ppmv

- (b) Any gases that contain chlorine (Cl₂) in a concentration in excess of either 6 ppmv or an alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be established according to 40 CFR 63.1161(c)(2).

D.1.3 NESHAP Operational and Equipment Standards [40 CFR 63.1159, Subpart CCC]

Pursuant to 40 CFR 63.1159, Subpart CCC:

- (a) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
- (b) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.

D.1.4 NESHAP Maintenance Requirements [40 CFR 63.1160, Subpart CCC]

The Permittee shall comply with the operation and maintenance requirements of 40 CFR 63.6(e) (Subpart A, General Provisions). Pursuant to 40 CFR 63.1160, Subpart CCC, the Permittee shall prepare an operation and maintenance plan for each emission control device to be implemented no later than the compliance date. The plan shall be incorporated by reference into the source's Title V Permit. All such plans must be consistent with good maintenance practices and, for a scrubber emission control device, must at a minimum:

- (a) Require monitoring and recording the pressure drop across the scrubber once per shift while the scrubber is operating in order to identify changes that may indicate a need for maintenance;
- (b) Require the manufacturer's recommended maintenance at the recommended intervals on fresh solvent pumps, recirculating pumps, discharge pumps, and other liquid pumps, in addition to exhaust system and scrubber fans and motors associated with those pumps and fans;
- (c) Require cleaning of the scrubber internals and mist eliminators at intervals sufficient to prevent buildup of solids or other fouling;
- (d) Require an inspection of each scrubber at intervals of no less than 3 months with;
 - (1) Cleaning or replacement of any plugged spray nozzles or other liquid delivery devices;
 - (2) Repair or replacement of missing, misaligned, or damaged baffles, trays, or other internal components;
 - (3) Repair or replacement of droplet eliminator elements as needed;
 - (4) Repair or replacement of heat exchanger elements used to control the temperature of fluids entering or leaving the scrubber; and
 - (5) Adjustment of damper settings for consistency with the required air flow.
- (e) If the scrubber is not equipped with a viewport or access hatch allowing visual inspection, alternate means of inspection approved by the Administrator may be used.
- (f) The Permittee shall initiate procedures for corrective action within 1 working day of

detection of an operating problem and complete all corrective actions as soon as practicable. Procedures to be initiated are the applicable actions that are specified in the maintenance plan. Failure to initiate or provide appropriate repair, replacement, or other corrective action is a violation of the maintenance requirement.

- (g) The Permittee shall maintain a record of each inspection, including each item identified in (d) above, that is signed by the responsible maintenance official and that shows the date of each inspection, the problem identified, a description of the repair, replacement, or other corrective action taken, and the date of the repair, replacement, or other corrective action taken.

D.1.5 Particulate Matter (PM) [326 IAC 6-3-2]

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from Roaster No.1 Process Line shall not exceed 25.2 pounds per hour when operating at a process weight rate of 15 tons per hour. The pound per hour limitation was calculated using the following equation:
- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from Roaster No.2 Process Line shall not exceed 25.2 pounds per hour when operating at a process weight rate of 15 tons per hour. The pound per hour limitation was calculated using the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

D.1.6 Contractual Limits [326 IAC 2-7-1(22)]

This source is located adjacent to US Steel-Midwest Plant, Portage, Indiana. AMROX has leased property from US Steel-Midwest Plant to construct and operate this facility. AMROX is considered a separate source from US Steel-Midwest Plant. The factors that are the basis for determining AMROX as a separate and independent source are as follows:

- (a) AMROX shall not devote more than fifty percent (50%) of its total capacity to the processing of ferrous chloride produced by US Steel-Midwest Plant.
- (b) AMROX shall not supply iron oxide to US Steel-Midwest Plant.
- (c) AMROX shall not supply over fifty percent of the regenerated HCl to US Steel-Midwest Plant.
- (d) AMROX shall not be financed or owned by US Steel-Midwest Plant.
- (e) AMROX's day to day operations shall not be subject to control by US Steel-Midwest Plant.

D.1.7 Compliance and Enforcement [326 IAC 2-7-6(3)][326 IAC 2-7-15]

- (a) Within thirty (30) days after issuance of this permit, the Permittee shall submit initial notification and notifications of compliance status required by 40 CFR 63.9.
- (b) Pursuant to 40 CFR 63.1157(b)(1), the Permittee shall not cause or allow to be discharged in the atmosphere from the affected hydrochloric acid regeneration plant, any gases that contain HCl in a concentration in excess of 25 ppmv. The IDEM has information that indicates that the Permittee is not in compliance with this applicable requirement and an enforcement case is pending with the USEPA. Once the case has been resolved, the IDEM 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 40 CFR 63.1157(b)(1) and a schedule for achieving compliance with such requirements.

D.1.8 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 this facility and its control devices.

Compliance Determination Requirements

D.1.9 Testing Requirements [40 CFR 63.1161, Subpart CCC]

- (a) Within twelve (12) months of the latest performance test, the Permittee shall conduct performance tests for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR 63.1161, Subpart CCC, this performance testing shall meet the following minimum requirements:
- (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test for each process or control device to measure the concentration of HCl and Cl₂ for hydrochloric acid regeneration plants in gases exiting the process or the emission control device to determine compliance with the applicable emission concentration standards.
 - (2) Compliance with the applicable concentration standard or collection efficiency standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
 - (3) Compliance is achieved if either the average measured concentration of HCl or Cl₂ exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- (b) Establishment of hydrochloric acid regeneration plant operating parameters.
- (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR 63.1162(b)(1). During the emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration pursuant to 40 CFR 63.1161(a)(2). An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.
 - (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for Cl₂ of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through

performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the Cl_2 concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.

- (c) Performance tests shall be conducted annually or according to an alternative schedule approved by IDEM, OAQ. If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (d) Pursuant to 40 CFR 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.
- (e) The following test methods from Appendix A of 40 CFR 60 shall be used to determine compliance under 40 CFR 63.1157(b):
 - (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
 - (2) Method 2, to determine gas velocity and volumetric flow rate;
 - (3) Method 3, to determine the molecular weight of the stack gas;
 - (4) Method 4, to determine the moisture content of the stack gas; and
 - (5) Method 26A, "Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method," to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows: $C_{\text{HCL(ppmv)}} = 0.659 C_{\text{HCL(mg/dscm)}}$, where $C_{\text{(ppmv)}}$ is concentration in ppmv and $C_{\text{(mg/dscm)}}$ is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.
 - (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

D.1.10 Particulate and HCl Control [326 IAC 2-7-6(6)]

- (a) In order to comply with D.1.2, D.1.3 and D.1.5, the scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation.
- (b) 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.

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

D.1.11 Monitoring Requirements [40 CFR 63.1162]

- (a) The Permittee of a new reconstructed, or existing acid regeneration plant shall:
- (1) Install, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR 63.1160(b)(2).
 - (2) Failure to record each of the operating parameters in 40 CFR 63.1162(a) (2) is a violation of the monitoring requirements of 40 CFR 63, Subpart CCC.
 - (3) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (4) The Permittee may develop and implement alternative monitoring requirements subject to approval by U.S. EPA.
- (b) The Permittee shall install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
 - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
 - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR 63.1159(a) of this subpart.
- (c) Pursuant to 40 CFR 63.1162, the Permittee shall inspect each hydrochloric acid storage vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.

D.1.12 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

- (a) Visible emission notations of the exhausts from the iron oxide storage bins baghouse shall be performed once per day during normal daylight operations. 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.1.13 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouses used in conjunction with the iron oxide storage bins, at least once per day when the iron oxide storage bins 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 and 10.0 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- Response to Excursions or Exceedances. A reading that is outside the ranges 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 of 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.1.14 Broken or Failed Bag Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

For a single compartment baghouse controlling emissions from a process operated continuously, 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.1.15 Scrubber Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the total static pressure drop and flow rate of the scrubber used in conjunction with the Tank Farm Scrubbers, at least once per day when the storage tanks are in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure drop that is outside the above mentioned range is not a deviation from this permit. When for any one reading, the water flow rate through the scrubber is below the minimum of 2.5 gpm or a minimum rate established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A water flow reading that is outside the ranges 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 of 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.1.16 Failure Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

In the event that a scrubber failure has been observed:

The feed to the process must be shut off immediately, and the process shall be shut down as soon as practicable, until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section C- Emergency Provisions).

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

D.1.17 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain the following records pursuant to 40 CFR 63.1165:
- (1) The Permittee, as required by 40 CFR 63.10(b) (2) (Subpart A, General Provisions), shall maintain general records for 5 years from the date of each record of:
 - (A) The occurrence and duration of each startup, shutdown, or malfunction of operation;
 - (B) The occurrence and duration of each malfunction of the air pollution control equipment;
 - (C) All maintenance performed on the air pollution control equipment;
 - (D) Actions taken during periods of startup, shutdown, and malfunction and the dates of such actions when these actions are different from the procedures specified in the startup, shutdown, and malfunction plan;
 - (E) All information necessary to demonstrate conformance with the startup shutdown, and malfunction plan when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. This information can be recorded in a checklist or similar form (see 40 CFR 63.10(b)(2)(v))
 - (F) All required measurements needed to demonstrate compliance with the standard and to support data that the source is required to report, including but not limited to, performance test measurements (including initial and any subsequent performance tests) and measurements as may be necessary to determine the conditions of the initial test or subsequent tests.
 - (G) All results of initial or subsequent performance tests;
 - (H) If the Permittee has been granted a waiver from record keeping or reporting requirements under 40 CFR 63.10(f), any information demonstrating whether a source is meeting the requirements for a waiver of record keeping or reporting requirements;
 - (I) If the Permittee has been granted a waiver from the initial performance test under 40 CFR 63.7(h), a copy of the full request and approval or disapproval;
 - (J) All documentation supporting initial notifications and notifications of

compliance status required by 40 CFR 63.9; and

- (K) Records of any applicability determination, including supporting analyses.
- (2) In addition to the general records required by 40 CFR 63.1165(a), Subpart CCC the Permittee shall maintain records for 5 years from the date of each record of:
- (A) Scrubber makeup water flow rate and recirculation water flow rate if a wet scrubber is used;
 - (B) Calibration and manufacturer certification that monitoring devices are accurate to within 5 percent;
 - (C) Each maintenance inspection and repair, replacement, or other corrective action; and
 - (D) The Permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the U.S. EPA or IDEM, OAQ for the life of the affected source or until the source is no longer subject to these provisions. In addition, if the operation and maintenance plan is revised, the Permittee shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection by the U.S. EPA or IDEM, OAQ for a period of 5 years after each revision to the plan.
- (b) General records and 40 CFR 63, Subpart CCC records, for the most recent 2 years of operation must be maintained on site for 2 years. Records for the 3 previous years may be maintained off site.
- (c) To document compliance with Condition D.1.6, the Permittee shall maintain production and sales records of regenerated HCl, ferrous chloride and iron oxide.
- (d) To document compliance with Condition D.1.12, the Permittee shall maintain records of visible emission notations of the iron oxide storage bins baghouses stack exhaust once per day.
- (e) To document compliance with Condition D.1.13, the Permittee shall maintain records once per day of the pressure drop across the iron oxide storage bins baghouses during normal operation when venting to the atmosphere.
- (f) To document compliance with Condition D.1.15, the Permittee shall maintain records once per day of the pressure drop of tank farm scrubbers during normal operation when venting to the atmosphere.
- (g) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.18 Reporting Requirements [40 CFR 63.1164]

- (a) As required by 40 CFR 63.10(d)(2), the Permittee of an affected source shall report the results of any performance test as part of the notification of compliance status required in 40 CFR 63.1163.
- (b) The Permittee of an affected source who is required to submit progress reports under 40 CFR 63.6(i), shall submit such reports to the IDEM, OAQ by the dates specified in the written extension of compliance. The notifications 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) Pursuant to 40 CFR 63.6(e), the Permittee of an affected source shall operate and maintain each affected emission source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the level required by the standard at all time, including during any period of startup, shutdown, or malfunction. Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan.
- (1) Pursuant to 40 CFR 63.6(e)(3), the Permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, or malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard.
- (2) Pursuant to 40 CFR 63.10(d)(5)(I), if actions taken by a Permittee during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the startup, shutdown, and malfunction plan, the Permittee shall state such information in a semiannual report. The report, to be certified by the Permittee or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30th day following the end of each calendar half; and
- (3) Any time an action taken by a Permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the Permittee shall comply with all requirements of 40 CFR 63.10(d)(5)(ii).
- (d) Reports shall be submitted in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: American Iron Oxide Company
Source Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Mailing Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Part 70 Permit No.: T127-14756-00085

**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: American Iron Oxide Company
Source Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Mailing Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Part 70 Permit No.: T127-14756-00085

This form consists of 2 pages

Page 1 of 2

<p>This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">• 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 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: American Iron Oxide Company
Source Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Mailing Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Part 70 Permit No.: T127-14756-00085

Months: _____ to _____ Year: _____

Page 1 of 2

<p>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".</p>	
<p>NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p>THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	

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: American Iron Oxide Company
Source Location: 6300 U.S.Highway Route 12, Portage, IN 46368
County: Porter
SIC Code: 2819
Operation Permit No.: T127-14756-00085
Permit Reviewer: Teresa Freeman

On November 11, 2003, the Office of Air Quality (OAQ) had a notice published in The Chesterton Tribune in Chesterton, Indiana, stating that American Iron Oxide Company (AMROX) had applied for a Part 70 Operating Permit to operate a stationary iron oxide and hydrochloric acid regeneration and recovery plant. 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 thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

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

Change 1:

On 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. Porter County has been designated as nonattainment for the 8-hour ozone standard.

Porter County has been designated as non-attainment for PM2.5 in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM2.5 Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM2.5 major NSR regulations, states should assume that a major stationary source's PM10 emissions represent PM2.5 emissions. IDEM will use the PM-10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM2.5 NAAQS. Therefore, Condition A.1 is revised as follows:

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

Source Location Status: ~~Severe~~ Nonattainment for **1-hour ozone, 8-hour ozone standard and PM2.5**
Unclassifiable for PM10 and SO2
Attainment for all other criteria pollutants

Source Status: Part 70 Permit Program
Minor Source, under PSD
Major Source, Section 112 of the Clean Air Act

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 and PM2.5 standard designations. The county attainment status regarding other pollutants remain unchanged; therefore will not be shown below other than in the table.

County Attainment Status

The source is located in Porter 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
Lead	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. Porter 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) U.S.EPA in Federal Register Notice 70 FR 943 dated January 5, 2005 has designated Porter County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office on behalf of IDEM filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of non-attainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as surrogate for PM2.5 emissions pursuant to the Non-attainment New Source Review requirements. See the State Rule Applicability – Entire Source section.

Change 2:

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 3:

Upon further review, IDEM has added additional language from applicable rules to further address and clarify the permit term (Condition B.2) and a new condition; Condition B.25 (Term of Conditions).

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 13-15-3-6(a)]

- (a) This permit, **T127-14756-00085** 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.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 4:

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 5:

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

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

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:-
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- ~~(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~~7~~ 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: American Iron Oxide Company
Source Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Mailing Address: 6300 U.S.Highway Route 12, Portage, IN 46368
Part 70 Permit No.: T127-14756-00085

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 317-233-56740178 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 6:

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

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

- (a) All terms and conditions of ~~previous permits~~ **established prior to T127-14756-00085 and issued pursuant to permitting programs approved into the state implementation plan have been either:**
- (1) incorporated as originally stated,
 - (2) revised **under 326 IAC 2-7-10.5**, or
 - (3) deleted **under 326 IAC 2-7-10.5**.
- ~~by this permit.~~
- (b) **Provided that all terms and conditions are accurately reflected in this combined permit**, all previous registrations and permits are superseded by this **Part 70 operating permit**.

Change 7:

“326 IAC 2-7-3” was added to the authority line for B.16 Permit Renewal. Upon further review,

IDEM has decided to include the following updates to B.16 (b) to further address and clarify the permit renewal.

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

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

Request for renewal shall be submitted to:

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

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

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

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

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

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

- (c) ~~Right to Operate After Application for Renewal [326 IAC 2-7-3]~~

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

- (d) ~~United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~

~~If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

Change 8:

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

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

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

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the ~~emissions allowable~~ **under limitations provided in** this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

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

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

- (5) The Permittee maintains records on-site, **on a rolling five (5) year basis**, which document, ~~on a rolling five (5) year basis~~, all such changes and 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 9:

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

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

- (a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.
- (b) **Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and/or 326 IAC 2-3-2.**

Change 10:

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 11:

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 was 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 12:

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

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

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

Change 13:

IDEM has revised the condition C.6 (was C.7) in order to clarify what parts of the regulation are not federally enforceable as follows:

~~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(d), (e), and (f), and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.~~

Change 14:

In condition C.8 (was C.9), the term "source" is replaced with "Permittee" as follows:

~~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~~

~~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 ~~source~~ **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.~~

Change 15:

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.

C.12 ~~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 Conditions D.1.13 and D.1.15:

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 16:

In condition C.14 (was C.15); the term "source" is replaced with "Permittee" as follows:

C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

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 this condition have been revised to reflect the new condition title, and the following changes have been made to Condition C.15 (was C.16) has been revised as follows:

C.15 ~~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. A CRP shall be submitted to IDEM 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 and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.~~
- ~~(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~~
 - ~~(2) If none of the reasonable response steps listed in the Compliance Response 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.~~

~~(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 Porter 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.

C.17 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, P.O. Box 6015
Indianapolis, Indiana 46204-2251 6-6015

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

~~(eb) 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.18 (was C.19) recordkeeping requirements have been revised to include new requirements for major NSR sources.

C.18 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:

IDEM has received numerous comments questioning what “calendar year” means, so clarification has been added to (e) of C.19 (was C.20) General Reporting Requirements. In addition, Condition C.19 reporting requirements have been revised to include new requirements for major NSR sources.

C.19 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:

Page 1 of 2

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

Change 22:

Conditions in Section D.1 have been revised to ensure that the permit conditions are consistent with the 40 CFR 63, Subpart CCC. Reports should be sent to IDEM OAQ. Also pursuant to 40 CFR 63.1166, IDEM does not have authority for approval of alternate measurement methods or alternative monitoring requirements under this rule and those changes have been made to the Part 70 Permit. The changes to D.1.2, D.1.3, D.1.9, D.1.11, D.1.17 (was D.1.19) and D.1.18 (was D.1.20) are as follows:

D.1.2 National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants [40 CFR 63, Subpart CCC] **[40 CFR 63.1157]**

Pursuant to 40 CFR 63.1157(b)(4), Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (a) Any gases that contain HCl in a concentration in excess of 25 ppmv
- (b) Any gases that contain chlorine (Cl₂) in a concentration in excess of either 6 ppmv or an alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be established according to 40 CFR 63.1161(c)(2).

D.1.3 NESHAP Operational and Equipment Standards [40 CFR 63.1159, Subpart CCC]

Pursuant to 40 CFR 63.1159, Subpart CCC:

- (a) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
- (b) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.

D.1.9 Testing Requirements [40 CFR 63.1161, Subpart CCC]

- (a) Within ~~6~~ **twelve (12)** months of ~~permit issuance~~ **the latest performance test**, the Permittee shall conduct ~~an initial performance tests~~ for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR 63.1161, Subpart CCC, this ~~initial performance testing~~ shall meet the following minimum requirements:
- (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test for each process or control device to ~~either measure simultaneously the mass flows of HCl at the inlet and the outlet of the control device or~~ measure the concentration of HCl and Cl₂ for hydrochloric acid regeneration plants in gases exiting the process or the emission control device **to determine compliance with the applicable emission concentration standards.**
 - (2) Compliance with the applicable concentration standard or collection efficiency standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
 - (3) Compliance is achieved if either ~~the average collection efficiency as determined by the HCl mass flows at the control device inlet and outlet is greater than or equal to the applicable collection efficiency standard,~~ or the average measured concentration of HCl or Cl₂ exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- ~~(b) During the performance test for each emission control device, the Permittee using a wet scrubber to achieve compliance shall establish site-specific operating parameter values for the minimum scrubber makeup water flow rate and, for scrubbers that operate with recirculation the minimum recirculation water flow rate. During the emission test, each operating parameter must be monitored continuously and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes. The Permittee shall determine the operating parameter monitoring values as in the averages of the values recorded during any of the runs for which results are used to establish the emission concentration or collection efficiency per 40 CFR 63.1161(a)(2). A Permittee may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, a Permittee may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.~~
- (eb) Establishment of hydrochloric acid regeneration plant operating parameters.
- (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR 63.1162(b)(1). During the emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration ~~per paragraph (a)(2) of this section~~ **pursuant to 40 CFR 63.1161(a)(2)**. An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant

operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.

- (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for Cl₂ of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the Cl₂ concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.
- (dc) Performance tests shall be conducted ~~either annually or according to an alternative schedule approved by IDEM, OAQ, but no less frequently than every two and half (2.5) years or twice per Part 70 Operating Permit term.~~ If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (ed) Pursuant to 40 CFR 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.
- (fe) The following test methods from Appendix A of 40 CFR 60 shall be used to determine compliance under ~~condition D.1.2 and D.1.3, if required~~ **40 CFR 63.1157(b)**:
- (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
 - (2) Method 2, to determine gas velocity and volumetric flow rate;
 - (3) Method 3, to determine the molecular weight of the stack gas;
 - (4) Method 4, to determine the moisture content of the stack gas; and
 - (5) Method 26A, "Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method," to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows: $C_{HCl(ppmv)} = 0.659 C_{HCl(mg/dscm)}$, where $C_{(ppmv)}$ is concentration in ppmv and $C_{(mg/dscm)}$ is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.
 - (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

D.1.11 Monitoring Requirements [40 CFR 63.1162]

- (a) The Permittee of a new, reconstructed, or existing ~~steel pickling facility~~ **acid regeneration plant** shall:

- (1) ~~The Permittee shall install~~, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR 63.1160(b)(2).
 - (2) Failure to record each of the operating parameters in 40 CFR 63.1162(a) (2) is a violation of the monitoring requirements of 40 CFR 63, Subpart CCC.
 - (3) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (4) The Permittee may develop and implement alternative monitoring requirements subject to approval by ~~IDEM, OAQ~~ **U.S. EPA**.
- (b) ~~The Permittee of a new, reconstructed, or existing acid regeneration plant subject to this subpart shall also~~ install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
 - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
 - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR 63.1159(a) of this subpart.
- (bc) ~~Pursuant to 40 CFR 63.1162, the Permittee of an affected hydrochloric acid storage vessel shall inspect each~~ **hydrochloric acid storage** vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.

D.1.17 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain the following records pursuant to 40 CFR 63.1165:
 - (1) The Permittee, as required by 40 CFR 63.10(b) (2) (Subpart A, General Provisions), shall maintain general records for 5 years from the date of each record of:
 - (A) The occurrence and duration of each startup, shutdown, or malfunction of

- operation;
- (B) The occurrence and duration of each malfunction of the air pollution control equipment;
 - (C) All maintenance performed on the air pollution control equipment;
 - (D) Actions taken during periods of startup, shutdown, and malfunction and the dates of such actions when these actions are different from the procedures specified in the startup, shutdown, and malfunction plan;
 - (E) All information necessary to demonstrate conformance with the startup shutdown, and malfunction plan when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. This information can be recorded in a checklist or similar form (see 40 CFR 63.10(b)(2)(v))
 - (F) All required measurements needed to demonstrate compliance with the standard and to support data that the source is required to report, including but not limited to, performance test measurements (including initial and any subsequent performance tests) and measurements as may be necessary to determine the conditions of the initial test or subsequent tests.
 - (G) All results of initial or subsequent performance tests;
 - (H) If the Permittee has been granted a waiver from record keeping or reporting requirements under 40 CFR 63.10(f), any information demonstrating whether a source is meeting the requirements for a waiver of record keeping or reporting requirements;
 - (I) If the Permittee has been granted a waiver from the initial performance test under 40 CFR 63.7(h), a copy of the full request and approval or disapproval;
 - (J) All documentation supporting initial notifications and notifications of compliance status required by 40 CFR 63.9; and
 - (K) Records of any applicability determination, including supporting analyses.
- (2) **In addition to the general Rrecords specifically required under by 40 CFR 63.1165(a) , Subpart CCC the Permittee shall maintain records for 5 years from the date of each record of:**
- (A) Scrubber makeup water flow rate and recirculation water flow rate if a wet scrubber is used;
 - (B) Calibration and manufacturer certification that monitoring devices are accurate to within 5 percent;
 - (C) Each maintenance inspection and repair, replacement, or other corrective action; **and**
 - (D) The Permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the U.S. EPA or IDEM, OAQ for the life of the affected source

or until the source is no longer subject to these provisions. In addition, if the operation and maintenance plan is revised, the Permittee shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection by the U.S. EPA or IDEM, OAQ for a period of 5 years after each revision to the plan.

- (b) ~~General Records and maintained pursuant to the record keeping requirements of 40 CFR 63, Subpart CCC records, for the most recent 2 years of operation must be shall~~ be maintained on site for a period of 2 years. Records for the 3 previous years may be maintained off site.

D.1.18 Reporting Requirements [40 CFR 63.1164]

- (a) As required by 40 CFR 63.10(d)(2), the Permittee of an affected source shall report the results of any performance test as part of the notification of compliance status required in 40 CFR 63.1163.

- (b) The Permittee of an affected source who is required to submit progress reports under 40 CFR 63.6(i), shall submit such reports to the ~~U.S. EPA and~~ IDEM, OAQ by the dates specified in the written extension of compliance. The notifications shall be submitted to:

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

and

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

- (c) Pursuant to 40 CFR 63.6(e), the Permittee of an affected source **shall** operate and maintain each affected emission source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the level required by the standard at all time, including during any period of startup, shutdown, or malfunction. Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan.

- (1) **Pursuant to 40 CFR 63.6(e)(3),** ~~the~~ Permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, or malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard.
- (2) **Pursuant to 40 CFR 63.10(d)(5)(I)** ~~As required by 40 CFR 63.10(d)(5)(i),~~ if actions taken by a Permittee during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the startup, shutdown, and malfunction plan, the Permittee shall state such information in a semiannual report. The report, to be certified by the Permittee or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30th day following the end of each calendar half; and
- (3) Any time an action taken by a Permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with

the procedures in the startup, shutdown, and malfunction plan, the Permittee shall comply with all requirements of 40 CFR 63.10(d)(5)(ii).

- (d) Reports shall be submitted in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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 conditions D.1.12 and D.1.19 (d):

D.1.12 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

- (a) Visible emission notations of the exhausts from the iron oxide storage bins baghouse shall be performed once per ~~shift~~ **day** during normal daylight operations. 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 and response steps for when an~~ **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 ~~violation of~~ **deviation from** this permit.

D.1.17 Record Keeping Requirements

- (d) To document compliance with Condition D.1.12, the Permittee shall maintain records of visible emission notations of the iron oxide storage bins baghouses stack exhaust once per ~~shift~~ **day**.

Change 24:

Upon further review, IDEM has determined that once per day monitoring of the control device 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:

D.1.13 Baghouse 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 used in conjunction with the iron oxide storage bins, at least once per ~~shift~~ **day** when the iron oxide storage bins 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 and 10.0 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 - Response to Excursions or Exceedances. A reading that is outside the ranges is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a ~~violation of~~ **deviation of** this permit.

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.

D.1.17 Record Keeping Requirements

- (e) To document compliance with Condition D.1.13, the Permittee shall maintain records once per ~~shift day~~ **day** of the ~~total static~~ pressure drop across the iron oxide storage bins baghouses during normal operation when venting to the atmosphere.

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.

~~D.1.14 Baghouse Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]~~

~~An inspection shall be performed each calendar quarter of all bags controlling the iron oxide storage bins, when venting to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.~~

~~D.1.18 Scrubber Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]~~

~~An inspection shall be performed each calendar quarter of the Tank Farm scrubbers. Inspections required by this condition shall not be performed in consecutive months.~~

D.1.17 Record Keeping Requirements

- (g) ~~To document compliance with Condition D.1.14 and D.1.18, the Permittee shall maintain records of the results of the inspections required under Condition D.1.14 and D.1.18 and the dates the vents are redirected.~~
- (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 have been renumbered to reflect these changes.

Paragraph (b) of the Broken or Failed Baghouse has been revised for those processes that operate in continuous mode. The condition required an emission unit to be shut down immediately in case of baghouse failure. However, IDEM is aware there can be safety issues with shutting down a process in the middle of a batch. IDEM also realizes that in some situations,

shutting down an emissions unit mid-process can cause equipment damage. Therefore, since it is not always possible to shut down a process with material remaining in the equipment, IDEM has revised the condition to state that in the case of baghouse failure, the feed to the process must be shut off immediately, and the process shall be shut down as soon as practicable.

D.1.10 Particulate and HCl Control [326 IAC 2-7-6(6)]

- (a) In order to comply with D.1.2, D.1.3 and D.1.5, the scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation.
- (b) **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.1.154 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 controlling emissions from a process operated continuously, 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.1.176 Failure Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

~~In the event that a scrubber failure has been observed:~~

The feed to the process must be shut off immediately, and the process shall be shut down as soon as practicable, Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section C- Emergency Provisions).

Change 27:

In IDEM's Nonrule Policy Document, Guidelines for submittal and review of Annual Compliance Certifications under the Federally Enforceable State Operating Permit (FESOP) and Part 70 Permit Programs (Air-007 First Revision), a table is given as an example for how sources can submit annual compliance certifications. This Nonrule Policy Document can be found at: <http://www.in.gov/idem/rules/policies/air/nrpd007r1.pdf>. Condition B.9 Annual Compliance Certification is being revised to remove "in letter form" so that it does not contradict the Nonrule Policy Document as follows:

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 28:

In Condition B.12, the word "in" will be 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. . . .

Change 29:

The 326 IAC 6-3 revisions that became effective on June 12, 2002 were approved into the State Implementation Plan on September 23, 2005. These rules replace the previous version of 326 IAC 6-3 (Process Operations) that has been part of the SIP; therefore, the requirements of the previous version of 326 IAC 6-3-2 are no longer applicable to this source. Condition C.1 has been revised to remove (a) which contained these requirements. Since the requirements of 326 IAC 6-3-2(d) that were effective June 12, 2002 are now federally enforceable, the last statement has been removed. Condition C.1 has been revised as follows:

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour ~~[40 CFR 52 Subpart P]~~[326 IAC 6-3-2]

- (a) ~~Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. ~~This condition is not federally enforceable.~~

D.1.5 Particulate Matter (PM) [326 IAC 6-3-2]

~~The particulate matter (PM) from the iron oxide and hydrochloric acid regeneration and recovery process shall be limited by the following:~~

~~Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:~~

$$\del{E = 4.10 P^{0.67}} \quad \text{where } E = \text{rate of emission in pounds per hour and} \\ \text{P} = \text{process weight rate in tons per hour}$$

~~At a process weight rate of 15 tons per hour for Roaster No. 1 Process Line, the allowable PM emission rate shall not exceed 25.2 lb/hr.~~

~~At a process weight rate of 15 tons per hour for Roaster No. 2 Process Line, the allowable PM emission rate shall not exceed 25.2 lb/hr.~~

~~The scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation, in order to comply with this limit.~~

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from Roaster No.1 Process Line shall not exceed 25.2 pounds per hour when operating at a process weight rate of 15 tons per hour. The pound per hour limitation was calculated using the equation below:
- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from Roaster No.2 Process Line shall not exceed 25.2 pounds per hour when operating at a process weight rate of 15 tons per hour. The pound per hour limitation was calculated using the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

Change 30:

Condition D.1.7 has been revised to include the enforcement case pending with the USEPA against AMROX as follows:

D.1.7 Compliance and Enforcement [326 IAC 2-7-6(3)][326 IAC 2-7-15]

- (a) Within thirty (30) days after issuance of this permit, the Permittee shall submit initial notification and notifications of compliance status required by 40 CFR 63.9.
- (b) Pursuant to 40 CFR 63.1157(b)(1), the Permittee shall not cause or allow to be discharged in the atmosphere from the affected hydrochloric acid regeneration plant, any gases that contain HCl in a concentration in excess of 25 ppmv. The IDEM has information that indicates that the Permittee is not in compliance with this applicable requirement **and an enforcement case is pending with the USEPA. Once the case has been resolved,** ~~t~~The IDEM 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 40 CFR 63.1157(b)(1) and a schedule for achieving compliance with such requirements.

COMPANY COMMENTS

On February 24, 2004, Ken Kormoroski of Kirkpatrick and Lockhart, LLP submitted comments on the proposed Part 70 Permit on behalf of AMROX. The comments and IDEM responses (with language added shown in bold and language deleted shown in strikeout) are as follows:

Comment 1:

General Comments

- (a) Maximum achievable control technology cannot achieve the National Emission Standards for Hazardous Air Pollutants ("NESHAPs") for hydrochloric acid and chlorine. AMROX has installed and operates maximum achievable control technology to remove and control air pollutants at its Portage, Indiana facility. Nonetheless, because the NESHAP standards were not properly promulgated by the United States Environmental Protection Agency ("EPA"), the implementation of such technology does not guarantee these limits are achievable. AMROX will continue to operate and maintain its maximum achievable control technology and will continue to work with EPA and the Indiana Department of Environment Management ("IDEM") to develop appropriate limits.
- (b) AMROX requests that the permit be revised such that any statement contained within the permit stating that failure to take reasonable response steps is a deviation from the permit is removed.
- (c) IDEM has copied verbatim into the draft permit certain regulations of the Indiana Administrative Code ("IAC") and the Code of Federal Regulations ("CFR"). A statement should be added to the permit indicating that when regulations change, the permit will be amended accordingly to avoid a scenario in which AMROX is subject to potentially inconsistent requirements.
- (d) Although AMROX recognizes that it is subject to regulation under the IAC and the CFR, AMROX requests IDEM to revise any provisions within the permit that are based on IDEM's interpretation of such regulations and that are inconsistent with the statute and regulations.

AMROX requests the following Title V provisions, which may be based on IDEM's interpretation of regulations under the IAC or the CFR, be revised:

B.10(b), (c) -Preventative Maintenance Plans; B.11 (h) -Emergency Provisions; B.12(a) (last paragraph) -Permit Shield; B. 14(b) - Deviations from Permit Requirements and Condition; B.19(a)(2) -Operational Flexibility; B.21(e) -Inspection and Entry; C.11 - Compliance Monitoring; C.13 -Pressure Gauge and Other Instrument Specifications; C.16 -Compliance Response Plan; C.17 -Actions Related to Noncompliance Demonstrated by a Stack Test; C.18 -Emission Statement; D.1.7(a) - Compliance and Enforcement; D.1.9(d) -Testing Requirements; D.1.12 -Visible Emission Notations; D.1.13 -Baghouse Parametric Monitoring; D.1.14 -Baghouse Inspections; D.1.15 - Broken or Failed Bag Detection; D.1.16 -Scrubber Parametric Monitoring; D.1.17 -Failure Detection; D.1.18 - Scrubber Inspections; and D.1.19(c)-(h) -Record Keeping Requirements.

Response 1:

- (a) The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Process Steel Pickling Facilities and Hydrochloric Acid Regeneration Plants was proposed on September 18, 1997 (62 FR 49051); the June 22, 1999, Federal Register publication (64 FR 33202) announced EPA's final decision on this rule. Under section 307(b)(1) of the Clean Air Act, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days from the date of publication in the Federal Register.

Under section 307(b)(2) of the Act, the requirements established by June 22, 1999, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Process Steel Pickling Facilities and Hydrochloric Acid Regeneration Plants (40 CFR 63, subpart CCC) final rule may not be challenged later in any civil or criminal proceeding brought by EPA to enforce these requirements. The final date to challenge this rule has

passed. No change has been made as a result of this comment

- (b) The intent of the Part 70 permit program is to ensure that all reasonable information is provided to evaluate continuous compliance. Therefore, the department has required that compliance monitoring data for the complete duration of the operation should be assessed for ascertaining compliance. Failure to document response steps is a failure to provide the information necessary to evaluate continuous compliance. An excursion of a monitoring parameter is not a deviation from the permit requirement. Failure to take response steps needed due to an excursion is a deviation. No changes have been as a result of this comment.
- (c) The Part 70 Permit contains the applicable limits at the time of permit issuance. When final action to revise an applicable limitation or requirement is completed, IDEM will re-open and revise the permit accordingly. No changes have been made as a result of this comment.
- (d) IDEM cannot remove these provisions from the permit, because 326 IAC 2-7-5(6)(A) requires these provisions to be included in all Part 70 permits. There has been no change to the permit as a result of this comment.

Comment 2:

Emission Units and Pollution Control Equipment Summary -Section A.3.d

AMROX requests that the language in the draft permit referring to storage of "ferrous chloride waste or regenerated hydrochloric acid" be revised. AMROX does not store ferrous chloride "waste"; it stores ferrous chloride as a raw material. Further, although AMROX acknowledges that NESHAP requirements are applicable to its facilities, AMROX does not regenerate hydrochloric acid or iron oxide; it manufactures hydrochloric acid and iron oxide. The last sentence of subsection (d) of this section should be a separate paragraph (the particulate emission controls are not part of the tank farm).

Response 2:

The phrase "regeneration" is used by USEPA as part of 40 CFR 63, Subpart CCC. Although AMROX prefers hydrochloric acid production, in reality AMROX, through a collection of equipment and processes configured to reconstitute fresh hydrochloric acid pickling solution from spent pickle liquor (ferrous chloride), uses a thermal treatment process and produces regenerated hydrochloric acid and iron oxide. Condition A.1 has been changed as follows:

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 stationary iron oxide and hydrochloric acid **production facility** ~~regeneration and recovery plant~~.

The venturi separators and absorbers are a part of the particulate emissions controls for the roaster systems and should not have been included in the tank farms. Therefore, condition A.3 (d) and D.1 (d) description box has been changed as follows:

- (d) one (1) tank farm, identified as T-6, consisting of twelve (12) storage tanks with ten (10) having a capacity of 50,000 gallons and used to store either ferrous chloride waste or regenerated hydrochloric acid, one (1) having a capacity of 35,000 gallons used to store virgin hydrochloric acid and one (1) having a capacity of 6,000 gallons used to store inhibitor. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausted through stack, identified as S-2. ~~Particulate emissions are controlled by one (1) venturi separator, and one (1) absorber.~~ HCl emissions are controlled by two (2) scrubbers in series.
- (e) one (1) truck and railcar loadout station, uncontrolled

Comment 3:

Preventative Maintenance Plans -Section B.10

AMROX requests IDEM to remove language granting IDEM the authority to require AMROX "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." AMROX contends that IDEM does not have the expertise to determine when a lack of maintenance results in increased emissions, but is willing to work with IDEM to ensure that sufficient maintenance is performed.

Response 3:

326 IAC 2-7-5(13) refers through 326 IAC 2-7-4(c) to a PMP described by 326 IAC 1-6-3. Subsection (a) of that rule lays out the minimum elements of the PMP. Subsection (b) provides that the plan "...shall be submitted to the commissioner upon request and shall be subject to review and approval by the commissioner." The condition states that "...the commissioner may require the Permittee to revise its PMPs...." The commissioner could require a revision to the PMP prior to approving it under 326 IAC 2-7-16(f) consistent with the terms of Condition B.10(b).

No changes have been made to the permit as a result of this comment.

Comment 4:

Pressure Gauge and Other Instrument Specifications -Section C.13 (now C.12)

AMROX requests the permit be revised so that the quantitative requirements established by IDEM regarding measurements of pressure drop and flow rate are removed. AMROX, however, is willing to work with IDEM to develop appropriate pressure gauge and flow meter specifications.

Response 4:

Condition C.12(b) allows the source to request IDEM to approve different instruments that do not meet with the specification.

See Change 15.

Comment 5:

Compliance Response Plan -SectionC.16 (now C.15)

AMROX requests that the Section requiring AMROX to prepare and implement a Compliance Response Plan be removed. In the event that AMROX prepares a Compliance Response Plan, it requests the following revisions. In subsections C.16 (b)(2) and (3), "additional" response steps should be changed to "alternative" response steps. Further, in Section C.16(b)(4), any potential deviation of the Permit should be based on whether AMROX exceeds the applicable limits of the Permit, not whether AMROX takes "reasonable response steps." Further, as discussed below, AMROX will continue to work with EPA and IDEM to develop appropriate limits.

Response 5:

See Change 17.

Comment 6:

Actions Related to Noncompliance by a Stack Test -Section C.17 (now C.16)

If a stack test performed in accordance with this Permit exceeds the applicable limits, AMROX will take appropriate steps, but requests that the detailed requirements set forth by IDEM in the draft permit be removed. AMROX also requests that language requiring an automatic re-test under these circumstances be removed.

Response 6:

Pursuant to 326 IAC 2-7-6(6), the Commissioner may require other provisions as necessary to show compliance with the applicable requirements stated in the Part 70 permit. If a source fails a stack test, the source has presented evidence that it is not in compliance with the applicable limitation. A source would first seek the cause of the failure and rectify the problem. In order to demonstrate that compliance with the applicable limitation has been achieved by the response, the source would need to re-test. No change to the permit has been made as a result of this comment.

Comment 7:

National Emission Standards for Hazardous Air Pollutants ("NESHAPs")

- (a) Hydrochloric Acid -Sections D.1.2 (a) and D.1.7 (b)
EPA failed to use appropriate data from the requisite number of facilities to calculate the maximum standard for hydrochloric acid and thereby failed to properly promulgate these rules in the manner prescribed by the Clean Air Act. As a result, although AMROX has employed the required pollution control equipment, it may be unable to achieve the standard for hydrochloric acid as determined by EPA. In the draft Title V permit, IDEM acknowledges that AMROX may be unable to meet this standard and provides that the permit will be reopened to include detailed requirements to ensure that AMROX meets this standard and a schedule for achieving compliance. Based on the history surrounding the development of the standard for hydrochloric acid, AMROX seeks to ensure that the Title V permit does not preclude the flexibility required to ensure that an appropriate limit is established.
- (b) Chlorine -Sections D.1.2 (b) and D.1.2(c)
EPA failed to use appropriate data from the requisite number of facilities to calculate the maximum standard for chlorine and thereby failed to properly promulgate these rules in the manner prescribed by the Clean Air Act. As a result, although AMROX has employed the required pollution control equipment, it may be unable to achieve the standard for chlorine as determined by EPA. In the draft Title V permit; IDEM acknowledges that EPA has provided for an alternative concentration standard for chlorine, which is established through performance testing. AMROX seeks to establish an alternative concentration standard for chlorine and seeks to ensure that the Title V permit does not preclude the flexibility required to ensure that an appropriate limit is established.

Response 7:

The NESHAP for Steel Pickling Facilities—HCl Process was proposed on September 18, 1997 (62 FR 49051); the June 22, 1999, Federal Register publication (64 FR 33202) announces EPA's final decisions on this rule. Under section 307(b)(1) of the Act, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of the publication of this final rule.

Under section 307(b)(2) of the Act, the requirements established by June 22, 1999, National Emission Standards for Hazardous Air Pollutants (NESHAP) for hydrochloric acid process steel pickling facilities and hydrochloric acid regeneration plants (40 CFR 63, subpart CCC) final rule may not be challenged later in any civil or criminal proceeding brought by EPA to enforce these requirements. The final date to challenge this rule has past. No change has been made as a result of this comment.

Pursuant to 40 CFR 63.1161, during this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for Cl₂ of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is

operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the Cl₂ concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant. The Part 70 Operating Permit, contains that flexibility as stated in the NESHAP, however, EPA is the approval authority for this action. No change has been made as a result of this comment.

Comment 8:

Monitoring Requirements -Section D. 1.11

AMROX requests that the monitoring requirements, as set forth by IDEM in Section D.1.11, be revised. AMROX is currently working with EPA, and will work with IDEM, to arrive at appropriate compliance monitoring requirements.

Response 8:

Condition D.1.11 is an applicable requirement in accordance with 40 CFR 60, Subpart CCC. Therefore, no change has been made as a result of this comment.

Comment 9:

Scrubber Parametric Monitoring -Section D. 1.16 (now D.1.15)

Because EPA failed to base the ranges in the permit on empirical evidence, the ranges for normal operation regarding pressure drop and water flow should be established by stack tests conducted by AMROX.

Response 9:

Upon further review, IDEM has determined that once per day monitoring of the control device 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 phrase "a range established during the latest stack test" is included to provide more flexibility to the source. The source may use a different pressure drop range and water flow rate, if they demonstrate compliance through stack testing. The pressure drop and water flow rate ranges included in the permit was based upon information included in the Part 70 permit application submitted by the Permittee. Changes to Condition D.1.15 are as follows:

D.1.15 Scrubber Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the total static pressure drop and flow rate of the scrubber used in conjunction with the Tank Farm Scrubbers, at least once per ~~shift~~ **day** when the storage tanks are in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure drop that is outside the above mentioned range is not a deviation from this permit. When for any one reading, the water flow rate through the scrubber is **below the minimum of** ~~outside the normal range of 0.5 to 2.5 gpm or a range~~ **minimum rate** established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A water flow reading that is outside the ranges is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a ~~violation of~~ **deviation of** this permit.

Comment 10:

Reporting Requirements -Section D.1.20(c)

This section contains a typographical error. The first sentence should be changed to:

"Pursuant to 40 CFR 63.6(e), the Permittee of an affected source shall operate and maintain..."

Response 10:

The requested change has been made. See Change 22.

Comment 11:

Technical Support Document

AMROX requests IDEM to revise language in subsection (d) of the "Permitted Emission Units and Pollution Control Equipment" section referring to storage of "ferrous chloride waste or regenerated hydrochloric acid." AMROX does not store ferrous chloride "waste"; it stores ferrous chloride as a raw material. Further, although AMROX acknowledges that NESHAP requirements are applicable to its facilities, AMROX does not regenerate hydrochloric acid or iron oxide; it manufactures hydrochloric acid and iron oxide. The last sentence of subsection (d) of this section should be a separate paragraph (the particulate emission controls are not part of the tank farm).

Response 11:

The OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

The phrase "regeneration" is used by USEPA as part of 40 CFR 63, Subpart CCC. Although AMROX prefers hydrochloric acid production, the actuality is that AMROX, through a collection of equipment and processes configured to reconstitute fresh hydrochloric acid pickling solution from spent pickle liquor (ferrous chloride), uses a thermal treatment process and produces regenerated hydrochloric acid and iron oxide.

PUBLIC HEARING COMMENTS

On February 24, 2004, the OAQ held a public hearing for the proposed Part 70 Operating Permit for AMROX. The public comment period was extended to March 24, 2004. The comments are arranged by similar topic and summarized below, with corresponding responses. Detailed oral comments can be found in the transcript of the public hearing. The transcript is considered part of the permit file.

Comment 12: AMROX's Compliance Status

Several members of the public stated that AMROX had a history of failed stack tests and violations; that instead of getting better, the emissions had gotten worse. Many citizens felt this had been going on since 2001, and it was time for action by IDEM and U.S. EPA. Many citizens expressed that IDEM and U.S. EPA either need to shut the plant down or fine it and make it comply with the rules. The Ogden Dunes Environmental Advisory Committee requested that IDEM put in the strongest possible Title V operating permit language and strictly enforce the permit.

Response 12:

AMROX has violated two requirements of the Clean Air Act. First, AMROX failed to timely apply for a permit under the Title V program. Second, AMROX failed to comply with the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 Code of Federal Regulations (CFR) 63, Subpart CCC. This NESHAP places limits on AMROX's hydrochloric acid (HCl) and chlorine emissions. Tests of AMROX's emissions on September 26, 2001, October 17, 2001, and December 19, 2002, showed that AMROX had emitted HCl in excess of the NESHAP emission

limit.

On October 28, 2004, AMROX conducted a new test measuring its emissions. The test protocol was approved in advance by IDEM, OAQ. The test was conducted by TRC Environmental and observed by IDEM, OAQ staff. IDEM, OAQ later reviewed and approved the test sampling procedures and results. The results showed that AMROX is now in compliance with its emission limits for all tested emissions. The emissions tested were particulate matter (PM), opacity, hydrochloric acid (HCl) and chlorine (Cl₂).

AMROX's PM emissions are limited to less than or equal to 25.2 pounds per hour. The test result showed actual PM emissions of 1.585 pounds per hour. AMROX's opacity limit is 40%. The test result showed actual opacity of 0%. AMROX's HCl limit is less than or equal to 25 parts per million volume (ppmv). The test result showed actual HCl emissions of 12.67 parts per million (ppm). AMROX's Cl₂ limit is less than or equal to 6 ppmv. The test result showed actual Cl₂ emissions of 0.185 ppm.

U.S. EPA and IDEM have continued working with AMROX to resolve all enforcement. U.S. EPA has taken the lead in this action. U.S. EPA is preparing a settlement agreement to resolve AMROX's past violations. The U.S. EPA contact for this enforcement action is Sara Dauk, U.S. EPA Region 5, Air Enforcement and Compliance Assurance, 77 West Jackson Blvd. (AE-17J), Chicago, IL 60604, telephone (312) 886-0243.

IDEM, OAQ conducts annual commitment inspections of the plant and will conduct additional inspections if IDEM, OAQ receives further complaints regarding AMROX's operation.

Comment 13: Health Concerns

Several members of the public stated that they had seen acid and dust clouds along Highway 12, near the AMROX facility. One citizen reported driving through a strong acidic air mass emitted from AMROX. Most citizens were concerned with the health effects of AMROX's emissions. Many citizens described incidences of breathing difficulties, bronchitis, asthma, burning eyes, burning noses and throats, either personally or by someone in their family. Many citizens wanted to know the health effects on short-term and long-term exposure. One citizen requested that IDEM, OAQ take into account the effects of exposure when setting limits for the plant.

Response 13:

Any observations of excess emissions from AMROX should be immediately reported to the IDEM, OAQ air compliance inspector by calling IDEM's Northwest Office at 1-888-209-8892. As stated above in Response 12, U.S. EPA has the lead in the enforcement action against AMROX for its past violations.

Information on the health effects of hazardous air pollutants can be found at <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/ChemicalsInYourCommunity.htm>. Information pertaining to emissions of hazardous air pollutants in the Porter County area can be found at <http://www.epa.gov/tri> or <http://www.in.gov/idem/prevention/tri/index.html>. U.S. EPA's website <http://www.epa.gov/air/urbanair/6poll.html> provides more detailed information about the health effects of six common air pollutants, including particulate matter, and why they are regulated.

The hydrochloric acid (HCl) emissions from AMROX are now below the limits set out in the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 CFR 63, Subpart CCC. That NESHAP states that chronic exposure to HCl has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization. Acute inhalation exposure to HCl may cause hoarseness, inflammation and ulceration of the respiratory tract, chest pain, and pulmonary edema. Acute exposure to high levels of chlorine (Cl₂) has been reported to cause chest pain, vomiting, toxic pneumonitis, pulmonary edema, and death. At lower levels, Cl₂ is a potent irritant to

the eyes, the upper respiratory tract, and lungs. The complete NESHAP can be found at:
<http://www.epa.gov/EPA-AIR/1999/June/Day-22/a12939.htm> .

Comment 14 Role of Title V Permit

Several citizens asked if IDEM could deny issuing AMROX this permit.

Response 14:

Indiana is required to issue Title V permits to every major source of air pollution, regardless of their past violations. The Clean Air Act requires all major sources of air pollution to apply for and obtain a Title V permit. AMROX's Title V permit does not allow any new emission units to be constructed or operated. The Title V permit requires AMROX to do additional testing, monitoring, recordkeeping and reporting to provide the information needed to evaluate continuous compliance with all applicable emission limitations and standards. The Title V permit requires that AMROX submit an Annual Compliance Certification (see Condition B.9). The Title V permit also establishes a schedule requiring future testing of AMROX's emissions.

Comment 15: Pollutants from Other Sources

Will IDEM considered the combination of airborne contaminants from all industries in the area when determining AMROX's emission limits? Is there a possibility that AMROX's iron oxide and hydrochloric acid emissions could potentially be creating a lethal cocktail when mixed with some of the other emissions from the other industries? Does IDEM look at the big picture?

Response 15:

AMROX's Title V permit does not create any new emission limits or standards. IDEM, OAQ does not have the authority to change AMROX's emission limits based on emissions from other industries in the area. The basis for each emission limit and standard is found in a specific rule in Title 326 of the Indiana Administrative Code (IAC) and, in some instances, a corresponding federal rule from the Code of Federal Regulations (CFR). Each emission limit and standard in AMROX's Title V permit contains one or more references to these underlying rules. AMROX's Title V permit brings together all applicable emission limits and standards. The permit also sets out testing, compliance monitoring, record keeping and reporting requirements. Compliance with these requirements will ensure that AMROX is in continuance compliance with all emission limits and standards.

IDEM, OAQ is unaware of any scientific evidence that the pollutants emitted by AMROX could combine with other area pollutants in a way that would worsen the health effects of the pollutants. IDEM does monitor the ambient air for hazardous pollutants. The nearest monitor to the AMROX site is located in Ogden Dunes. IDEM's air quality data from the Ogden Dunes monitor and additional information about hazardous air pollutants can be viewed on the internet at <http://www.in.gov/idem/programs/air/toxwatch/index.html> . IDEM is using this monitoring data and other sources of data as part of it's five year hazardous air pollutant strategy to get a more complete picture of Indiana's air quality. More information about this initiative can be viewed on the internet at <http://www.in.gov/idem/programs/air/emissionreporting/index.html> .

Comment 16: Specific Permit Language Issues

Compliance Monitoring and Use of "Reasonable Time"

"You just mentioned the compliance schedule. For example, in the compliance schedule it has language--the Permittee shall have ninety days to comply with this. The Permittee can then ask for an extension of another ninety days. In light of the time that's gone by since the draft permit came out, it doesn't seem like it would be necessary, that there shouldn't, in all of that time, be causes out of their ability to do that. Also in another part it uses the language, "within a reasonable time". And again, given AMROX's lack of compliance up to this point, I don't think they should define "reasonable time"; IDEM should define the days or something more specific."

Imprecise Terms and Confidential Business Information

"We note throughout the draft permit the terms "reasonable time", "reasonable steps", "reasonable requests", or "reasonable response steps" for the permit to take action, respond to a request, or submit reports, et cetera. Such imprecise terms may make these conditions difficult and perhaps impossible to enforce. Please change to language that has understandable and hopefully more specific timeframes. In some of the general conditions there is always the claim of confidentiality. Is it absolute? And does this ever include permits--pollutants that may be emitted? Can they be protected under confidential business information?"

IDEM's Requirements

"Revision of the preventive maintenance plan in condition B.10 says "may be required". It should be "shall". One of my favorites is use of the term "expeditiously as practical" for proceedings to reopen and revise this permit. It just gives IDEM too much flexibility. A more definite timeframe needs to be established, such as within so many numbers of days."

Response 16:

Condition C.11 (Compliance Monitoring) allows ninety (90) days to implement a new requirement. It is a compliance schedule to allow for implementation of additional monitoring required by the Title V permit. An extension is not automatic. New monitoring in this permit can be found in conditions D.1.12, D.1.13, D.1.14, D.1.15, and D.1.16. All other monitoring has been applicable and implemented before the issuance of the Title V permit.

The term "within a reasonable time" is used in condition B.7 (a) Duty to Provide Information and condition B.10 (b) Preventive Maintenance Plan. The term is taken directly from the applicable rule, 326 IAC 2-7-5(6) (E) which states that the "Permittee shall furnish to the commissioner, within a reasonable time, any information that the commissioner requests in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 permit or to determine compliance with the Part 70 permit. IDEM, OAQ is following the wording of the rule. When IDEM does make a request for information it will state a specific time period within which it expects to be provided with the information requested.

Condition B.11 Emergency Provisions, uses the term "reasonable steps" in (b)(3), (b)(6) and (g). Each use of this term is taken directly from the wording of the applicable rule, 326 IAC 2-7-16. IDEM, OAQ will use the circumstances of each actual emergency to determine if the steps taken by the source were reasonable.

In condition B.19 Operational Flexibility, (a)(4) states that the Permittee shall make the records that document changes and emission trades available, upon reasonable request, for public review. The wording "upon reasonable request" is taken from the applicable rule, 326 IAC 2-7-20 (a)(4).

The term "reasonable response steps" is used in condition C.17 (d), Response to Excursions or Exceedances. Similarly, condition D.1.4 (f), incorporating the NESHAP requirements, requires AMROX to take "corrective action" within 1 working day of detection of an operating problem. It is not possible to determine every appropriate response step and corrective action in advance. In the event of a permit violation, IDEM, OAQ will be able to review the response steps taken by AMROX when the operating problem first occurred and determine whether those actions were reasonable.

A claim of confidentiality only applies if a company requests it and is only allowed after meeting specific standards. The rules governing claims of confidentiality are set out in 326 IAC 17.1. This rule offers protection for trade secrets and other confidential business information. Emission data cannot be treated as confidential. AMROX has not asked for confidentiality.

IDEM, OAQ uses the authority from the applicable rules when drafting general permit terms, such as condition B.10 (b) Preventive Maintenance Plan. That condition states that IDEM, OAQ may require the Permittee to revise its preventive maintenance plan whenever lack of proper

maintenance causes, or is a prime contributor to an exceedance of any limitation on emissions or potential to emit. Such wording is in accordance with the underlying rules that give IDEM, OAQ the authority to take action when necessary.

Comment 17: Quality of Life

Many citizens commented on the impact on their quality of life. Citizens stated that many live in this area for the natural beauty of the dunes and the vast outdoor opportunities. Citizens felt trapped in their homes and denied those opportunities. Citizens are concerned that due to the emissions from AMROX, no one would purchase their homes; that they had no way to get away from the health risks. Citizens stated that a good quality of life is essential for the future economic prosperity of their region, but cannot be done with threats to property values.

Response 17:

OAQ recognizes that these concerns are important to those who expressed them; however, they do not have a direct impact on how IDEM, OAQ reviews and makes decisions on air permit applications. IDEM, OAQ advises residents to contact their local officials regarding these issues. IDEM, OAQ's permit review by law cannot address issues for which it does not have direct regulatory authority.

Comment 18: Citizen Involvement

One citizen stated "the Ogden Dunes Environmental Advisory Committee would like IDEM to know that in the past year in particular many town residents have expressed concerns about air quality, and that the ODEAC, as part of town council, is starting to and will continue to become more and more aware of emissions, permitting processes, and other issues related to air quality from AMROX and any facilities of concern to us. If there's anything the Town of Ogden Dunes can do to assist IDEM in improving our air quality, please, please let us know."

Response 18:

IDEM encourages citizen participation and has tried to make it easier for people to get involved in the public decision making process. If you want more information on IDEM and its public participation processes, please refer to IDEM's Guide for Citizen Participation. You can order a printed copy at (317) 233-6335 or (800) 451-6027, Ext. 3-6335 (toll free) or access it on IDEM's Web site at http://www.in.gov/idem/your_environment/community_involvement/publicparticipation.

Comment 19: AMROX's Statements Concerning Emissions

One citizen asked that if AMROX is environmentally friendly, why did they not apply for the Title V permit when they opened up and why did AMROX indicate there would be little or no emissions when it applied for tax abatement from Portage?

Response 19:

At the time of the original construction permit issuance, AMROX applied for a registration. Based upon the information provided by AMROX and due to the lack of information regarding these types of operations, IDEM issued a registration to AMROX in 1997. Subsequent information and stack testing data has shown that AMROX is required to have a Title V permit.

Comment 20: Permit Status

Since it appears that AMROX, in my opinion, has no valid permit to emit except this registration, what is IDEM's target date for issuing a final Part 70 permit for this facility? For issuing a compliance schedule? We request that a summary of the total and allowable emissions to be permitted at this facility be included as part of the permit, so that the interested public will have specific information on the allowable potential emissions by type and by stack--and there are five

stacks--as well as fugitive emissions and visible emissions. Is AMROX operating under the hydrochloric acid federal rules or the original registration?

Response 20:

AMROX's Title V permit will be issued approximately 48 days after being proposed for review to the U.S. EPA. Section D of the permit lists the emissions limits, testing and monitoring requirements specifically for AMROX. On June 22, 2001, the requirements of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants, 40 Code of Federal Regulations (CFR) 63, Subpart CCC became applicable to AMROX. Below is a summary of the allowable emissions for Roaster No.1 and Roaster No. 2 Process Lines:

Emission Units	HCl Emission Limit (ppmv)	Cl ₂ Emission Limit (ppmv)	PM Emission Limit (lbs/hr)
Roaster No.1 Process line	25 ppmv total for the entire plant	25 ppmv total for the entire plant	25.2
Roaster No. 2 Process line			25.2

Comment 21: New England Journal of Medicine

One citizen stated, "Five days ago the New England Journal of Medicine article came out from the Department of Environmental Health at Harvard, dealing with acute chemical emergencies, and stated that one of them is chlorine. They discussed the respiratory tract problems, the nose and throat problems, laryngitis, problems with the eyes, and so forth. All of you have been hearing about that."

"They say the exposure can be the result of industrial disaster, occupational exposure, or if something breaks in the company, and so forth. They go into some of the treatment and there are eighty-one references dealing with the various releases of chlorine. Finally it comes down for the community to prepare for health problems resulting from chlorine exposure. We have heard the symptoms and the problems; I think this article should be entered into proceedings."

Response 21:

This comment is a part of the official transcript and has been entered to the record. IDEM, OAQ described the health effects of these emissions and sources for additional information in response 13 above.

Comment 22: Citizen Petition to U.S. EPA and Citizen Appeal

One citizen stated, "Does the Clean Air Act provide for citizens to petition EPA to terminate or revoke every issue of the Part 70 permit if you fail to act? We will look for the answer. I have, on issuance of the permit, if the community wanted to appeal the permit you--we think you are going to issue, do we have to wait until the final permit to go and appeal to EPA? Or do we have to wait-- Does the permit have to be final for it to be taken by the citizens to another step? Five days after issuance?"

Response 22:

If the U.S. EPA does not object to the issuance of a Title V permit, any citizen can petition U.S. EPA to object to the permit. The time frame for filing a petition is set out in 326 IAC 2-7-18(d) as follows: any person may petition the U.S. EPA with sixty (60) days after the expiration of the U.S. EPA forty-five (45) day review period to make objections. Once it is issued the permit can also be appealed to the Indiana Office of Environmental Adjudication. When the permit is issued it will be accompanied by a Notice of Decision. The notice will outline how any interested party can appeal IDEM's decision. For more information see page 31 of IDEM's Guide for Citizen Participation on IDEM's Web site at

http://www.in.gov/idem/your_environment/community_involvement/publicparticipation .

Comment 23: Public Notice of Future Modifications

One citizen asked how will the public be notified or find out when a Permittee notifies IDEM that it plans to make a Section 502B (10) change in emissions or there is a change in permit terms and conditions. The citizen stated "I mean all they do is notify you? How do we find out? There are also provisions for waivers from the requirements. It's not clear who issues the waivers. Again, are there waivers of terms and conditions that we are not going to know about? The public participation in this permit seems absent, but maybe it's covered in other rules."

Response 23:

Operational flexibility under section 502(b)(10) of the Clean Air Act is incorporated into Indiana law at 326 IAC 2-7-20. The Permittee is required to notify IDEM, OAQ and U.S. EPA in advance before making a qualified change. These types of notices are very limited. Any significant change at AMROX will require AMROX to file a permit application with IDEM and for IDEM to issue a permit decision. Any interested person can have his/her name added to a list to receive notices of all IDEM, OAQ public notices and final permit decisions regarding the AMROX plant. To get on IDEM's mailing list, call IDEM at (317) 233-3861 or sign up by e-mailing IDEM, OAQ at OAQLIST@dem.state.in.us or visiting <http://www.in.gov/idem/permits/air/oaqlist.html>.

Comment 24: Ambient Monitoring

Please add hydrochloric acid and chlorine to the fixed station monitoring here at Ogden Dunes. I don't know if it's possible, but I sure would like to find out, and I think the community would like it too. Continuous air emissions monitoring would be very helpful in light of the performance of the plant.

Response 24:

As previously described, IDEM, OAQ does monitor the ambient air for hazardous pollutants from a monitoring station in Ogden Dunes. IDEM, OAQ's air quality data from the Ogden Dunes monitor and additional information about hazardous air pollutants can be viewed on the internet at <http://www.in.gov/idem/programs/air/toxwatch/index.html> . It is not scientifically feasible to do continuous ambient monitoring of hydrochloric acid or chlorine. IDEM, OAQ is not aware of any equipment that can continuously monitor the ambient air for these chemicals. Ambient air monitoring could only be done by taking a one time "grab" sample of air. That sample would have to be analyzed by a liquid gas chromatograph. Even that type of sampling would give only a general indication of the level of these pollutants, without the ability to make any precise measurement of their concentrations.

Comment 25: AMROX's Permit Issues

In the process of issuing the permit, are there any specific items or requirements that AMROX is appealing at this point, or contesting? I think we need to know that so that we can focus our efforts in preventing the permit from being potentially watered down?

Response 25:

All of AMROX's comments have been included in this addendum, as well as IDEM's responses. The permit cannot be appealed until it has been issued.

Comment 26: Standard of Control

A higher standard of control should be considered by the agency. Number one, I think that there should be, within the control process, automatic shutdown of operations based on violation. This would be a mechanism that would be triggered by plant sensors of the emissions control. There

should also be a minimum period of time for startup emissions in terms of startup time. There should not be an overgenerous period of emissions control. The final thought that I had was that there should be an emergency monitoring procedure within the community so that air samples can be taken based on the response to reports of emissions variances within the community.

Response 26:

AMROX is using the Maximum Achievable Control Technology as required by 40 CFR 63, Subpart CCC (Pickling NESHAP). The NESHAP includes specific requirements for controlling the regeneration process, monitoring and recordkeeping to ensure compliance. The NESHAP requires the development and implementation of a written startup, shutdown and malfunction plan with detailed procedures for operating and maintaining the source during these periods. The permit also contains requirements to operate control equipment at all times the process is operating, as well as requirements to respond during times of noncompliance. The most stringent requirements have been included as required by law. IDEM has no additional authority to require AMROX to comply with any stricter level of controls.

Comment 27: Stack Testing

What is the timing on testing right now? Is it once every two years, or more often than that? Because it seems like, from a public health standpoint, once every year and a half or two years is absurd.

Response 27:

Condition D.1.9(c) specifies annual testing for AMROX for hydrochloric acid and chlorine. The frequency of testing has been established by 40 CFR 63, Subpart CCC.

Comment 28: Monitoring

I try to resign myself to the fact that, the permit is going to be issued. I would like the toughest enforcement we can see. It seems to be that the whole nation is going to self-regulation of businesses for their emissions, and I would not like to see the State of Indiana do that with AMROX. With their proven track record of violation, I would like to see that we are monitoring them twenty-four hours, seven days a week.

Response 28:

AMROX is responsible for monitoring and recording all requirements of the Title V permit. This is not self-regulation, but self-monitoring, which will be reviewed by an IDEM, OAQ inspector during inspections at the industry. The permit includes requirements to document monitoring, requirements to take response steps to maintain compliance and requirements to report to IDEM, OAQ. AMROX is required to monitor whenever it is in operation. Each year AMROX is required to certify whether it is in compliance with the permit. This certification must be signed by AMROX's responsible official. Falsification of any required record or report is a criminal offense.

Comment 29: Analogies

Several analogies were applied to the permitting process, such as getting a liquor license, subdividers and developers, who much pass both local and state approval in order to operate or proceed with their business. The track record of the applicant can be considered. No one will permit a subdivision or development with numerous violations. Another analogy used probating a will when the court requires the executor of the estate to get a performance bond. If the executor doesn't follow the wishes of the deceased they can lose their bond money.

Response 29:

Environmental law is complex. Several people have made analogies comparing how IDEM should act if this type of situation were subject to traffic laws, zoning ordinances, or other laws that they are familiar. The analogies just don't apply because the laws governing air permitting are different than laws that apply to other activities.

Indiana's Title V Operating Permit Program has been approved by EPA under 40 CFR 70. EPA issued several guidance documents outlining specific requirements for programs to be approved, including a February 25, 1993 Memo from John S. Seitz, Director of EPA's Office of Air Quality Planning and Standards on the subject of Developing Approvable State Enabling Legislation Required to Implement Title V. Noncomplying sources are specifically addressed by this memo as follows: "Approvable permits programs must have authority to issue permits to sources not in compliance with applicable requirements, and permits must include compliance schedules which will bring sources into compliance [see section 502(b)(5)(A), section 504(a); and 40 CFR 70.6(c)(3)]." Fines are levied against industries for noncompliance.

Comment 30: AMROX Facilities

Are there other AMROX facilities? In other states? Have any of those other facilities had similar problems with their emissions or with any of the problems that this-- And they are having problems?

How long has AMROX been using the process they are using, prior to permit issuance in 1997? Is it possible that AMROX could have been mistaken in this original permit request? Was it an omission or oversight on AMROX's part?

If the parent company which oversees these other plants is also following the same suit that this one is doing, does that weigh in your decision on this one? The corporation, maybe they don't believe in following the rules. So any information in your decision when this permit is granted or not granted, is that information shared with the states that have other AMROX plants? So it's up to the local, plus this grassroots organization, to contact other communities where other AMROX facilities are and let them know what we have experienced.

Response 30:

AMROX is based in Pittsburgh, PA. There is an operation in Pennsylvania, AMROX, Inc. in Portage, IN, Magnetics International Inc. in Burns Harbor, IN and one in Spencer County at AK Steel. The two other plants in Indiana have also been cited for violations by U.S. EPA. Permitting decisions are based upon each individual facility and not as a corporation.

Comment 31:

Has there been an attempt to contact the health department and get them involved in the AMROX emissions issue? Could they influence IDEM's decision to issue a permit? Can the health department issue some kind of an injunction or restriction to AMROX's operation?

Response 31:

County Health Departments can be beneficial in local health issues. The Porter County Health Department in the past has issued orders to the industries in that area. IDEM, OAQ notifies county health departments of permit decisions. Porter County citizens should contact them directly with their complaints. A compliance agreement between an industry and some citizens was developed approximately 10 years ago with a similar facility due to the effect of the hydrochloric emissions upon the strawberry crop.

WRITTEN COMMENTS

During a period of March 15, 2004 through March 24, 2004 written comments were provided on AMROX's proposed permit. IDEM OAQ has provided one response at the end of the written comments.

Comment 32:

Maryann Schaefer, Mark Coleman, Scott Siler and Michael Smith submitted the following written comments:

IDEM states that in order to issue a permit to a polluting company, they must show that they are capable of coming into compliance with regulations imposed by IDEM and the EPA. In AMROX's comments after the hearing they state they are unable to come into compliance with these regulations. Therefore we ask that you deny a permit for AMROX until they install the controls that allow them to comply with pollution regulations. Similar controls are being installed at ISG in East Chicago's pickling line in order to come into compliance there.

AMROX's request to lower nationwide standards in order for them to continue operation only benefits AMROX's bottom line and will make a mockery of the environmental regulating system. It will also continue subjecting our community to emissions that were deemed dangerous by IDEM and the EPA, thereby lowering our quality of life and expose us to continued respiratory problems and dangers that would not be present if they installed the proper controls.

The residents of Ogden Dunes have been subjected to 4 years of excessive emissions by this company. They never bothered to inform us of any problems or excessive emissions despite the dangers they posed to our community.

There are days that the stench in the air is overwhelming. On one particular day this past summer, I attempted to take a walk to the east end of our beach with one of my sons. The smell in the air was noxious and after less than a half hour of walking, I developed a headache and decided to return home. Since AMROX's opening, I have experienced many such incidents. It seems unreasonable to have a company that employs 20 people to remain open while presenting serious health problems to a town of 2500 men, women and children, when the controls are available to eliminate the dangers posed to these residents. Our town has been patient and has remained civil while waiting for environmental justice to prevail. Please give us reason to believe the system works and when a bad player is exposed that proper action will be taken.

Ken Martin submitted the following written comment:

I am writing because I have learned that the AMROX Company located adjacent to our town of Ogden Dunes has applied for a permit to continue operating with air standards that are less than required by law.

We have lived in Ogden Dunes for many years and have experienced poor air quality from time to time. But the last several years have been horrible – truly horrible. I have been awakened in the middle of the night by noxious odors so strong that it is hard to breathe. Often this occurs in the evening or morning when it is difficult to identify any plumes. Several times I have reported those odors to IDEM but their efforts have been restricted – until now.

It appears that AMROX is one of the major culprits in emitting this pollution.

I strongly encourage you to deny any company, particularly AMROX, from continuing to operate with sub-par environmental controls. It seems extremely unfair to allow a company of roughly twenty employees to cause pollution that affects over two thousand people. That's more than one hundred times greater the number of individuals affected by this small company. Of course, it's extremely unfair for any entity – regardless of size – to cause undue stress upon its neighbors.

I respectfully ask that your office deny the permit to AMROX until after they have installed their required

anti-air pollution equipment and clearly demonstrated that they are not causing additional air pollution.

Mary McKiernan submitted the following written comment:

I am writing to let IDEM know of AMROX's polluting of the environment in and around Ogden Dunes (O.D.). Many times, during this past summer especially, the air smelled so bad! My throat felt constricted and my eyes were misting up, like they were trying to get rid of something in them....like pollution! This smell is like no other I've ever smelled, its very peculiar and very severe! I just moved to 9 Shore in May '03 from another location in O.D. and have been very unhappy with this problem. I have even considered moving from O.D. as I'm worried about my health, not to mention property values plummeting! Imagine trying to show a house to someone when you can't take a deep breath or hope the visitors won't venture out while the stink is present! I usually have at least once a year a bout of upper respiratory trouble, but this year this is the third time! I love O.D., the nature and the people are great, but how can one know if by living here you are jeopardizing your health. I'm sick about it, both figuratively and perhaps literally! I had several out of town friends visit when I first moved to 9 Shore and at one point, while most were being conservative on their observations of the stink; one girl literally had trouble breathing and had to run back to the house to get in out of the stink. And stink is the only appropriate word I can find for it! It's very strong and literally I think lays in the air!

I am a single woman who has worked very hard her whole life as a secretary (and still work full time) and I feel fortunate to be able to live where I live because I love the dunes and being near the lake. But I worked hard for the money that has paid for the small home I live in now. I am very saddened to think that I may have to move or even worse that maybe I won't be able to recoup enough money from the sale of my home due to no one wanting to move under a smelly cloud of pollution. I've been visiting the Indiana Dunes since I was a child and my mother before that. It's a shame to see what has become of our beautiful natural resources and of the dunes themselves. It's very sad. When I first moved here in 2000, the mills were barely operating due to pending bankruptcy and I had no idea that the pollution could become as bad as it has become. I had friends visit from Colorado a couple of years back and they were amazed that there was so much air pollution. They said that would never happen in Colorado because they had some kind of devices on their stacks that caught the pollution and would send it back down the stack or something like that and it was converted into something recyclable. What's up with Illinois and Indiana that they are allowed to pollute our air, ground and water???? So obviously AMROX is not the only polluter, but the particular pollution of theirs seems to be the worst. It as I said has a very foul odor and at times you can cut the air with a knife it seems.

So when I found out that AMROX is not in compliance with state regulations I became even more concerned! IDEM states that in order to issue a permit to a polluting company, they must show that they are capable of coming into compliance with regulations imposed by IDEM and the EPA. I understand from information received regarding the latest hearing that AMROX is unable to comply with the regulations and has been unable to comply for four years! What is IDEM and the EPA waiting for? Close them down! Why have they remained open and able to seriously pollute the air we (are trying) to breath? If AMROX can comply in the future, fine, then remove their permit to operate until such time as they can comply with regulations. To allow them to continue to pollute an already severely polluted area is beyond me. Maybe they can qualify to get some state aid to bring them into compliance. But again until then TAKE AWAY THEIR PERMIT TO OPERATE! PLEASE! They are jeopardizing the health of 2500 men, women and children in O.D. and beyond! It makes no sense whatsoever! Thank you for your attention to this letter. I surely hope that justice will prevail.

G. Rieger submitted the following written comment:

IDEM should require AMROX to install effective emissions monitoring and controls, and set emission limits for the Facility at the current nationwide emission standards.

Emissions from the AMROX facility impair the health and quality of life of Residents of Ogden Dunes as reported in their comments at the public hearing on February 24, 2004. AMROX air emissions also endanger the survival of the animals, trees and plants in the nearby ecologically sensitive environment of the Indiana Dunes State Park and Indiana Dunes National Lakeshore Park. The Porter County region is a very sensitive ecological habitat for people, animals and vegetation. Attached is a list of endangered

species in Porter County, IN.

In comments at the public hearing on February 24, 2004, residents of Ogden Dunes report respiratory and eye irritations from air emissions from AMROX Facility.

Examples of wildlife include blue heron which stop over and nest a short distance of 1.5 miles to SES of AMROX Facility. The Blanchard's cricket frog has vanished in 98% of areas in Northwest Indiana, per Ralph Grundel, ecologist for the U.S. Geological Survey. Per discussion group at Indiana Dunes National Lakeshore, precipitation in the form of acid rain may have caused the accelerated decline in population of the Blanchard's cricket frogs. Rare species such as bald eagle, peregrine falcon and Indiana bat, as well as a multitude of migratory waterfowl frequent the nearby the Grand and Little Calumet Rivers. Due to the effects of acid rain, animals which depended on plants for their food suffer. Tree dwelling birds and animals begin to languish due to loss of habitat. The action of acid rain causes harmful elements like mercury and aluminum to be leached from the soil and rocks and is then carried into lakes where aquatic life may be affected. Every year during spring thaw, there is a sudden increase in the acidity of the lakes as frozen acid is suddenly deposited in them. This "acid shock" prevents the reproduction of aquatic species, or results in the deaths of the hatchling.

The facility is located near the Indiana Dunes National Lakeshore Park which is ranked 7th among national parks in native plant diversity. Research conducted over the last two decades has revealed 1,418 vascular plant species within the park boundaries, of which 90 are on the State of Indiana's threatened or endangered list. Acid rain damages plant roots, causing the growth of the plant to be stunted or even death. Nutrients present in the soil are destroyed by the acidity. Useful micro organisms which release nutrients from decaying organic matter, into the soil are killed off, resulting in less nutrients being available for the plants. The acid rain, falling on the plants damages the waxy layer on the leaves and makes the plant vulnerable to diseases. The cumulative effect means that even if the plant survives it will be very weak and unable to survive climatic conditions like strong winds, heavy rainfall, or a short dry period. Plant germination and reproduction is also inhibited by effects of acid rain.

IDEM should protect the environment from commercial exploitation and harm to the people of Ogden Dunes, and the animals and plants of the Indiana Dunes State Park and Indiana Dunes National Lakeshore Park by requiring AMROX to operate with effective emission monitoring and controls to meet current national emission standards.

Noreen Mitchell Olsen submitted the following written comment:

I have lived in Ogden Dunes for thirty years and raised my children in this community. The quality of air has changed from the time your department has allowed AMROX to pollute our air. It has not only harmed our health it has hurt the value of our community and properties. Your department alone has done this to us.

I have attended every meeting IDEM has had. At the hearing the citizens have spoken; now your department has to do something to save our health and our future of Ogden Dunes and Portage. You can't possibly see a purpose to this pollution unless it is financial to your department. It is killing our health and wealth.

The only good thing is my children have moved to a healthy environment. But with owning two different properties and being a Realtor in this area you are ruining my future.

Rick Trapp submitted the following written comment:

I read with interest the article on the Title V public comment meeting for American Iron Oxide. In particular, the quote by Mr. Paul Dubenetzky who said "I don't think I have the right to deny a permit because they haven't figured out how to come into compliance". If I haven't figured out how to coordinate my foot on the gas with the speedometer, and continually get tickets for speeding, my license to operate will be taken from me, right? I don't think the judge would accept it if I said I have not figured out to come into compliance yet, I need more time.

It's not that AMROX is trying to figure out what they are doing because they are on the cutting edge of technology. I would speculate that they can't afford to come into compliance. It's a losing deal. It requires a tremendous amount of energy, which is very expensive right now. The steel mill doesn't really like the recycled acid which is weak and the iron oxide they make has no value. I would guess that they landfill most of it and pay someone to take the rest. But what do they care, the cost is just passed onto the mills. I think they continue to keep it operating because of some contractual agreement. I have heard that the mills want to cut their losses with the regen plants and are now going a different direction.

I also have experience in water. I have had the opportunity to see waste water analytical from many different chemical plants and other sources. How does a surface discharger take water with a TDS of 30,000 ppm, BOD, chlorides and ammonia, and bring it within discharge limits for 2 to 3 cents a gallon? Based on the long list of polluted waters we have I would say that they are not. But the volumes of water they take like this are unbelievable.

I would ask that IDEM prioritize its resources and focus its efforts on large problems like what these people describe. I'm glad I don't live near AMROX. I feel bad for them. As for water, I would explain to surface dischargers that dilution is not a treatment method.

Appreciate you taking the time to listen.

Response 32:

IDEM considers AMROX's failure to comply with state and federal law to be a very serious issue. By the mutual consent of the two agencies, the U.S. EPA is the lead agency in the pending enforcement action. IDEM staff have provided EPA with information from our files and are monitoring EPA's enforcement case.

AMROX has been violating two major requirements of the Clean Air Act. They do not have the correct permit under Title V of the Clean Air Act and their hydrochloric acid and chlorine emissions were greater than allowed under the applicable National Emission Standard for Hazardous Air Pollutants. The public hearing that was the subject of the newspaper article was one step that IDEM has taken to issue AMROX the correct permit under the Title V Operating Permit Program.

Environmental law is complex. Several people have made analogies comparing how IDEM should act if this type of situation were subject to traffic laws, zoning ordinances, or other laws that they are familiar. The analogies just don't apply because the laws governing air permitting are different than laws that apply to other activities.

Indiana's Title V Operating Permit Program has been approved by EPA under 40 CFR 70. EPA issued several guidance documents outlining specific requirements for programs to be approved, including a February 25, 1993 Memo from John S. Seitz, Director of EPA's Office of Air Quality Planning and Standards on the subject of Developing Approvable State Enabling Legislation Required to Implement Title V. Non-complying sources are specifically addressed by this memo as follows: "Approvable permits programs must have authority to issue permits to sources not in compliance with applicable requirements, and permits must include compliance schedules which will bring sources into compliance [see section 502(b)(5)(A), section 504(a); and 40 CFR 70.6(c)(3)]." The memo goes on to identify prohibitions on permitting sources that are not in compliance with applicable requirements as a "Problem Area for Program Approval."

IDEM is working to keep AMROX in compliance with Title V of the Clean Air Act by issuing this permit. IDEM is looking more closely at the methods used to assess compliance in the future prior to finalizing the permit.

IDEM, OAQ can not address the issues regarding water discharges through this Title V Operating Permit. Call Rick Roudebush at IDEM OWQ for water issues at 317-234-2579.

**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: American Iron Oxide Company
Source Location: 6300 U.S.Highway Route 12, Portage, IN 46368
County: Porter
SIC Code: 2819
Operation Permit No.: T127-14756-00085
Permit Reviewer: Teresa Freeman

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from American Iron Oxide Company (AMROX) relating to the operation of an iron oxide and hydrochloric acid regeneration and recovery plant.

Source Definition

This source is located adjacent to US Steel-Midwest Plant, Portage, Indiana. AMROX has leased property from US Steel-Midwest Plant to construct and operate this facility. AMROX is considered a separate source from US Steel-Midwest Plant. The factors that are the basis for determining AMROX as a separate and independent source are as follows:

- (1) AMROX shall not devote more than fifty percent (50%) of its total capacity to the processing of ferrous chloride produced by US Steel-Midwest Plant.
- (2) AMROX shall not supply iron oxide to US Steel-Midwest Plant.
- (3) AMROX shall not supply over fifty percent of the regenerated HCl to US Steel-Midwest Plant.
- (4) AMROX shall not be financed or owned by US Steel-Midwest Plant.
- (5) AMROX's day to day operations shall not be subject to control by US Steel-Midwest Plant.

IDEM has determined that US Steel-Midwest Plant and American Iron Oxide Company are not under the common control of US Steel-Midwest Plant and have different SIC. These two plants are considered separate sources. Therefore, the term "source" in the Part 70 documents refers to US Steel-Midwest Plant. American Iron Oxide Company will obtain their own Part 70 permit (T127-14756-00085).

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units and pollution control devices:

- (a) Two (2) Process Lines consisting of:
 - (1) Roaster No.1-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1)

- natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-1
- (2) Roaster No. 2-a hydrochloric acid recovery system with a maximum processing rate of 15 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) low-NO_x burners rated at 9.9 MMBtu/hr each, with a maximum heat input rate of 39.6 MMBtu/hr; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack, identified as S-2
- (b) three (3) iron oxide storage bins, identified as O-1, O-2 and O-3, each with a storage capacity of 100 tons, each attached to an individual baghouse for particulate control, and each exhausting through an individual stack S-3, S-4 and S-5, respectively.
- (c) one (1) bagging facility
- (d) one (1) tank farm, identified as T-6, consisting of twelve (12) storage tanks with ten (10) having a capacity of 50,000 gallons and used to store either ferrous chloride waste or regenerated hydrochloric acid, one (1) having a capacity of 35,000 gallons used to store virgin hydrochloric acid and one (1) having a capacity of 6,000 gallons used to store inhibitor. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausted through stack, identified as S-2. Particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series.
- (e) one (1) truck and railcar loadout station, uncontrolled

Unpermitted Emission Units and Pollution Control Equipment

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

Insignificant Activities

This source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

- (1) CP 127-8854-00085 (Registered Construction and Operation Status) issued on August 18, 1997.

Conditions from the previous approval were not incorporated into this Part 70 permit because the original permit does not reflect the facility correctly and resulted in an inappropriate permit level being applied to AMROX. The registration level was determined by using production of iron oxide, instead of on the amount of waste processed the resulted in not only iron oxide, but regenerated HCl and Ferric Chloride. The source has been determined to be a major source of HAPs based on stack testing, applicability of 40 CFR Part 63, Subpart CCC and requires a TV permit to be issued. The limits in the registration were determined not to be valid and therefore will not be used in the TV permit.

Enforcement Issue

The source has the following enforcement actions pending:

U.S. EPA has issued a Finding of Violation (FOV) on December 20, 2001 stating that AMROX is violating the following:

- (a) The facility is a major source and failed to apply for a Part 70, or Title V permit as required by 40 CFR Part 70.5(a) and Section 502 of the Clean Air Act;
- (b) AMROX continued to operate the facility without its required Title V permit in violation of 40 CFR Part 70.7(b) and Section 502 of the Clean Air Act;
- (c) AMROX failed to submit an initial notification to the Administrator that it intended to construct a major source subject to the standards under 40 CFR Part 63, Subpart CCC, pursuant 40 CFR Part 63.9(b);
- (d) On September 26, 2001, AMROX emitted from its Roaster A stack hydrochloric acid at a level of 53.9 ppmv. This is a violation of 40 CFR Part 63.1157(b)(1) which states that no owner or operator of an existing source shall discharge into the atmosphere any gases that contain HCl in a concentration greater than 25 ppmv.
- (e) On October 17, 2001, AMROX emitted from its Roaster B stack hydrochloric acid at an average level of 42.07 ppmv. This is a violation of 40 CFR Part 63.1157(b)(1) which states that no owner or operator of an existing source shall discharge into the atmosphere any gases that contain HCl in a concentration greater than 25 ppmv.

Upon the conclusion of enforcement, IDEM will reopen this permit to include any compliance schedule developed in the resolution of the litigation.

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 August 1, 2001.

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

Emission Calculations

See Appendix A of this document for detailed emissions calculations on pages 1-3.

Potential To Emit

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	less than 100
VOC	less than 25
CO	less than 100
NO _x	less than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAPs	Potential To Emit (tons/year)
HCl	greater than 10
Cl	less than 10
TOTAL	less than 25

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM10 is equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of any single HAP is equal to or greater than ten (10) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (c) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2001 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	3.15
PM-10	2.10
SO ₂	0.21
VOC	1.91
CO	29.1
NO _x	27.8
HCl	16.64*

*average of September and October 2001 stack tests

County Attainment Status

The source is located in Porter County.

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Pollutant	Status
PM-10	unclassifiable
SO ₂	unclassifiable
NO ₂	attainment
Ozone	severe nonattainment
CO	attainment
Lead	attainment

- (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. Porter 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) Porter County has been classified as attainment or unclassifiable for PM10, SO2, CO and lead. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (c) Fugitive Emissions
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

- (a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this source.
- (b) This source is subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPS), 40 CFR Part 63, Subpart CCC-Steel Pickling Facilities.
 - (1) Pursuant to 40 CFR Part 63.1155(a)(2), Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (A) Any gases that contain HCl in a concentration in excess of 25 ppmv
- (B) Any gases that contain chlorine (Cl₂) in a concentration in excess of either 6 ppmv or an alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be

established according to 40 CFR Part 63.1161(c)(2).

- (2) Operational and equipment standards [40 CFR Part 63.63.1159, Subpart CCC]
 - (A) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
 - (B) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.
- (3) The Permittee shall comply with the operation and maintenance requirements of 40 CFR Part 63.6(e) (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1160, Subpart CCC, the Permittee shall prepare an operation and maintenance plan for each emission control device to be implemented no later than the compliance date. The plan shall be incorporated by reference into the source's Title V Permit. All such plans must be consistent with good maintenance practices and, for a scrubber emission control device, must at a minimum:
 - (A) Require monitoring and recording the pressure drop across the scrubber once per shift while the scrubber is operating in order to identify changes that may indicate a need for maintenance;
 - (B) Require the manufacturer's recommended maintenance at the recommended intervals on fresh solvent pumps, recirculating pumps, discharge pumps, and other liquid pumps, in addition to exhaust system and scrubber fans and motors associated with those pumps and fans;
 - (C) Require cleaning of the scrubber internals and mist eliminators at intervals sufficient to prevent buildup of solids or other fouling;
 - (D) Require an inspection of each scrubber at intervals of no less than 3 months with;
 - (i) Cleaning or replacement of any plugged spray nozzles or other liquid delivery devices;
 - (ii) Repair or replacement of missing, misaligned, or damaged baffles, trays, or other internal components;
 - (iii) Repair or replacement of droplet eliminator elements as needed;
 - (iv) Repair or replacement of heat exchanger elements used to control the temperature of fluids entering or leaving the scrubber; and
 - (v) Adjustment of damper settings for consistency with the required air flow.

- (E) If the scrubber is not equipped with a viewport or access hatch allowing visual inspection, alternate means of inspection approved by the Administrator may be used.
- (F) The Permittee shall initiate procedures for corrective action within 1 working day of detection of an operating problem and complete all corrective actions as soon as practicable. Procedures to be initiated are the applicable actions that are specified in the maintenance plan. Failure to initiate or provide appropriate repair, replacement, or other corrective action is a violation of the maintenance requirement.
- (G) The Permittee shall maintain a record of each inspection, including each item identified in (D) above, that is signed by the responsible maintenance official and that shows the date of each inspection, the problem identified, a description of the repair, replacement, or other corrective action taken, and the date of the repair, replacement, or other corrective action taken.

State Rule Applicability - Entire Source

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

The source has submitted a Preventive Maintenance Plan (PMP) on August 1, 2001. This PMP has been verified to fulfill the requirements of 326 IAC 1-6-3 (Preventive Maintenance Plan).

326 IAC 1-5-2 (Emergency Reduction Plans)

The source has submitted an Emergency Reduction Plan (ERP) on August 1, 2001. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans).

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than ten tons per year of NO_x and PM₁₀. 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).

The source will be required to annually submit a statement of the actual emissions of all federally regulated pollutants from the source, for the purpose of fee assessment.

326 IAC 5-1 (Opacity Limitations)

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

- (a) Opacity shall not exceed an average of forty percent (40%) 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 6-3-2 (Process Operations)

The particulate matter (PM) from the iron oxide and hydrochloric acid regeneration and recovery process shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour and} \\ P = \text{process weight rate in tons per hour}$$

At a process weight rate of 15 tons per hour for Roaster No. 1 Process Line, the allowable PM emission rate shall not exceed 25.2 lb/hr.

At a process weight rate of 15 tons per hour for Roaster No. 2 Process Line, the allowable PM emission rate shall not exceed 25.2 lb/hr.

The scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation, in order to comply with this limit.

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 6-4-1), "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 are violated.

Testing Requirements

- (a) Within 6 months of permit issuance, the Permittee shall conduct an initial performance test for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR Part 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1161, Subpart CCC, this initial performance test shall meet the following minimum requirements:
 - (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test for each process or control device to either measure simultaneously the mass flows of HCl at the inlet and the outlet of the control device or measure the concentration of HCl and Cl₂ for hydrochloric acid regeneration plants in gases exiting the process or the emission control device.
 - (2) Compliance with the applicable concentration standard or collection efficiency standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
 - (3) Compliance is achieved if either the average collection efficiency as determined by the HCl mass flows at the control device inlet and outlet is greater than or equal to the applicable collection efficiency standard, or the average measured concentration of HCl or Cl₂ exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- (b) During the performance test for each emission control device, the Permittee using a wet scrubber to achieve compliance shall establish site-specific operating parameter values for the minimum scrubber makeup water flow rate and, for scrubbers that operate with recirculation the minimum recirculation water flow rate. During the emission test, each operating parameter must be monitored continuously and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes. The Permittee shall determine the operating parameter monitoring values as in the averages of the values recorded during any of the runs for which results are used to establish the emission concentration or collection

efficiency per 40 CFR Part 63.1161(a)(2). A Permittee may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, a Permittee may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.

- (c) Establishment of hydrochloric acid regeneration plant operating parameters.
- (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR Part 63.1162(b)(1). During the emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration per paragraph (a)(2) of this section. An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.
 - (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for Cl₂ of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the Cl₂ concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.
- (d) Performance tests shall be conducted either annually or according to an alternative schedule approved by IDEM, OAQ, but no less frequently than every two and half (2.5) years or twice per Part 70 Operating Permit term. If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (e) Pursuant to 40 CFR Part 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR Part 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.
- (f) The following test methods from Appendix A of 40 CFR Part 60 shall be used to determine compliance under condition D.1.2 and D.1.3, if required:
- (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
 - (2) Method 2, to determine gas velocity and volumetric flow rate;
 - (3) Method 3, to determine the molecular weight of the stack gas;

- (4) Method 4, to determine the moisture content of the stack gas; and
- (5) Method 26A, 'Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method,' to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows: $C_{HCl(ppmv)} = 0.659 C_{HCl(mg/dscm)}$, where $C_{(ppmv)}$ is concentration in ppmv and $C_{(mg/dscm)}$ is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.
- (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

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 is as follows:

- (a) The iron oxide and hydrochloric acid regeneration and recovery plant has applicable compliance monitoring conditions as specified below:
 - (1) The Permittee of a new, reconstructed, or existing steel pickling facility shall:
 - (A) The Permittee shall install, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR Part 63.1160(b)(2).
 - (B) Failure to record each of the operating parameters in (2) above is a violation of the monitoring requirements of 40 CFR Part 63, Subpart

CCC.

- (C) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (D) The Permittee may develop and implement alternative monitoring requirements subject to approval by IDEM, OAQ.
- (b) The Permittee of a new, reconstructed, or existing acid regeneration plant subject to this subpart shall also install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
 - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR Part 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
 - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
 - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR Part 63.1159(a) of this subpart.
- (c) The Permittee of an affected hydrochloric acid storage vessel shall inspect each vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.
- (d) Visible emission notations of the exhausts from the iron oxide storage bins baghouse shall be performed once per shift during normal daylight operations. 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 and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit
- (e) The Permittee shall record the total static pressure drop across the baghouses used in conjunction with the iron oxide storage bins, at least once per shift when the iron oxide storage bins 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 6.0 and 10.0 inches

of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

- (f) An inspection shall be performed each calendar quarter of all bags controlling the iron oxide storage bins, when venting to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.
- (g) The Permittee shall record the total static pressure drop and flow rate of the scrubber used in conjunction with the Tank Farm Scrubbers, at least once per shift when the storage tanks are in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test. A pressure drop that is outside the above mentioned range is not a deviation from this permit. When for any one reading, the water flow rate through the scrubber is outside the normal range of 0.5 to 2.5 gpm or a range established during the latest stack test. A water flow rate that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records and Reports shall be considered a violation of this permit.
- (h) An inspection shall be performed each calendar quarter of the Tank Farm scrubbers. Inspections required by this condition shall not be performed in consecutive months.

Conclusion

The operation of this iron oxide and hydrochloric acid regeneration and recovery plant shall be subject to the conditions of the attached proposed Part 70 Permit No. T127-14756-00085.