



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

October 12, 2004

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: Praxair, Inc. / T089-18552-00177
FROM: Paul Dubenetzky
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 RENEWAL OFFICE OF AIR QUALITY

**Praxair, Inc.
Clark Road and Dean H. Mitchell Road
Gary, Indiana 46406**

(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.: T089-18552-00177	
Issued by: Original signed by Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: October 12, 2004 Expiration Date: October 12, 2009

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 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 industrial gas manufacturing plant that produces industrial and specialty gases.

Responsible Official:	Dennis Maxwell
Source Address:	Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address:	P.O. Box 6188, Gary, Indiana 46406
General Source Phone Number:	(716) 879-7029
SIC Code:	2813
County Location:	Lake
Source Location Status:	Nonattainment for ozone (1-hour and 8-hour standard) and sulfur dioxide (SO ₂); Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under Emission Offset Rules; Major Source, under PSD;and Minor Source, Section 112 of the Clean Air Act

A.2 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) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units (MMBtu) per hour, exhausting through one (1) stack ID # S001;
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 MMBtu per hour, exhausting through one (1) stack ID # S003;
- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B.

A.3 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 also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1 (21):

- (a) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013 [326 IAC 6-2-4] [40 CFR Part 60.48c]; and
- (b) Four (4) storage tanks, each with a maximum capacity of 1,050, 1,050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil [326 IAC 8-9].

A.4 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]

This permit 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.

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.
- (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. All 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:

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

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 maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the PMPs, including any required record keeping as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

Telephone Number (IDEM, Northwest Regional Office): 219-757-0265
Facsimile Number (IDEM, Northwest Regional Office): 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015

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

granted.

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]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this 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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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 2-7-4]

- (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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
- (1) A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
- (B) 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.

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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

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 emissions allowable under 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015

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 which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes 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 increases and decreases in emissions in 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.

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

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 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]

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 and 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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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]

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.

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 [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.

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 twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.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). 326 IAC 6-4-2(4) is not federally enforceable.

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 units vented to the control equipment are in operation.

C.7 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.8 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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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.9 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015

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 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.10 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.11 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015

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

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

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 prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on November 21, 2003.
- (b) 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 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. 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; 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.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

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

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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
- (1) starting in 2007 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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 purpose of 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, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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

- (c) 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]

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

- (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, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (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) Reporting periods are based on calendar years.

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) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units (MMBtu) per hour, exhausting through one (1) stack ID # S001;
- (b) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B.

(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 Sulfur Dioxide (SO₂) [326 IAC 7-4-1.1]

Pursuant to 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations), for the turbine, identified as A1, as a fossil fuel-fired combustion facility subject to 326 IAC 7-1.1 and located in Lake County, the Permittee shall burn only natural gas fuel.

D.1.2 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-2 (Particulate Emission Limitation for facilities specified in 326 IAC 6-2-1(d)), the PM from the 41.8 MMBtu per hour heat input Vaporizer Heater shall be limited to 0.32 pounds per MMBtu heat input.

This limitation is based on the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

Where: Pt = Pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input.

Q = Total source maximum operating capacity rating in MMBtu/hr
= 108.8 MMBtu/hr

D.1.3 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 natural gas fired Vaporizer Heater, identified as A12.

Compliance Determination Requirements

D.1.4 Natural Gas

In order to document compliance with D.1.1 and D.1.2, the Permittee shall burn only natural gas.

Compliance Monitoring Requirements

There are no compliance monitoring requirements specifically applicable to these facilities.

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

D.1.5 Record Keeping Requirements [326 IAC 12] [40 CFR Part 60.48c]

Pursuant to 326 IAC 12 and 40 CFR Part 60.48c (g) and (i), (Subpart Dc), the Permittee shall comply as follows for the natural gas fired vaporizer heater, A12:

- (a) The Permittee shall record and maintain records of the amount of natural gas combusted during each day.
- (b) All records shall be maintained by the Permittee for a period of two (2) years following the date of such records.

SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (a) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 MMBtu per hour, exhausting through one (1) stack ID # S003.
- (b) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013. [326 IAC 6-2-4] [40 CFR Part 60.48c]

(The information describing the process contained in this facility description box is descriptive)

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

D.2.1 Particulate Matter (PM) [326 IAC 6-2-2]

Pursuant to 326 IAC 6-2-2 (Particulate Emission Limitation for facilities specified in 326 IAC 6-2-1(b)), the PM from the 67 MMBtu per hour heat input boiler shall be limited to 0.42 pounds per MMBtu heat input.

This limitation is based on the following equation:

$$Pt = \frac{0.87}{Q^{0.16}}$$

Where: Pt = Pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input.
Q = Total source maximum operating capacity rating in MMBtu/hr
= 100 MMBtu/hr

D.2.2 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-2 (Particulate Emission Limitation for facilities specified in 326 IAC 6-2-1(d)), the PM from the 12.56 MMBtu per hour heat input boiler shall be limited to 0.35 pounds per MMBtu heat input.

This limitation is based on the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

Where: Pt = Pounds of particulate matter emitted per million Btu (lb/MMBtu) heat input.
Q = Total source maximum operating capacity rating in MMBtu/hr
= 79.56 MMBtu/hr

Compliance Determination Requirements

D.2.3 Natural Gas

In order to document compliance with D.2.1 and D.2.2, the Permittee shall burn only natural gas.

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

D.2.4 Record Keeping Requirements [326 IAC 12] [40 CFR Part 60.48c]

Pursuant to 326 IAC 12 and 40 CFR Part 60.48c (g) and (i), (Subpart Dc), the Permittee shall comply as follows for the natural gas fired boiler, A14:

- (a) The Permittee shall record and maintain records of the amount of natural gas combusted during each day.
- (b) All records shall be maintained by the Permittee for a period of two (2) years following the date of such records.

SECTION D.3

FACILITY OPERATION CONDITIONS

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

The following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) The following volatile organic compound (VOC) and hazardous air pollutant (HAP) storage containers:

Four (4) storage tanks, each with a maximum capacity of 1,050, 1,050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil. [326 IAC 8-9]

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

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**D.3.1 Record Keeping and Reporting Requirements [326 IAC 8-9]**

Pursuant to 326 IAC 8-9-1(b) (Volatile Organic Liquid Storage Vessels), the Permittee shall be exempt from all provisions of the rule, except that the Permittee shall comply with the following recording and reporting requirements for the diesel fuel oil storage tanks:

- (a) Maintain a record and submit to the department a report containing the following information for each vessel:
- (1) The vessel identification number.
 - (2) The vessel dimensions.
 - (3) The vessel capacity.
- (b) All records required by (a)(1) of this condition shall be maintained for the life of the affected vessel.
- (c) The report shall be submitted to the address listed in Section C - General Reporting Requirements within thirty (30) days after the end of the first calendar quarter being reported. 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: Praxair, Inc.
Source Address: Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P. O. Box 6188, Gary, Indiana 46406
Part 70 Permit No.: T089-18552-00177

**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
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Praxair, Inc.
Source Address: Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P. O. Box 6188, Gary, Indiana 46406
Part 70 Permit No.: T089-18552-00177

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- C The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
 - C The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), 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:

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

Page 2 of 2

Describe the cause of the Emergency:
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: Praxair, Inc.
Source Address: Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P. O. Box 6188, Gary, Indiana 46406
Part 70 Permit No.: T089-18552-00177

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. 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. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed by: _____
Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

**Indiana Department of Environmental Management
Office of Air Quality**

Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

Source Name:	Praxair, Inc.
Source Location:	Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
County:	Lake
SIC Code:	2813
Operation Permit No.:	T089-7990-00177
Operation Permit Issuance Date:	November 10, 1999
Permit Renewal No.:	T089-18552-00177
Permit Reviewer:	Gaurav Shil/ EVP

The Office of Air Quality (OAQ) has reviewed a Part 70 Operating Permit Renewal application from Praxair, Inc. relating to the operation of an industrial gas manufacturing plant.

Permitted Emission Units and Pollution Control Equipment

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

- (a) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units per hour, exhausting through one (1) stack ID # S001;
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 million British thermal units per hour, exhausting through one (1) stack ID # S003; and
- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 million British thermal units per hour, equipped with low NO_x burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B.

Permitted Emission Units and Pollution Control Equipment Removed from the Source

The source also consists of the following previously permitted emission units and pollution control devices that have been removed from service and are not included in this renewal review:

- (a) One (1) natural gas fired boiler, identified as A2, constructed in 1966, with a maximum heat input rate of 33 million British thermal units per hour per hour, exhausting through one (1) stack ID # S002.

Unpermitted Emission Units and Pollution Control Equipment

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

Insignificant Activities

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

- (a) Emergency generators as follows:
 - (1) Diesel generators not exceeding 1600 horsepower:

- (A) Five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 each constructed in 1965, 1971, 1975, 1997, and 1999, respectively, each with a maximum heat input rate of 2.8, 3.3, 2.8, 3.2, and 5.2 million British thermal units per hour per hour, respectively, each exhausting through one (1) stack ID # S006, S007, S008, S010, and S01, respectively;
- (b) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million British thermal units per hour:
 - (1) One (1) thaw heater, identified as A5, with a maximum heat input rate of 6.2 million British thermal units per hour;
 - (2) One (1) regeneration heater, identified as A13, with a maximum heat input rate of 5.7 million British thermal units per hour;
- (c) Paved and unpaved roads and parking lots with public access;
- (d) Four (4) storage tanks, each with a maximum capacity of 1,050, 1050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil [326 IAC 8-9]; and
- (e) The following additional insignificant activities have been installed during the 5-year permit term under Part 70 T089-7990-00177, issued on November 10, 1999, and have been added to this Part 70 approval:
 - (1) Other categories with emissions below the 326 IAC 2-1.1-3(e)(1) exemption levels, including ten (10) tons per year of NOx:
 - (A) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 million British thermal units per hour, exhausting through one (1) stack ID # S013 [326 IAC 6-2-4] [40 CFR Part 60.48c].

Existing Approvals

The source has been operating under the following previous approvals:

- (a) Part 70 operating Permit No. T089-7990-00177, issued on November 10, 1999;
- (b) Re-opening No. R089-13367-00177, issued on February 6, 2002; and
- (c) Administrative Amendment No. T089-15908-00177, issued on August 9, 2002.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

The following terms and conditions from previous approvals have been determined no longer applicable; therefore, they were not incorporated into this Part 70 permit:

Part 70 Permit No. T089-7990-00177, issued on November 10, 1999:

(a) Condition D.1.1 (a) and (b) (Emission Offset Minor Limit)

Reason not incorporated: Existing D.1.1 (a) limits the hours of operation of the two emergency generators (A10 and A11) to 500 hours per twelve (12) consecutive month period. However, since EPA guidance indicates that the potential to emit for such units can be based on 500 hours of operation per year, this limit is considered to be superfluous and, therefore, condition D.1.1 (a) is deleted from the permit.

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 Clean Air Act for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone should have been considered when evaluating 326 IAC 2-3 rule applicability for CP089-8130-00177, issued on May 21, 1997 and CP089-10205-00177 issued on February 3, 1999. However, each of these approvals, which were combined as condition D.1.1 in the original Part 70 permit, was considered solely for emissions of NOx. Moreover, the combined PTE of VOC from the two emergency generators (A10 and A11) and the vaporizer heater (A12) will only be 1.84 tons per year which is below the rule applicability threshold of 25 tons per year. Therefore, condition D.1.1 (b) is also deleted from the permit, along with the related operating hours and diesel fuel usage record keeping requirements of Condition D.1.5. A complete discussion relating to 326 IAC 2-3 rule applicability for this source and prior modifications is presented in the State Rule Applicability-Entire Source section of this document.

(b) Condition D.1.3 (a) (Sulfur Dioxide Emission Limitations)

Reason not incorporated: As a source located in Lake County, this existing condition applies to the three (3) emergency generators A6, A7 and A8. The condition requires that each emission unit be operated no more than 500 hours per year such that they qualify as "emergency" units, pursuant to a September 6, 1995 U.S.EPA guidance memorandum defining such. The condition further states that compliance with the annual operating hour limits is equivalent to SO₂ emissions of 9.8 tons per year, thereby making the requirements of 326 IAC 7-4-1.1 not applicable to these units. IDEM has determined this 9.8 tons per year emission rate to be incorrect. The applicability of this rule is also incorrect as the rule is facility specific (i.e., applicable to each generator and not the three generators combined). Even at a full 8,760 hours per year of operation, each generator does not have a potential to emit at or above the rule applicability threshold of 25 tons per year. Therefore, this condition is deleted from the permit, along with the related operating hours and diesel fuel usage record keeping requirements of Condition D.1.5.

(c) Condition D.1.6 (b) (Reporting Requirements)

Reason not incorporated: This condition requires the Permittee to submit to OAQ on a quarterly basis a Natural Gas Fired Boiler Certification form. The Permittee had stated in the Addendum to the TSD for Part 70 No. T089-7990 that the affected facilities (i.e., boilers A2 and A3) are configured to only fire natural gas fuel, and no alternate fuel can be fired at these units. Therefore, this reporting requirement and related form are unnecessary and are removed from this permit. A natural gas condition has been added to the permit under the Compliance Determination section.

Enforcement Issue

IDEM is aware that the Permittee did not apply for a TVOP renewal in a timely manner. IDEM is reviewing this matter and will take appropriate action.

Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit renewal application for the purposes of this review was received on February 18, 2004. Additional information was received on April 26, 2004.

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

Emission Calculations

See Appendix A of this document for detailed emission calculations (nine (9) pages).

Potential to Emit of the Source

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.”

The source was issued a Part 70 Operating Permit on November 10, 1999. The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered enforceable only after issuance of the original Part 70 operating Permit and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
One (1) Gas Turbine Engine (A1)	16.12	16.12	31.54	1.47	57.47	224.26	0.0
Two(2) Boilers (A3 & A14)	2.6	2.6	0.2	1.9	8.2	34.2	0.65
Five (5) Emergency Generators ⁽¹⁾ (A6, A7, A8, A10, & A11)	1.34	1.34	1.25	1.55	4.1	19.02	0.0
Vaporizer Heater (A12)	1.4	1.4	0.1	1.0	15.1	9.0	0.036
Insignificant Activities (A5 & A13)	0.4	0.4	0.0	0.3	4.4	5.2	0.1
Total Emissions	21.86	21.86	33.09	6.22	89.27	291.68	0.786

- Note: 1. Reflects potential to emit at 500 hours operation per year, pursuant to September 1996 EPA guidance memo for emergency generators.
- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of NO_x is greater than 25 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
 - (b) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards

that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) 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	0.06
PM-10	0.06
SO ₂	0.01
VOC	0.12
CO	1.76
NO _x	2.10
HAP	Not reported

County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM-10	Attainment
SO ₂	Primary nonattainment
NO ₂	Moderate nonattainment*
1-hr Ozone	Severe nonattainment*
8-hr Ozone	Moderate Nonattainment
CO	Attainment
Lead	Attainment

* Reflects attainment status revision effective on June 15, 2004.

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.
 - (1) On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Lake County has been designated as nonattainment in Indiana for the 1-hour ozone standard. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.
 - (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for nonattainment new source review.

- (b) Lake County has been classified as nonattainment in Indiana for SO₂. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.
- (c) Lake County has been classified as attainment or unclassifiable for the remaining criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

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 assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

- (a) The one (1) natural gas fired boiler (A3) is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.40c, Subpart Dc) because the installation date of the boiler (A3) is before the rule applicability date of June 9, 1989.
- (b) The one (1) natural gas fired turbine (A1) is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.330, Subpart GG) because the installation date of the one (1) gas turbine (A1) is before the rule applicability date of October 3, 1977.
- (c) Pursuant to 40 CFR 60.40c, steam generating unit means a device that combusts any fuel and produces steam or heats water or any other heat transfer medium. This term does not include process heaters as defined in 40 CFR 60.40c. The purpose of Vaporizer Heater is to heat water within a closed vessel. The hot water is used to convert very cold liquid oxygen or nitrogen into gaseous form and warm it to near ambient temperature. Vaporizer Heater is not used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst. Hence, it does not fit the definition of process heaters as defined in 40 CFR 60.40c and will be classified as a steam generating unit.

The one (1) Vaporizer Heater, identified as A12, and one natural gas fired boiler (A14) are subject to the requirements of New Source Performance Standard, 326 IAC 12, (40 CFR 60.40c, Subpart Dc), because each of them was installed after the June 9, 1989 rule applicability date and has a maximum design heat input capacity of 41.8 MMBtu/hr and 12.56 MMBtu/hr, respectively. These heat input capacities are between the rule applicability thresholds of 10 and 100 MMBtu per hour, inclusive. However, these units are natural gas fired, and 40 CFR 60.40c, Subpart Dc does not have any applicable emission limitations or opacity standard. This notwithstanding, Subpart Dc does require the Permittee to record and report fuel usage, as follows:

- (1) The Permittee shall record and maintain records of the amounts of each fuel combusted during each day.
- (2) All records shall be maintained by the Permittee for a period of two (2) years following the date of such records.

- (d) The four (4) diesel and fuel oil storage tanks, with capacities of 1,000, 1,050, 1,050, and 2,000 gallons, listed as insignificant activities, are not subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.110b, Subpart Kb), *Standards of Performance for Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction or Modification Commenced after July 23, 1984*, since they each have a storage capacity of less than 75 cubic meters.

These tanks are not subject to the requirements of 40 CFR 60.116b(a) and (b) due to the state rules not yet reflecting the October 15, 2003 changes made to this NSPS. They are each below the rule applicability threshold of 40 cubic meters (10,600 gallons).

- (e) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 20 and 40 CFR Part 61, 63) applicable to this source.
- (f) 40 CFR 64, Compliance Assurance Monitoring

The requirements of 40 CFR Part 64, Compliance Assurance Monitoring, apply to a pollutant-specific emissions unit (PSEU), as defined in 40 CFR 64.1, at a major source that is required to obtain a Part 70 or 71 permit if the PSEU meets the following criteria:

- (1) the unit is subject to an emission limitation or standard for an applicable regulated air pollutant,
- (2) the unit uses a control device as defined in 40 CFR 64.1 to comply with that emission limitation or standard, and
- (3) the unit has a potential to emit (PTE) before controls equal to or greater than 100 percent of the amount (tons per year) of the pollutant required for a source to be classified as a Part 70 major source.

This source was issued initial Part 70 permit No. T089-7990-00177, on November 10, 1999. The gas turbine engine (A1), as a PSEU, has an uncontrolled PTE at greater than 100 percent of the applicable Part 70 major source threshold for NO_x of 100 tons per year. However, the gas turbine engine is neither subject to an emission limitation or standard for NO_x nor does the emission unit utilize a control device. Therefore Compliance Assurance Monitoring (CAM) is not applicable to gas turbine engine.

- (g) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because (1) the source is not a major source of hazardous air pollutant (HAP) emissions (i.e., the source does not have the potential to emit 10 tons per year or greater of a single HAP or 25 tons per year or greater of a combination of HAPs), and (2) the source does not include one or more units that belong to one or more source categories affected by the Section 112(j) MACT Hammer date of May 15, 2002.

State Rule Applicability – Entire Source

326 IAC 2-2 (Prevention of Significant Deterioration)

This source, originally constructed in 1965 prior to the August 7, 1977 rule applicability date, is a major stationary source since it is not one of the twenty-eight (28) categories and has the potential to emit a pollutant, which is regulated under 326 IAC 2-2, greater than 250 tons per year. Although this is also a major Emission Offset source there have been no major modifications (See related discussion below). Therefore, the requirements of 326 IAC 2-2 continue to not apply to this source.

326 IAC 2-3 (Emission Offset)

This source was initially constructed in 1965 and it is located in Lake County. This source has a PTE of NO_x at greater than 100 tons per year. 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 NO_x threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. As such, modifications made to this source after 1990 resulted in VOC emissions below the rule applicability thresholds and the requirements of 326 IAC 2-3 did not apply. The following summarizes the modifications to this source:

- (a) The one (1) gas turbine (A1), one (1) boiler (A3), and the three (3) emergency generators (A6, A7, and A8) were constructed before the applicability date of August 7, 1980. Therefore, the requirements of 326 IAC 2-3 (Emission Offset) do not apply.
- (b) Pursuant to CP 089-8130-00177, issued on May 21, 1997 and CP 089-10205-00177, issued on February 3, 1999, the input of diesel fuel to the two (2) emergency generators (A10 and A11) and natural gas to the vaporizer heater (A12) shall be limited such that the NO_x emissions are limited to less than 25 tons per year.
 - (1) The hours of operation of the two (2) emergency generators (A10 and A11) shall be each be limited to 500 hours per twelve (12) consecutive month period. This limitation is equivalent to nitrogen oxide (NO_x) emissions of 9.2 tons per twelve (12) consecutive months. EPA guidance indicates that the potential to emit for an emergency generator may be based on 500 hours of operation per year.
 - (2) The input of natural gas to the vaporizer heater shall be limited to 38 million cubic feet (MMCF) per twelve (12) consecutive month period. This limitation is equivalent to nitrogen oxide (NO_x) emissions of 1.0 ton per twelve (12) consecutive months.

Since, VOC emissions alone should be considered when evaluating the rule applicability relating to the 1-hour ozone standard the above conditions are deleted from the permit. The VOC PTE from the two (2) emergency generators (A10 and A11) and vaporizer heater is 0.84 tons per year and 1.0 ton per year, respectively which is below the rule applicability threshold of 25 tons per year. Moreover, the combined NO_x PTE of two emergency generators (A10 and A11) and the vaporizer heater (A12) will be 18.2 tons per year which is below the rule applicability threshold of 25 tons per year. Hence, the requirements of 326 IAC 2-3 did not apply.

- (c) The one (1) natural gas fired boiler identified as A14, rated at 12.56 MMBtu/hr and added to this source during this review as an insignificant activity, has a unrestricted PTE of VOC at 0.3 tons per year. This pollutant emission rate is below the 25 ton per year applicability threshold of 326 IAC 2-3. Therefore, the requirements of 326 IAC 2-3 do not apply to this new emission unit, A14.

Nonattainment New Source Review

Lake County has been designated as nonattainment for the 8-hour ozone standard on June 15, 2004. VOC and NO_x emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. As such, no modifications were made to this source after the attainment status revision date. Therefore, the requirements of nonattainment new source review did not apply.

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

Condition D.1. of Part 70 No. T089-7990, issued on November 10, 1999, limits the operating hours of emission units A10 and A11, and the natural gas usage of emission unit A12, such that the requirements of 326 IAC 2-3 do not apply. The draft Part 70 permit also contained a condition D.1.4 which required a Preventive Maintenance Plan (PMP) for those affected facilities. During the public review period on that draft permit, OAQ received a request from the Permittee to remove the PMP requirement from the permit, since only unit A12 had a "control device" (i.e., a low NO_x burner, as a passive NO_x reduction system). Condition D.1.4 was removed from the permit upon final issuance.

The above notwithstanding, the requirement for a PMP is again placed into Section D.1 of this approval. The PMP requirement, as described at 326 IAC 1-6-3, affects the entirety of the applicable facilities. Only 326 IAC 1-6-3 (a)(1) is specifically limited to, and reflective of, emissions control equipment, in that it requires identification of the personnel in charge of only the emission control equipment, and not any other facility equipment. 327 IAC 1-6-3 (b) provides that "...as deemed necessary by the commissioner, any person operating a facility shall comply with the requirements of subsection (a) of this section". Therefore, the vaporizer, inclusive of the recirculation system, shall require maintenance in order to prevent any excess emissions. The source did not submit a Preventive Maintenance Plan (PMP) since Part 70 No. T089-7990 did not have any requirement to do so.

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

The source submitted an Emergency Reduction Plan (ERP) on November 21, 2003. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans).

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants)

Each facility operated at this source has the potential to emit less than ten (10) tons per year of a single HAP and twenty-five (25) tons per year of a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-6 (Emission Reporting)

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). In accordance with the compliance schedule in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2004 and every 3 years after. This source which is located in Lake County also has potential to emit greater than or equal to 25 tons of NO_x; therefore, an emission statement covering the previous calendar year must be submitted by July 1 of any year that the source is not already required to submit a statement if the source emits NO_x into the ambient air at levels equal to or greater than 25 tpy. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

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 the permit:

- (a) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

The source is not subject to the requirements of 326 IAC 6-1-2, because the potential particulate matter (PM) emissions from the source are less than 100 tons per year and the actual PM emissions from the source are less than 10 tons per year.

326 IAC 6-1-10.1 (Lake County PM-10 Emission Requirements)

The source is not listed in 326 IAC 6-1-10(d). Therefore, pursuant to 326 IAC 6-1-10(a), the requirements of 326 IAC 6-1-10 do not apply.

326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements)

This source is not subject to the control requirements of 326 IAC 6-1-11.1 because this source does not have the potential to emit of fugitive particulate matter of five (5) tons per year and is not one of the sources listed under 326 IAC 6-1-11.1(a)(2).

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

The potential to emit of fugitive particulate matter from the entire source is less than twenty-five (25) tons per year. Therefore, pursuant to 326 IAC 6-5-1 (a), the requirements of this rule do not apply.

326 IAC 8-6 (Organic Solvent Emission Limitations)

The source is located in Lake County and the potential to emit VOC from the entire source is less than one hundred (100) tons per year. Therefore, pursuant to 326 IAC 8-6-1 (1), the requirements of this rule do not apply.

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

The source is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties). The total potential to emit VOC from the one (1) gas turbine (A1), two (2) boilers (A3 and A14), five (5) emergency generators (A6, A7, A8, A10, and A11), and the vaporized heater (A12) at the source is limited to less than the rule applicability threshold of 25 tons per year. Therefore, the source is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties).

State Rule Applicability – Individual Facilities

326 IAC 6-2-2 (Particulate Emission Limitations for Sources of Indirect Heating)

The particulate matter (PM) emissions from the one (1) boiler (A3) shall be limited by the following:

The one (1) boiler (A3), with a maximum heat input capacity of 67.0 MMBtu per hour, constructed in 1966, is subject to 326 IAC 6-2-2. Pursuant to this rule, particulate emissions from indirect heating facilities existing and in operation before June 8, 1972, and located in Lake County shall be limited by the following equation:

$$Pt = \frac{0.87}{Q^{0.16}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source capacity on June 8, 1972, for indirect heating facilities existing and operating before this date

Pt for A3 is based on boilers A2 and A3, which were in existence on June 8, 1972 with a total heat input of 100 MMBtu/hr (A2 at 33 MMBtu/hr and A3 at 67 MMBtu/hr).

$$Pt = \frac{0.87}{(100)^{0.16}} = 0.42 \text{ lb/MMBtu}$$

The allowable particulate emission rate from one (1) boiler (A3), based on the above equation, is 0.42 pounds per MMBtu heat input. Boiler A2 has been removed from the source during this review. Boiler A3 has a potential PM emission rate of 0.01 pounds per MMBtu heat input, therefore, A3 will comply with 326 IAC 6-2-2 (see Appendix A, page 3, for detailed compliance calculations).

326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating)

The particulate matter (PM) emissions from the one (1) boiler (A14) shall be limited by the following:

The one (1) boiler (A14), with a maximum heat input capacity of 12.56 MMBtu per hour, constructed in 2003, is subject to 326 IAC 6-2-4. Pursuant to this rule, particulate emissions from indirect heating facilities constructed after September 21, 1983, shall be limited by the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

Pt for A14 is based on boilers A3 and A14 and vaporizer heater A12, with a total heat input of 121.36 MMBtu/hr (A3 at 67 MMBtu/hr, A14 at 12.56 MMBtu/hr, and Vaporizer Heater at 41.8 MMBtu/hr).

$$Pt = \frac{1.09}{(121.36)^{0.26}} = 0.31 \text{ lb/MMBtu}$$

The allowable particulate emission rate from the one (1) boiler (A14), based on the above equation, is 0.31 pounds per MMBtu heat input. Boiler A14 has a potential PM emission rate of 0.01 pounds per MMBtu heat input, therefore, A14 will comply with 326 IAC 6-2-4 (see Appendix A, page 3, for detailed compliance calculations).

Pursuant to 326 IAC 1-2-19, the combustion for indirect heating is defined as the combustion of fuel to produce usable heat that is to be transferred through a heat-conducting materials barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to the products of combustion. The purpose of vaporizer heater is to convert very cold liquid oxygen or nitrogen into gaseous form and warm it to near ambient temperature. This is done within the Vaporizer vessel, which is water-filled and functions basically as a heat exchanger. Water and gaseous nitrogen do not come in contact with the products of combustion. Therefore, Vaporizer Heater (A12) is an indirect heating facility.

The particulate matter (PM) emissions from the one (1) Vaporizer Heater (A12) shall be limited by the following:

The one (1) Vaporizer Heater (A12), with a maximum heat input capacity of 41.8 MMBtu per hour, constructed in 1999, is subject to 326 IAC 6-2-4. Pursuant to this rule, particulate emissions from indirect heating facilities constructed after September 21, 1983, shall be limited by the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

Pt for A12 is based on boiler A3 and vaporizer heater A12, with a total heat input of 108.8 MMBtu/hr (A3 at 67 MMBtu/hr and Vaporizer Heater at 41.8 MMBtu/hr).

$$Pt = \frac{1.09}{(108.8)^{0.26}} = 0.32 \text{ lb/MMBtu}$$

The allowable particulate emission rate from the one (1) Vaporizer Heater (A12), based on the above equation, is 0.32 pounds per MMBtu heat input. Vaporizer Heater A12 has a potential PM emission rate of 0.0003 pounds per MMBtu heat input, therefore, A12 will comply with 326 IAC 6-2-4 (see Appendix A, page 6, for detailed compliance calculations).

326 IAC 6-3-2 (Particulate Emission Limitations, Work Practices, and Control Technologies)

This source is not subject to 326 IAC 6-3-2 (Process Operations). This source does not contain any process operations except for the natural gas and/or oil fired combustion units. Pursuant to 326 IAC 1-2-59, liquid and gaseous fuels are not considered as process weight rate and, therefore, 326 IAC 6-3-2 (e) does not apply.

326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations)

- (a) The two (2) boilers (A3 and A14) and the vaporizer heater (A12) are not subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations) because the potential to emit of sulfur dioxide (SO₂) from each facility is less than 25 tons per year.
- (b) The five (5) emergency generators (A6, A7, A8, A10, and A11) are not subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations). The potential to emit of SO₂ is less than 25 tons per year for each generator and, therefore, the requirements of the rule do not apply to these facilities.
- (c) The one (1) gas turbine engine (A1) is subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations) because the potential to emit of sulfur dioxide (SO₂) from this facility is greater than 25 tons per year. Pursuant to this rule, the gas turbine engine (A1) shall burn natural gas only.

326 IAC 8-1-6 (New Facilities; General VOC Reduction Requirements)

This rule applies to facilities located anywhere in the state that were constructed on or after January 1, 1980, which have a potential to emit (PTE) VOC at 25 tons per year or more, and which are not otherwise regulated by another provision of Article 8. No facility at this source has a PTE VOC at 25 tons per year or more. Therefore, 326 IAC 8-1-6 is not applicable to this source.

326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)

This rule applies to VOC containing storage facilities constructed after January 1, 1980, which are at sources located in specified counties. The source is located in a specified county, Lake County. However, the four (4) diesel fuel oil storage tanks, with storage capacities of 1,050, 1,050, 1,000 and 2,000 gallons, are not subject to this rule since their individual capacities are below the rule applicability threshold capacity of thirty-nine thousand (39,000) gallons.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

Pursuant to 326 IAC 8-9-1, on and after October 1, 1995 stationary vessels used to store volatile organic liquids (VOL) must comply with the requirement of the rule if located in Clark, Floyd, Lake or Porter Counties. The source is located in Lake County and the rule is applicable to this source for the four (4) diesel fuel oil storage tanks, with storage capacities of 1,050, 1,050, 1,000 and 2,000 gallons. Since these vessels have individual storage capacities of less than 39,000 gallons, only the record keeping and reporting requirements of 326 IAC 8-9-6 apply. Pursuant to 326 IAC 8-9-1(b), the source shall be exempt from all provisions of the rule, except that the source shall comply with the following record keeping and reporting requirements:

- (a) Maintain a record and submit to the department a report containing the following information for each vessel:
 - (1) The vessel identification number.
 - (2) The vessel dimensions.
 - (3) The vessel capacity.
 - (4) A description of the emission control equipment, or a schedule for installation of emission control equipment, for each vessel described in 326 IAC 8-9-4(a) or (b).

- (b) All records required by (a) of this condition shall be maintained for the life of the affected vessel.

326 IAC 9-1-2 (Carbon Monoxide Emission Limits)

This source is not subject to 326 IAC 9-1-2 (Carbon Monoxide Emission Limits).

- (a) The one (1) gas turbine (A1), one (1) boiler (A3) and the two (2) emergency generators (A6 and A7) were constructed before the applicability date of March 21, 1972.
- (b) The three (3) emergency generators (A8, A10, and A11), one (1) boiler (A14) and the vaporized heater (A12) are not petroleum refining, ferrous metal smelters or refuse incineration and burning equipment.

326 IAC 10 (Nitrogen Oxide Rules)

- (a) 326 IAC 10-1 (NOx Control in Clark and Floyd Counties)
Pursuant to 326 IAC 10-1-1 (Applicability), the requirements of this rule apply to stationary sources located in Clark and Floyd Counties that emit or have the potential to emit NOx at 100 tons per year or more. The source is located in Lake County and, therefore, this rule is not applicable to this source.
- (b) 326 IAC 10-3 (NOx Reduction Program for Specific Source Categories)
Pursuant to 326 IAC 10-3-1 (Applicability), the requirements of this rule apply to any of the specifically listed source categories. This source is not one of the specifically listed sources and, therefore, this rule is not applicable to this source.
- (c) 326 IAC 10-4 (NOx Budget Trading Program)
Pursuant to 326 IAC 10-4-1 (Applicability), the requirements of this rule apply to electricity generating units (EGUs) and large affected units, as respectively defined at Sections 2 (16) and (27) of the rule. Based on these definitions, the combustion units at this source are not considered as an EGU or a large affected unit and the requirements of this rule do not apply to this source.

Testing Requirements

IDEM may require compliance testing at any specific time to determine if the source is in compliance with an applicable limit or standard. The Permittee has demonstrated compliance through emission rate calculations with emission limits applicable to the combustion facilities at this source. Therefore no emissions testing is required in this Part 70 permit.

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 in 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 one (1) natural gas fired turbine (A1), two (2) natural gas fired boilers (A3 and A14), five (5) diesel fired emergency generators (A6, A7, A8, A10, and A11), and one (1) natural gas fired vaporizer heater (A12) do not have applicable compliance monitoring requirements.

Conclusion

The operation of this industrial gas manufacturing plant shall be subject to the conditions of the attached proposed Part 70 Permit No. T089-18552-00177.

Indiana Department of Environmental Management Office of Air Quality

Addendum to the Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

Source Name:	Praxair, Inc.
Source Location:	Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
County:	Lake
SIC Code:	2813
Operation Permit No.:	T089-7990-00177
Operation Permit Issuance Date:	November 10, 1999
Permit Renewal No.:	T089-18552-00177
Permit Reviewer:	Gaurav Shil/ EVP

On July 14, 2004, the Office of Air Quality (OAQ) had a notice published in the Post Tribune, Merrillville, IN stating that Praxair, Inc. had applied for a Part 70 operating permit renewal to operate an industrial gas manufacturing 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.

No comments were received on the proposed permit. However, upon further consideration, IDEM, OAQ has decided to make changes to the permit as indicated below. Changes made to the permit are shown in bold and deleted permit language is shown with a line through it. Any permit changes affecting the permit's Table of Contents and formatting changes are also made without replication herein.

1. Since only natural gas can be combusted in vaporizer heater, identified as A12, Condition D.1.4 (a) is revised as follows. 40 CFR 60.48c (i) requires the records to be maintained for a period of two years and therefore no change is necessary to Condition D.1.4 (b):

D.1.4 Record Keeping Requirements [326 IAC 12] [40 CFR Part 60.48c]

Pursuant to 326 IAC 12 and 40 CFR Part 60.48c (g) and (i), (Subpart Dc), the Permittee shall comply as follows for the natural gas fired vaporizer heater, A12:

- (a) The Permittee shall record and maintain records of the amounts of ~~each fuel~~ **natural gas** combusted during each day.
 - (b) All records shall be maintained by the Permittee for a period of two (2) years following the date of such records.
2. The turbine, identified as A1, can only burn natural gas and there are no natural gas usage limits. Therefore, Condition D.1.5 and quarterly reporting form are deleted from the permit.
 3. Condition D.1.4 is added to the permit in order to document compliance with Conditions D.1.1 and D.1.2:

D.1.4 Natural Gas

In order to document compliance with D.1.1 and D.1.2, the Permittee shall burn only natural gas.

4. Since only natural gas can be combusted in boiler, identified as A14, Condition D.2.4 (a) is revised as follows. 40 CFR 60.48c (i) requires the records to be maintained for a period of two years and therefore no change is necessary to Condition D.2.4 (b):

D.2.4 Record Keeping Requirements [326 IAC 12] [40 CFR Part 60.48c]

Pursuant to 326 IAC 12 and 40 CFR Part 60.48c (g) and (i), (Subpart Dc), the Permittee shall comply as follows for the natural gas fired boiler, A14:

- (a) The Permittee shall record and maintain records of the amounts of ~~each fuel~~ **natural gas** combusted during each day.
- (b) All records shall be maintained by the Permittee for a period of two (2) years following the date of such records.

**Appendix A: Emissions Calculations
Natural Gas Combustion Only
Gas Turbine Engines**

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Part 70: T089-18552-00177
Reviewer: Gaurav Shil/EVP
Date: 10/13/04

Heat Input Capacity
MMBtu/hr

Potential Throughput
MMCF/yr

160.0

1401.6

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	* VOC	CO
Potential Emission in tons/yr	0.007	0.007	0.045	0.320	0.002	0.082
	4.625	4.625	31.536	224.256	1.472	57.466

Methodology

* TNMOC (Total Nonmethane Organic Compound) emission factors are used for VOC.

Emission Factors are from AP-42, Chapter 3.1, Table 3.1-1, SCC #2-02-002-01

Emission (tons/yr) = Throughput (MMBtu/hr) x Emission Factor (lb/MMBtu) x (8760 hr/yr)/(2,000 lb/ton)

See page 2 for HAPs emissions calculations.

Appendix A: Emission Calculations
Natural Gas Combustion Only
Gas Turbine Engines

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Part 70: T089-18552-00177
Reviewer: Gaurav Shil/EVP
Date: 10/13/04

	HAPs - Organics				
	Acetaldehyde	Propylene Oxide	Formaldehyde	Xylene	Toluene
Emission Factor in lb/MMcf	4.0E-05	2.9E-05	7.1E-04	6.4E-05	1.3E-04
Potential Emission in tons/yr	2.80E-05	2.03E-05	4.98E-04	4.49E-05	9.11E-05

Methodology is the same as page 1.

The five highest organic HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Natural Gas Combustion Only

MM BTU/HR < 100

Two (2) Small Industrial Boilers (67 mmBTU/hr and 12.56 mmBTU/hr)

Company Name: Praxair, Inc.

Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406

Part 70: T089-18552-00177

Reviewer: Gaurav Shil/EVP

Date: 10/13/04

Heat Input Capacity (Boiler A3)
mmBTU/hr

Potential Throughput
mmscf/yr

67.00

575.41

Pollutant

Emission Factor in lb/mmscf	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	100.0	5.5	24.0
				*see below		
Potential Emission in tons/yr	2.2	2.2	0.2	28.8	1.6	6.9

Heat Input Capacity (Boiler A14)
mmBTU/hr

Potential Throughput
mmscf/yr

12.56

107.87

Pollutant

Emission Factor in lb/mmscf	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	100.0	5.5	24.0
				*see below		
Potential Emission in tons/yr	0.4	0.4	0.0	5.4	0.3	1.3

Methodology

All emission factors are based on tangential firing.

mmBTU = 1,000,000 BTU

mmscf = 1,000,000 Cubic Feet of Gas

Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

PM emission factors are condensable and filterable.

Potential Throughput (mmscf/yr) = Heat Input Capacity (mmBTU/hr) x 8,760 (hrs/yr) x (1 mmscf/1,020 mmBTU)

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

(SUPPLEMENT D 3/98)

Emissions (tons/yr) = Throughput (mmscf/yr) x Emission Factor (lb/mmscf)/2,000 (lb/ton)

See page 3 for HAPs emissions calculations.

Compliance with 326 IAC 6-2-2 and 6-2-4 (Particulate Emissions for Sources of Indirect Heating)

Two (2) Boilers (ID # A3 and A14)

The following calculation demonstrates compliance with the allowable PM emission limit of 0.42 lb/MMBtu and 0.35 lb/Mmbtu for A3 and A14 respectively pursuant to 326 IAC 6-2-2 and 326 IAC 6-2-4:

Maximum heat input capacity (for A3)	100.00 MM Btu per hour	(total for boilers A2 (33 MMBtu/hr) & A3 (67 MMBtu/hr), where A2 is removed from the source during this review)
Maximum heat input capacity (for A14)	121.36 MM Btu per hour	(total for boilers A3 (67 MMBtu/hr) & A14 (12.56 MMBtu/hr) and vaporizer heater A12 (41.8 MMBtu/hr))
A3 PM emissions	.0050 pound per mm BTU which	will comply with the allowable PM emission limit of 0.42 lb/mmBTU
A14 PM emissions	.0008 pound per mm BTU which	will comply with the allowable PM emission limit of 0.31 lb/mmBTU

Methodology

PM emissions (lb/mmBTU) = [(PM emission from natural gas boiler, tpy) * 2000 lb/ton] / [8760 hours * maximum heat input capacity, mmBTU/hr]

Appendix A: Emissions Calculations

Natural Gas Combustion Only
MM BTU/HR < 100
HAPs Emissions
Two (2) Small Industrial Boilers

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Part 70: T089-18552-00177
Reviewer: Gaurav Shil/EVP
Date: 10/13/04

HAPs - Organics (Boiler A3)

Emission Factor in lb/MMcf	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0006	0.0003	0.0216	0.5179	0.0010

HAPs - Metals (Boiler A3)

Emission Factor in lb/MMcf	Lead	Barium	Chromium	Vanadium	Nickel
	5.0E-04	4.4E-03	1.4E-03	2.3E-03	2.1E-03
Potential Emission in tons/yr	0.0001	0.0013	0.0004	0.0007	0.0006

HAPs - Organics (Boiler A14)

Emission Factor in lb/MMcf	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0001	0.0001	0.0040	0.0971	0.0002

HAPs - Metals (Boiler A14)

Emission Factor in lb/MMcf	Lead	Barium	Chromium	Vanadium	Nickel
	5.0E-04	4.4E-03	1.4E-03	2.3E-03	2.1E-03
Potential Emission in tons/yr	0.0000	0.0002	0.0001	0.0001	0.0001

Methodology is the same as Page 3.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Appendix A: Emission Calculations
Internal Combustion Engines - Diesel Fuel
Five (5) Emergency Generators (>250 and <600 HP)**

Company Name: Praxair, Inc.
City, Indiana: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Part 70: T089-18552-00177
Reviewer: Gaurav Shil/EVP
Date: 10/13/04

Potential Emissions calculated based on 8760 hours per year.

Heat Input Capacity*
mmBTU/hr

17.25

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	0.31	0.31	0.29	4.41	0.4	0.95
Potential Emission in tons/yr	23.42	23.42	21.91	333.20	27.20	71.78

Potential Emissions calculated based on 500 hours per year for emergency generators

Heat Input Capacity
MM Btu/hr

17.25

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	0.31	0.31	0.29	4.41	0.4	0.95
Potential Emission in tons/yr	1.34	1.34	1.25	19.02	1.55	4.10

Methodology

Emission Factors are from AP42 (Fifth edition, January 1995), Table 3.3-2

Potential Emission (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 8760 hr/yr / (2,000 lb/ton)

Actual Emission (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 500 hr/yr / (2,000 lb/ton)

* Total heat input capacity for five diesel fired emergency generators, each with maximum heat input capacity of 2.8, 3.3, 2.8, 3.2 and 5.2 MMBtu/hr

Appendix A: Emissions Calculations

Natural Gas Combustion Only

MM BTU/HR <100

Vaporizer Heater

HAPs Emissions

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Part 70: T089-18552-00177
Reviewer: Gaurav Shi/EVP
Date: 10/13/04

HAPs - Organics

	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor in lb/MMcf	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0004	0.0002	0.0135	0.3231	0.0006

HAPs - Metals

	Lead	Barium	Chromium	Vanadium	Nickel
Emission Factor in lb/MMcf	5.0E-04	4.4E-03	1.4E-03	2.3E-04	2.1E-03
Potential Emission in tons/yr	0.0001	0.0008	0.0003	0.0000	0.0004

Methodology is the same as page 6.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.