



Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

August 22, 2003

100 North Senate Avenue
P. O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant

RE: Elite Enterprise/Compositves, Inc.
003-16308-00205
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Section 112(j) Applicability Determination

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 4-21.5-3-5 (f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective three (3) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 requires 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, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within (18) eighteen days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for consideration 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.

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.

Enclosure

112J DET.wpd 10/22/02



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

August 21, 2003

100 North Senate Avenue
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Mr. Michael R. Kreps
Elite Enterprises / Composites, Inc.
2701 S. Coliseum Boulevard
Fort Wayne, IN 46803

61-50 DW

Re: Response to Review Request No. 16308:
Section 112(j) Applicability Determination
Plant ID: 003-00205

Dear Mr. Kreps:

Elite Enterprises / Composites, Inc. (Elite Enterprises), located at 2701 S. Coliseum Boulevard in Fort Wayne, Indiana, submitted a request for an applicability determination regarding the requirements of Section 112(j) of the Clean Air Act (CAA) on May 15, 2002. The letter was submitted in accordance with 40 CFR 63.52(d)(1) and requested that the Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) determine if Elite Enterprises is subject to the requirements of Section 112(j) (40 CFR 63.50 through 63.56) for the following source categories:

- Auto and Light Duty Truck Manufacturing Surface Coating; and
- Industrial, Commercial, and Institutional Boilers and Process Heaters.

Pursuant to 40 CFR 63.50, the requirements of Section 112(j) will apply only if your entire source is a major source of hazardous air pollutants (HAPs) and one or more of your processes or emissions units belong in a category or subcategory for which the United States Environmental Protection Agency (U.S. EPA) has failed to promulgate an emission standard on or before the Section 112(j) deadline.

MAJOR SOURCE DETERMINATION

The information submitted indicates that Elite Enterprises is a major source of HAPs. In addition, the Title V permit, T 033-7588-00205, for Elite Enterprises, issued on September 3, 1999, indicates that the source is a major source of HAPs. Since Elite Enterprises is a major source of HAPs, IDEM, OAQ evaluated the source categories for which Elite Enterprises requested an applicability determination.

SOURCE CATEGORY DETERMINATION

1. **Auto and Light Duty Truck Manufacturing Surface Coating NESHAP**

IDEM, OAQ used the following information to determine if the surface coating of automotive and truck components applied in their nine (9) booths belong to the affected source category, Auto and Light Duty Truck Manufacturing Surface Coating:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;
- The issued Title V permit for Elite Enterprises;
- The proposed federal rule from the December 24, 2002 *Federal Register*; and
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/auto/autopg.html>.

There is no final MACT Standard for the Auto and Light Duty Truck Manufacturing Surface Coating source category. The proposed rule for this source category was published on December 24, 2002. The proposed rule for the Auto and Light Duty Truck Manufacturing Surface Coating NESHAP indicates that the affected source is the collection of all of the items listed in 40 CFR 63.3082, paragraphs (b)(1) through (4) that are used for surface coating of new automobile or light-duty truck bodies or collections of body parts for new automobiles or new light-duty trucks:

- All coating operations as defined in 40 CFR 63.3176;
- All storage containers and mixing vessels in which coatings, thinners, and cleaning materials are stored or mixed;
- All manual and automated equipment and containers used for conveying coatings, thinners, and cleaning materials; and
- All storage containers and all manual and automated equipment and containers used for conveying waste materials generated by a coating operation.

According to the issued Title V permit for Elite Enterprises, the source is not an automobile or light-duty truck assembly plant, and although the source is coating automotive and truck components, the large end caps, air deflectors, trim, and other miscellaneous parts that are coated at the facility are not considered "sets of body parts for new vehicles".

Pursuant to 40 CFR 63.52(e)(2)(i), based on the information available at this time, IDEM, OAQ has determined that the surface coating of automotive and truck components at Elite Enterprises do not belong to the affected source category, Auto and Light Duty Truck Manufacturing Surface Coating. Elite Enterprises will not be required to submit a Part 2 MACT Application in accordance with 40 CFR 63.53(b) for this affected source category. If Elite Enterprises is subject to Section 112(j) for any other source categories, Elite Enterprises shall submit a Part 2 MACT Application for those source categories.

2. **Industrial, Commercial, and Institutional Boilers and Process Heaters NESHAP**

IDEM, OAQ used the following information to determine if the six natural gas-fired air make-up heaters, designated as AM1 through AM6, the two natural gas-fired bake ovens, and the natural gas-fired burn off oven belong to the affected source category, Industrial, Commercial, and Institutional Boilers and Process Heaters:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;
- The issued Title V permit for Elite Enterprises;
- The proposed federal rule from the January 13, 2003 *Federal Register*;
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

There is no final MACT Standard for the Industrial, Commercial, and Institutional Boilers and Process Heaters source category at this time. The proposed rule for this source category was published on January 13, 2003. Section 63.7490(b) of the proposed rule defines the affected source to which the Industrial, Commercial, and Institutional Boilers and Process Heaters MACT will apply as "each industrial, commercial, or institutional boiler or process heater, as defined in [40 CFR] 63.7485... "industrial, commercial, or institutional boiler" provided in 40 CFR 63.7485(a) is: "...an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water." The air make-up units, two natural gas-fired bake ovens, and the natural gas-fired burn off oven are not boilers because they do not have the primary purpose of recovering thermal energy in the form of steam or hot water. The air make-up units, natural gas-fired bake ovens, and natural gas-fired burn off oven are used to heat air, and water is not involved in the process.

The definition of "process heater" provided in 40 CFR 63.7485(a) is: "... an enclosed device using controlled flame with the unit's primary purpose being to transfer heat indirectly to process streams (liquids, gases, or solids), instead of generating steam." The operations at Elite Enterprises are conducted at ambient temperature, except for the ovens. The air make-up units' primary purpose is to heat the ambient plant air for worker comfort in the winter to "make up" for warm air that escapes the building

through vents, stacks, or other openings. Since the main purpose of the air make-up units is not to transfer heat indirectly to a process stream, the air make-up units are not process heaters. The two natural gas-fired bake ovens and the natural gas-fired burn off oven are direct-fired, and their primary purpose is to transfer heat directly to the process stream. Since the ovens are not indirectly fired, the ovens are not process heaters as defined under the proposed MACT.

Pursuant to 40 CFR 63.52(e)(2)(i), based on the information available at this time, IDEM, OAQ has determined that following processes and emissions units at Elite Enterprises do not belong to the affected source category, Industrial, Commercial, and Institutional Boilers and Process Heaters: the six natural gas-fired air make-up heaters, designated as AM1 through AM6, the two natural gas-fired bake ovens, and the natural gas-fired burn off oven. Elite Enterprises will not be required to submit a Part 2 MACT Application in accordance with 40 CFR 63.53(b) for this affected source category. If Elite Enterprises is subject to Section 112(j) for any other source categories, Elite Enterprises shall submit a Part 2 MACT Application for those source categories.

If U.S. EPA promulgates a final MACT standard prior to IDEM, OAQ issuing a permit containing the Section 112(j) determination requirements, a source is no longer subject to Section 112(j) for that source category, including the requirement to submit a Section 112(j) Part 2 MACT Application. A source is still subject to Section 112(j) for any other source categories that do not have promulgated MACT standards.

This determination is based on the information provided by Elite Enterprises, IDEM, OAQ records, and the information currently available from the U.S. EPA. Note that if additional equipment or capacity is added or operational practices are changed (e.g., switching solvents from a solvent that contains no HAPs to a solvent containing HAPs), the Section 112(j) requirements may be triggered in accordance with 40 CFR 63.52(b). If the events described in 40 CFR 63.52(b) occur at the source, Elite Enterprises shall submit a Part 1 MACT Application in accordance with the requirements and schedule contained in 40 CFR 63.52(b).

Questions should be directed to Kim Cottrell or Rebecca Mason, IDEM, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call (800) 451-6027, and ask for Kim Cottrell at extension 3-0870 or Rebecca Mason at extension 3-9664, or dial (317) 233-0870 or 233-9664.

Sincerely,

Original signed by
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

KLC/RM

CC: File - Allen County
Allen County Health Department
Air Compliance – Jennifer Dorn
Administration Section
U.S. EPA Region V – Genevieve Damico