



Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

Juen 16, 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: Top Shelf, LLC / 183-18596-00035  
FROM: Paul Dubenetzky  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision: Approval - Registration

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-4(d) this order is effective when it is served. When served by U.S. mail, the order is effective three (3) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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.

Enclosures  
FN-REGIS.dot 9/16/03

June 16, 2004

Ms. Mary Abbott  
Top Shelf L.L.C.  
P.O. Box 114  
Montpelier, IN 47359

Dear Ms. Abbott:

Re: Registered Construction and Operation Status,  
**183-18596-00035**

The application from Top Shelf L.L.C., received on February 27, 2004, has been reviewed. Based on the data submitted and the provisions in 326 IAC 2-5.1, it has been determined that the following, to be located at 550 North Line Street in Columbia City, Indiana 46725, is classified as registered:

one (1) high vacuum dual phase hydrocarbon extraction system, identified as MPE1, with emissions exhausted through Stack 1.

This registration is the first air approval issued to this source.

An application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

An authorized individual shall provide an annual notice to the Office of Air Quality that the source is in operation and in compliance with this registration pursuant to 326 IAC 2-5.1-2(f)(3). The annual notice shall be submitted to:

**Compliance Data Section  
Office of Air Quality  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, IN 46206-6015**

no later than March 1 of each year, with the annual notice being submitted in the format attached.

An application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

Sincerely,

Original Signed by Paul Dubenetzky

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Quality

SDF

cc: File - Whitley County  
Whitley County Health Department  
Air Compliance - Ryan Hillman  
Permit Tracking  
Compliance Data Section

<h2>Registration</h2>
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This form should be used to comply with the notification requirements under 326 IAC 2-5.1-2(f)(3).

<b>Company Name:</b>	Top Shelf, L.L.C.
<b>Address:</b>	550 North Line Street
<b>City:</b>	Columbia City, Indiana 46725
<b>Authorized Individual:</b>	Mary Abbott
<b>Phone Number:</b>	
<b>Registration Number:</b>	183-18596-00035

I hereby certify that Top Shelf, L.L.C. is still in operation and is in compliance with the requirements of Registration 183-18596-00035.

<b>Name (typed):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>

## Indiana Department of Environmental Management Office of Air Quality

### Technical Support Document (TSD) for a Registered Source

#### Source Background and Description

Source Name: Top Shelf L.L.C.  
Source Location: 550 North Line Street, Columbia City IN 46725  
County: Whitley  
SIC Code: 2911  
Registration No.: 183-18596-00035  
Permit Reviewer: SDF

#### Request

On February 27, 2004, Top Shelf submitted an application to construct and operate one (1) high vacuum dual phase hydrocarbon extraction system, identified as MPE1, with all emissions exhausted through Stack 1.

The emissions generated by the proposed extraction system are the extraction system volatile organic compounds (VOC) and hazardous air pollutant (HAP) emissions.

The source VOC, single HAP, and combined HAP UPTE are estimated to be 10.14, 6.39, and 10.14 tons/yr, respectively.

Therefore, the source shall be issued a registration pursuant to 326 IAC 2-5.1-2(a)(1)(C) which states that all new sources with VOC emissions that are uncontrolled and have an estimated VOC potential to emit greater than 10 tons per year, but less than 25 tons per year, shall be registered.

#### Existing Approvals

The proposed registration will be the first source approval.

#### Recommendation

The staff recommends to the Commissioner that the registration be approved. This recommendation is based on information derived from the application and subsequent information submitted on February 27, 2004.

#### Emission Calculations

##### 1. Source Unrestricted Potential to Emit (UPTE):

The following calculations determine the extraction system VOC, single HAP, and combined HAP UPTE based on the maximum estimated concentration, the molecular weight, the maximum flow rate, emissions before controls, and 8760 hours of operation.

All of the following pollutants are HAPs and VOCs.

$$\text{Tons/yr} = \frac{C * MW * Q * 60 \text{ min/hr}}{385,260,000 \text{ cuft/lb-mol}} * 8760 \text{ hr/yr} * 1/2000 \text{ tons/lb}$$

where: C = concentration (ppmv)  
 MW = molecular weight (lb/lb-mol)  
 Q = flow rate (cf/min)

Pollutant	Concentration (ppmv)	Molecular Weight (lb/lb-mol)	Flow Rate (cfm)	Emissions (tons/yr)
Benzene	240	78.11	500	<b>6.39</b>
Toluene	32	92.13	500	1.00
Ethylbenzene	7.9	106.16	500	0.29
Xylene	14.2	106.16	500	0.51
MTBE	65	88.15	500	1.95
<b>Total</b>				<b>10.14</b>

The VOC UPTE is determined to 10.14 tons/yr. The worst case single and combined HAP UPTE are determined to be 6.39 and 10.14 ton/yr, respectively.

**2. Source Emissions After Controls:**

The emissions are uncontrolled. Therefore, the emissions after controls equal the estimated emissions before controls.

**3. Limited Emissions:**

There are no limits associated with the proposed extraction system.

**Potential To Emit**

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA.”

This table reflects the PTE before controls based on the above estimated emissions calculations. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	-
PM-10	-
SO <sub>2</sub>	-
VOC	10.14
CO	-
NO <sub>x</sub>	-

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



- (a) This new source is not a major PSD stationary source because no regulated pollutant emissions are greater than their respective major source levels and the source is not one of the 28 listed source categories.
- (b) This new source is not a Title V major stationary source because no criteria pollutant potential to emit (PTE) exceeds the applicable level of 100 tons/yr, no single hazardous air pollutant PTE exceeds the applicable levels of 10 tons/yr, and the combined hazardous air pollutant PTE does not exceed the applicable level of 25 tons/yr.

### **Federal Rule Applicability**

#### **(a) New Source Performance Standards (NSPS):**

There are no New Source Performance Standards (40 CFR 60 and 326 IAC 12) that apply to the units of the proposed extraction system.

#### **(b) National Emissions Standards for Hazardous Air Pollutants:**

There are no National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 40 CFR 63, and 326 IAC 14) that apply to the units of the proposed extraction system.

### **State Rule Applicability - Entire Source**

#### **(a) 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)):**

The source is not one of the 28 listed source categories and there are no criteria pollutant emissions that exceed the PSD major source applicable level of 250 tons per year.

Therefore, the PSD requirements under 326 IAC 2-2 do not apply.

#### **(b) 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants):**

The single and combined HAP emissions are less than the respective applicable levels of 10 and 25 tons per year.

Therefore, the requirements of 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) do not apply.

#### **(c) 326 IAC 2-6 (Emission Reporting):**

The requirements of 326 IAC 2-6 do not apply because the source is not a Title V source.

#### **(d) 326 IAC 2-7 (Part 70 Requirements):**

No criteria pollutant emissions exceed the Part 70 major source level of 100 tons per year and the single and combined HAP emissions are less than the respective Part 70 major source levels of 10 and 25 tons per year. Therefore, the requirements of 326 IAC 2-7 do not apply.

### **State Rule Applicability - Extraction System**

#### **326 IAC 8-1-6 (New Facilities; General Reduction Requirements):**

The proposed extraction system is not subject to the requirements of 326 IAC 8-1-6 because the VOC UPTE (10.14 ton/yr) is less than the applicable level of 25 tons/yr.

#### **Conclusion**

The proposed extraction system shall be constructed and operated according to the requirements specified in Registration 183-18596-00035.