

August 18, 2004

Certified Mail#: 7000 0600 0023 5187 6078

Mr. Norman Smiley  
R & D Facility Manager  
Dow AgroSciences  
9330 Zionsville Road  
Indianapolis, IN 46268

Re: 2nd Administrative Amendment, No. F097-18994-00259  
to FESOP Renewal Permit No. F097-15205-00259

Dear Mr. Smiley:

The Dow AgroSciences was issued a Federally Enforceable State Operating Permit (FESOP) renewal on June 24, 2002 for the operation of an office and research and development facility. An administrative amendment, 097-16554-00259, was also issued on February 4, 2003. Furthermore, an application was received on April 1, 2004 requesting that the emission statement condition be removed from the permit due to the revisions to 326 IAC 2-6 (Emission Reporting) which became effective on March 27, 2004. The Permittee is no longer required to submit an annual emission statement; therefore, the emission statement condition will be removed from the permit. Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended to reflect the following changes:

Condition A.1 (General Information) has been modified, and C.15 (Emission Statement) has been deleted. Furthermore, the table of contents (TOC) has been altered to reflect the C.15 deletion, and subsequent C conditions have been renumbered. All references to the OES Sections have been modified to reflect the appropriate names. In addition, the forms (pages 30-37) have been adjusted to reflect this administrative amendment number. Changes are **bolded** and deletions are ~~struck through~~ for emphasis as stated below:

The following revised conditions shall be applicable:

A.1 General Information [326 IAC 2-8-3(b)]

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The Permittee owns and operates an office and research and development facility which operates eight (8) natural gas-fired boilers for space heat and for hot water. Dow AgroSciences also operates two (2) emergency diesel-fired generators and a soil pulverizer.

Authorized individual:	<del>Mr. Norman Smiley</del> , R & D Facility Manager
Source Address:	9330 Zionsville Road, Indianapolis, IN 46268
Mailing Address:	9330 Zionsville Road, Indianapolis, IN 46268
SIC Code:	2879
Source Location Status:	Marion
County Status:	<b>Nonattainment for 8-hr ozone standard;</b> Attainment for all <b>other</b> criteria pollutants.
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source under PSD

~~C.15 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]~~

~~(a) The Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. This statement must be received in accordance with the compliance schedule specified in 326 IAC 2-6-3 and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8). 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~~

and

~~City of Indianapolis  
Office of Environmental Services  
Air Quality Management Section  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097~~

~~The emission statement does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- ~~(b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ and/or OES on or before the date it is due.~~

All other conditions of the permit shall remain unchanged and in effect. In addition, the Technical Support Documents (TSDs) has not been altered. Please retain a copy of this revised permit for your records.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Carmen Bugay of my staff via e-mail at [cbugay@indygov.org](mailto:cbugay@indygov.org) or by phone at (317) 327-2512.

Sincerely,

Original signed by,

John B. Chavez  
Administrator

Attachments: Revised Permit

JBC/cmb

cc: U.S. EPA Reg. V  
Mindy Hahn, IDEM  
Marion County Health Department  
Matt Mosier, OES, Air Compliance  
OES Files (2)

**FEDERALLY ENFORCEABLE STATE  
OPERATING PERMIT (FESOP) RENEWAL**

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
and  
CITY OF INDIANAPOLIS  
OFFICE OF ENVIRONMENTAL SERVICES**

**Dow AgroSciences  
9330 Zionsville Road  
Indianapolis, Indiana 46268**

(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.

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 2-8 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.: F097-15205-00259	
Issued by: original signed by,  John B. Chavez Administrator Office of Environmental Services	Issuance Date: 6-24-02  Expiration Date: 6-24-07
First Admin. Amend. No.: F 097-16544-00259	
Pages affected: 6, 30	
Issued by: original signed by,  John B. Chavez Administrator Office of Environmental Services	Issuance Date: 2-4-2003  Expiration Date: 6-24-07
Second Admin. Amend. No.: F097-18994-00259	
Condition modified: A.1 (General Information) Condition deleted: C.15 (Emission Statement)	
Issued by: original signed by,  John B. Chavez Administrator Office of Environmental Services	Issuance Date: 8-18-04  Expiration Date: 6-24-07

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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) and the City of Indianapolis Office of Environmental Services (OES). 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 2-8-3(b)]

---

The Permittee owns and operates an office and research and development facility which operates eight (8) natural gas-fired boilers for space heat and for hot water. Dow AgroSciences also operates two (2) emergency diesel-fired generators and a soil pulverizer.

Authorized individual:	R & D Facility Manager
Source Address:	9330 Zionsville Road, Indianapolis, IN 46268
Mailing Address:	9330 Zionsville Road, Indianapolis, IN 46268
SIC Code:	2879
Source Location Status:	Marion
County Status:	Nonattainment for 8-hour ozone standard; Attainment for all other criteria pollutants.
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source under PSD

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

- (1) Emissions Unit ID 5309-01; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 29.3 MMBtu/hr. Installation date was December 1991.
- (2) Emissions Unit ID 5309-02; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 29.3 MMBtu/hr. Installation date was December 1991.
- (3) Emissions Unit ID 5309-03; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (4) Emissions Unit ID 5309-04; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (5) Emissions Unit ID 5309-05; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (6) Emissions Unit ID 5309-06; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.

- (7) Emissions Unit ID 5309-07; Stack/Vent ID No. 308-1. One (1) natural gas-fired Bryan Steam Corporation Boiler. Maximum rated heat input capacity is 10.5 MMBtu/hr. Installation date was December 1993.
- (8) Emissions Unit ID 5309-08; Stack/Vent ID No. 308-1. One (1) natural gas-fired Bryan Steam Corporation Boiler. Maximum rated heat input capacity is 10.5 MMBtu/hr. Installation date was December 1993.
- (9) Emissions Unit ID 5309-09; Stack/Vent ID No. 306-2. One (1) diesel fuel fired 1000 kW/hr electrical backup generator. Maximum rated heat input capacity is 9.38 MMBtu/hr and 3,686 HP/hr. Installation date was December 1993.
- (10) Emissions Unit ID 5309-10; Stack/Vent ID No. 308-2. One (1) diesel fuel fired 1000 kW/hr electrical backup generator. Maximum rated heat input capacity is 9.38 MMBtu/hr and 3,686 HP/hr. Installation date was December 1993.
- (11) Emissions Unit ID 310-1. One CBT Wearparts Soil Pulverizer, with a maximum operating capacity of 40 ton/hr installed in 1999.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (1) Emissions Unit ID 301-DC. Research and development of formulations for plant and animal herbicide and pesticide products. This emission unit includes a batch mixer, fluid bed dryer, mills, and portable milling equipment. Particulate Matter is controlled by a baghouse identified as control equipment ID 301-DC.
- (2) natural gas-fired combustion sources with heat input equal to, or less than, 10 MMBTU per hour.
- (3) storage tanks with capacities less than, or equal to, 1,000 gallons and annual throughputs less than 12,000 gallons.
- (4) closed loop heating and cooling systems.
- (5) noncontact cooling tower systems with forced and induced draft not regulated under a NESHAP.
- (6) replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment.
- (7) blowdown for any of the following: sight glass; boiler; compressor; pump; and cooling tower.
- (8) on-site fire and emergency response training approved by the department.
- (9) filter or coalescer media change out.
- (10) a laboratory as defined in 326 IAC 2-7-1(21)(D).
- (11) soil handling associated with greenhouse research and development.

A.4 FESOP Applicability [326 IAC 2-8-2]

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This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the City of Indianapolis Office of Environmental Services (OES) to renew a Federally Enforceable State Operating Permit (FESOP).

A.5 Prior Permit Superseded [326 IAC 2-1.1-9.5]

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(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) deleted

by this permit.

(b) All previous registrations and permits are superseded by this permit.

## **SECTION B GENERAL CONDITIONS**

### **B.1 Permit No Defense [IC 13]**

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.

### **B.2 Definitions [326 IAC 2-8-1]**

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.3 Permit Term [326 IAC 2-8-4(2)]**

This permit is issued for a fixed term of five (5) years from the original date, 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.4 Enforceability [326 IAC 2-8-6]**

- (a) 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 and OES, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.
- (b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by OES.

### **B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]**

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 2-8-3(h) and 326 IAC 2-8-9.

### **B.6 Severability [326 IAC 2-8-4(4)]**

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.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]**

This permit does not convey any property rights of any sort, or any exclusive privilege.

### **B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)] [326 IAC 2-8-5(a)(4)]**

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

The submittal by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and/or OES 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 “authorized individual” as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ and OES copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality.[326 IAC 2-8-4(5)(E)]
- (c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. 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.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ and/or OES may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
  - (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; and
  - (3) Denial of a permit renewal application.
- (b) 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.
- (c) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in condition B, Emergency Provisions.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (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 an authorized individual 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) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

- (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, and OES 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 2-8-4(3); and
  - (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, and OES may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (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 as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ and/or OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and/or OES. IDEM, OAQ and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept 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 or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner and OES within a reasonable time.

**B.14 Emergency Provisions [326 IAC 2-8-12]**

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- (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, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes 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 and OES, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

IDEM, OAQ

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,

Telephone No.: 317-233-5674 (ask for Compliance Section)

Facsimile No.: 317-233-5967

OES

Telephone No.: 317/327-2234

Facsimile No.: 317/327-2274

Failure to notify IDEM, OAQ and OES, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

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 2-8-4(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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ and OES 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 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) 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.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

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.
- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

**B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination**

~~[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]~~

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP 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 2-8-4(5)(C)]~~ The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ and OES 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 2-8-8(a)]~~
- (c) Proceedings by IDEM, OAQ and OES 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 2-8-8(b)]~~
- (d) The reopening and revision of this permit, under ~~326 IAC 2-8-8(a)~~, shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ and OES may provide a shorter time period in the case of an emergency. ~~[326 IAC 2-8-8(c)]~~

**B.17 Permit Renewal ~~[326 IAC 2-8-3(h)]~~**

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and OES and shall include the information specified in ~~326 IAC 2-8-3~~. 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 "authorized individual" as defined by ~~326 IAC 2-1.1-1(1)~~.

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, IN 46206-6015

and

City of Indianapolis  
Office of Environmental Services

Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
- (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 and OES on or before the date it is due.
- (2) If IDEM, OAQ and OES 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 until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]  
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 2-8 until IDEM, OAQ and/or OES 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 and OES any additional information identified as needed to process the application.

B.18 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 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
- and
- City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097
- Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326

IAC 2-8-10(b)(3)]

B.19 Operational Flexibility [326 IAC 2-8-15]

(a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without 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 approval required by 326 IAC 2-8-11.1 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

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

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 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ and OES in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

(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 2-8-15(a) and the following additional conditions:

- (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 by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

- (c) Emission Trades [326 IAC 2-8-15(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 2-8-15(c).
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

B.20 Permit Revision Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2]

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, OES, and U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) 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 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 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

and

City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-11(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, or OES 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 or OES the applicable fee is due April 1 of each year.
- (b) 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 317-233-4320 (ask for OAQ, Billing, Licensing and Training (BLT) Section), to determine the appropriate permit fee.

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

### Emissions Limitations and Standards [326 IAC 2-8-4(1)]

#### C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable;
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(c) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

#### 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 thirty percent (30%) 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.

#### C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as

provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]

Except as otherwise provided by statute, 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 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

and

City of Indianapolis  
Office of Environmental Services

Enforcement Section  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

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 14-10-4 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) **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 that the inspector be accredited is federally enforceable.

### **Testing Requirements [326 IAC 2-8-4(3)]**

#### **C.8 Performance Testing [326 IAC 3-6]**

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- (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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall notify IDEM, OAQ and OES 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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and OES not later than forty-five (45) days after the completion of the testing. An extension may

be granted by IDEM, OAQ, and OES if the source submits to IDEM, OAQ, and OES a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements. 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 2-8-4] [326 IAC 2-8-5(a)(1)]**

#### **C.10 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]**

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented upon issuance of this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

Unless otherwise specified in the approval for the new emissions unit, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

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

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

#### **C.12 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]**

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a temperature, flow rate, or pH level, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (c) The Permittee may request the IDEM, OAQ and OES to approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

### **Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]**

#### **C.13 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]**

If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall submit:

- (a) A compliance schedule for meeting the requirements of 40 CFR 68; or
- (b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a

certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and

All documents submitted pursuant to this condition shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]  
[326 IAC 2-8-5]**

- (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, and OES 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 and OES that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ and OES may extend the retesting deadline.
- (c) IDEM, OAQ and OES reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The documents submitted pursuant to this condition do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

**C.15 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]**

- (a) Records of all required data, reports and support information 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 kept 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 or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES 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.16 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]**

- (a) The source 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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 Branch, Office of Air Quality (Compliance Data Section)  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221-2097

- (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 and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The report does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) Reporting periods are based on calendar years.

### **Stratospheric Ozone Protection**

#### **C.17 Compliance with 40 CFR 82 and 326 IAC 22-1**

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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 2-8-4(10)]:

- (1) Emissions Unit ID 5309-01; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 29.3 MMBtu/hr. Installation date was December 1991.
- (2) Emissions Unit ID 5309-02; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 29.3 MMBtu/hr. Installation date was December 1991.
- (3) Emissions Unit ID 5309-03; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (4) Emissions Unit ID 5309-04; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (5) Emissions Unit ID 5309-05; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (6) Emissions Unit ID 5309-06; Stack/Vent ID No. 306-1. One (1) natural gas-fired Cleaver Brooks Boiler. Maximum rated heat input capacity is 33.5 MMBtu/hr. Installation date was December 1991.
- (7) Emissions Unit ID 5309-07; Stack/Vent ID No. 308-1. One (1) natural gas-fired Bryan Steam Corporation Boiler. Maximum rated heat input capacity is 10.5 MMBtu/hr. Installation date was December 1993.
- (8) Emissions Unit ID 5309-08; Stack/Vent ID No. 308-1. One (1) natural gas-fired Bryan Steam Corporation Boiler. Maximum rated heat input capacity is 10.5 MMBtu/hr. Installation date was December 1993.

(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 2-8-4(1)]

#### D.1.1 New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A] [40 CFR Part 60, Subpart Dc]

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facilities described in this section except when otherwise specified in 40 CFR Part 60, Subpart Dc.

The provisions of 40 CFR Part 60, Subpart Dc, which are incorporated by reference in 326 IAC 12-1, apply to the facilities described in this section.

#### D.1.2 Oxides of Nitrogen (NO<sub>x</sub>) [326 IAC 2-8-4(1)]

The Permittee shall limit the amount of natural gas combusted in emission units 01 through 08 to less than 1408.8 million cubic feet per 12 consecutive month period. This usage limit is required to limit the potential to emit of emission units 01 through 08 of NO<sub>x</sub> to 70.44 tons per 12 month consecutive period. This limit and the limit in Condition D.2.1 are required to limit NO<sub>x</sub> such that the 326 IAC 2-7 (Part 70 Permit Program) does not apply.

Modified by: Carmen Bugay

#### D.1.3 Particulate Matter (PM) [ 326 IAC 6-2-1]

326 IAC 6-2-1 (Particulate Emissions Limitations for Sources of Indirect Heating) applies to these eight (8) boilers. The limitations are:

- (a) PM emissions from Emissions Unit Nos. 5309-01 through -06 boilers shall each not exceed 0.28 lb/MMBTU based on a maximum heat input capacity of 192.6 MMBtu, per the following calculation, pursuant to 326 IAC 6-2-4(a):

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

Where: Pt = Pounds of particulate matter emitted per million emitted per million

Btu(lbs/mmBtu)heat input

Q=Total source maximum operating capacity rating in million Btu per hour

(mmBtu/hr) heat input

- (b) PM emissions from Emissions Unit Nos. 5309-07 and 5309-08 boilers shall each not exceed 0.27 lb/MMBTU based on a maximum heat input capacity of 213.6 MMBtu per the following calculation:

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

### Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

#### D.1.4 Record Keeping Requirements

To document compliance with preceding condition D.1.2 and 40 CFR Subpart Dc the permittee shall;

- a) maintain records of the amount of natural gas consumed monthly.
- b) all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.5 Reporting Requirements

- (a) A quarterly summary of the information to document compliance with Condition D.1.2 and 40 CFR Subpart Dc shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.
- (b) In addition to the above, the Permittee shall certify, on the form provided (or its equivalent), that natural gas was fired in the boiler at all times during the report period. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

## SECTION D.2 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-8-4(10)]:

- (i) Emissions Unit ID 5309-09; Stack/Vent ID No. 306-2. One (1) diesel fuel fired 1000 kW/hr electrical backup generator. Maximum rated heat input capacity is 9.38 MMBtu/hr and 3,686 HP/hr. Installation date was December 1993.
- (j) Emissions Unit ID 5309-10; Stack/Vent ID No. 308-2. One (1) diesel fuel fired 1000 kW/hr electrical backup generator. Maximum rated heat input capacity is 9.38 MMBtu/hr and 3,686 HP/hr. Installation date was December 1993.

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

### Emissions Limitations and Standards [326 IAC 2-8-4(1)]

#### D.2.1 Oxides of Nitrogen (NO<sub>x</sub>) [326 IAC 2-8-4(1)]

The permittee shall limit the amount of diesel fuel combusted in emitting units 09 and 10 to less than 66,100 gallons per 12 consecutive month period. This usage limit is required to limit the potential to emit of emission units 09 and 10 of NO<sub>x</sub> to 15 tons per 12 consecutive month period. This limit and the limit in Condition D.1.2 are required to limit NO<sub>x</sub> such that the requirements of 326 IAC 2-7(Part 70 Program) shall not apply.

#### D.2.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility.

### Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

#### D.2.3 Record Keeping Requirements

To document compliance with Condition D.2.1 the permittee shall maintain records of the amount of diesel fuel combusted monthly. This amount shall not exceed 66,100 gallons per 12 consecutive month period.

#### D.2.4 Reporting Requirements

A quarterly summary, certified by the source's responsible official, of the information to document compliance with Condition D.2.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

### SECTION D.3

### FACILITY OPERATION CONDITIONS

**Facility Description [326 IAC 2-8-4(10)]:**

- (k) Emissions Unit ID 310-1. One CBT Wearparts Soil Pulverizer, with a maximum operating capacity of 40 ton/hr installed in 1999.

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

#### **Emissions Limitations and Standards [326 IAC 2-8-4(1)]**

##### **D.3.1 Particulate Matter (PM) [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2 (Process Operations), the PM emission rate from Emissions Unit ID 310-1 shall not exceed the 42.5 pound per hour emission rate, when P = 40 tons per hour, established as E in the following formula:

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

$$E = 55.0 P^{0.11} - 40$$

where E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour

##### **D.3.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]**

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility.

## SECTION D.4

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-8-4(10)]: Insignificant Activity

- (1) Emissions Unit ID 301-DC. Research and development of formulations for plant and animal herbicide and pesticide products. This emission unit includes a batch mixer, fluid bed dryer, mills, and portable milling equipment. Particulate Matter is controlled by a baghouse identified as control equipment ID 301-DC.

(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 2-8-4(1)]

#### D.4.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Process Operations), the PM emission rate from Emissions Unit ID 301-DC shall not exceed the 2.02 pound per hour emission rate, when  $P = 0.35$  tons per hour, established as  $E$  in the following formula:

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

$$E = 4.10 P^{0.67}$$

where

$E$  = rate of emission in pounds per hour; and  
 $P$  = process weight rate in tons per hour

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
and  
CITY OF INDIANAPOLIS  
OFFICE of ENVIRONMENTAL SERVICES**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION**

Source Name: Dow AgroSciences  
Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
Mailing Address: 9330 Zionsville Road, Indianapolis, IN 46268  
FESOP No.: F097-15205-00259  
1st Admin.Amend. No.: F097-16544-00259  
2nd Admin.Amend.No.: F097-18994-00259

**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:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

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

**CITY OF INDIANAPOLIS  
OFFICE of ENVIRONMENTAL SERVICES**

**DATA COMPLIANCE  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221  
Phone:317-327-2234  
Fax:317-327-2274**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
EMERGENCY OCCURRENCE REPORT**

Source Name: Dow AgroSciences  
Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
Mailing Address: 9339 Zionsville Road, Indianapolis, IN 46268  
FESOP No.: F097-15205-00259  
1st Admin.Amend. No.: F097-16544-00259  
2nd Admin.Amend.No.: F097-18994-00259

**This form consists of 2 pages**

**Page 1 of 2**

**9** This is an emergency as defined in 326 IAC 2-7-1(12)  
CThe 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  
CThe Permittee must submit notice in writing or by facsimile within two (2) 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:
Describe the cause of the Emergency:

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

**Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , 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**

**CITY OF INDIANAPOLIS  
OFFICE of ENVIRONMENTAL SERVICES**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
NATURAL GAS FIRED BOILER CERTIFICATION**

Source Name: Dow AgroSciences  
Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
Mailing Address: 9330 Zionsville Road, Indianapolis, IN 46268  
FESOP No.: F097-15205-00259  
1st Admin.Amend. No.: F097-16544-00259  
2nd Admin.Amend.No.: F097-18994-00259

**This certification shall be included when submitting monitoring, testing reports/results  
or other documents as required by this permit.**

Report period

Beginning: \_\_\_\_\_

Ending: \_\_\_\_\_

Boiler Affected

Alternate Fuel

Days burning alternate fuel  
From To


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:

Date:

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 and  
 CITY OF INDIANAPOLIS  
 OFFICE of ENVIRONMENTAL SERVICES**

**FESOP Quarterly Report**

Source Name: Dow Agro Sciences  
 Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 Mailing Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 FESOP No.: 0970-15205-00259  
 1st Admin.Amend. No.: F097-16544-00259  
 2nd Admin.Amend.No.: F097-18994-00259

Facility: **Emission Units 5309-01 through 5309-08 (Boilers)**  
 Parameter: Fuel Usage (NOx limit)  
 Limit: 1408.8 million cubic feet per 12 month rolling sum

QUARTER: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- 9 No deviation occurred in this quarter.
- 9 Deviation/s occurred in this quarter.  
 Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 and  
 CITY OF INDIANAPOLIS  
 OFFICE of ENVIRONMENTAL SERVICES**

**FESOP Quarterly Report**

Source Name: Dow Agro Sciences  
 Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 Mailing Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 FESOP No.: 0970-15205-00259  
 1st Admin.Amend. No.: F097-16544-00259  
 2nd Admin.Amend.No.: F097-18994-00259

Facility: **Emission Units 5309-09 and 5309-10 (Emergency Generators)**  
 Parameter: Diesel Fuel Limit (NOx)  
 Limit: 66,100 gallons per 12 month rolling sum

QUARTER: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- 9 No deviation occurred in this quarter.
- 9 Deviation/s occurred in this quarter.  
 Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 and  
 CITY OF INDIANAPOLIS  
 OFFICE of ENVIRONMENTAL SERVICES**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Dow AgroSciences  
 Source Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 Mailing Address: 9330 Zionsville Road, Indianapolis, IN 46268  
 FESOP No.: F097-15205-00259  
 1st Admin.Amend. No.: F097-16544-00259  
 2nd Admin.Amend.No.: F097-18994-00259

**Months:** \_\_\_\_\_ **to** \_\_\_\_\_ **Year:** \_\_\_\_\_

<p>This report is an affirmation that the source has met all the requirements stated in this permit. 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>	
<p><input checked="" type="radio"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p><input type="radio"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	

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

Form Completed By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.