



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant
DATE: April 1, 2005
RE: Keller Manufacturing Company, Inc / 061-19104-00013
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Section 112(j) Applicability Determination

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) 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 a stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, 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 consideration at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosure
FN-112jdet.dot 1/10/05



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To: David Jenkins
Keller Manufacturing Company, Inc.
P.O. Box 8
Corydon, IN 47112

From: Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

RE: Response to Section 112(j)
Applicability Determination Request
Permit ID: 19104
Source ID: 061-00013

On 5/3/2004, the Office of Air Quality (OAQ) received a Part 2 MACT Application for Section 112(j) of the Clean Air Act (CAA) from Keller Manufacturing Company, Inc., located at 1010 Keller Drive in New Salisbury, Indiana for the Industrial, Commercial, & Institutional Boilers and Process Heaters MACT source category. Since 112(j) does not apply to sources subject to the Industrial, Commercial, & Institutional Boilers and Process Heaters MACT source category, a Part 2 MACT Application is not required. Therefore, IDEM, OAQ has suspended review of this application.

Section 112(j) does not apply if the United States Environmental Protection Agency (U.S. EPA) promulgates the Section 112(d) – 40 CFR Part 63 NESHAP or “MACT” standard on or before the Section 112(j) deadline. The U.S. EPA Administrator has signed final versions of the final MACT standard for each of the affected source categories, except for boilers, process heaters, and furnaces that burn hazardous waste (40 CFR 63, Subpart EEE). Since these signed, final rules are available on the U.S. EPA Air Toxics Website, Keller Manufacturing Company, Inc. is no longer subject to Section 112(j).

Questions about Section 112(j), Part 63 NESHAP-MACT Standards, Part 61 NESHAP Standards, or Part 60 New Source Performance Standards (NSPS) should be directed to:

Kimberly Cottrell, P.E.
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