

May 28, 2002

Melvin Spaulding
Consolidated Grain and Barge Company
P.O. Box 289
Mt. Vernon, Indiana 47620-0289

Dear Melvin Spaulding:

Re: Review Request Response
RR 129-15638-00035

On May 17, 2002, the Office of Air Quality (OAQ) received a letter related to air permitting issues. This letter asked for a clarification related to NESHAP Subpart GGGG. "From the definitions contained in the regulation, we believe that our plant is an existing facility and therefore has no requirements to file a startup and shutdown plan. Does the facility then need to file a malfunction plan with IDEM only?"

After review of the regulations, the following has been determined:

40 CFR 63.2850(b) states that for existing sources under normal operation, all requirements in paragraph (a) must be met. Requirement (3) of paragraph (a) is for the source to "Develop a written startup, shutdown and malfunction (SSM) plan in accordance with the provisions of 63.2852."

40 CFR 63.2852 states that the source must develop a written SSM plan and implement the plan when applicable. The source must incorporate the plan by reference in their Title V permit and keep the SSM plan on site and readily available.

The regulations contain no requirements related to the filing of such plans with IDEM.

If there are any questions, please contact Donald R. Poole at (317) 232 - 8327 or call (800) 451-6027 and ask for extension 2-8327.

Sincerely,
Original signed by Paul Dubenetzky

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

drp
cc: File - Posey County
Air Compliance - Scott Anslinger