



Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

July 22, 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: Advanced Magnesium Alloys Corporation / I 095-19303-00114

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 according to IC 13-15-6-3, 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 and IC 13-15-6-1 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, **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  
FNPER.dot 9/16/03



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
*We make Indiana a cleaner, healthier place to live.*

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July 22, 2004

Mr. Tim Watkins  
Advanced Magnesium Alloys Corporation (AMACOR)  
1820 East 32<sup>nd</sup> Street  
Anderson, IN 46013

Re: Interim Construction Approval  
**095-19303I-00114**

Dear Mr. [Watkins](#):

On June 25, 2004, the Office of Air Quality (OAQ) received an interim petition from [Advanced Magnesium Alloys Corporation \(AMACOR\), 1820 East 32<sup>nd</sup> Street, Anderson, IN 46013](#). Based on the data and information submitted in the interim petition and the provisions in 326 IAC 2-13-1, this interim to construct is hereby approved for the following emission units and air pollution control equipment at the existing plant:

- (a) One (1) magnesium melting electric crucible furnace,  
and
- (b) One (1) scrap washing/drying system.

#### Interim Petition Public Comment Period

The interim petition was published on July 1, 2004, in The Herald Bulletin.

The comment period ended on July 14, 2004.

#### Interim Approval Enforceability and Expiration

Pursuant to 326 IAC 2-13-1(i), this interim approval shall be effective immediately.

Pursuant to 326 IAC 2-13-1(j)(3), this interim approval is federally enforceable.

Pursuant to 326 IAC 2-13-1(j)(1), this interim approval expires on the effective date of the final air approval.



Pursuant to 326 IAC 2-13-1(j)(4), this interim approval may be revoked after its effective date upon a written finding by the OAQ that any of the reasons for denial in 326 IAC 2-13-1(h) exist or if the final air approval is denied.

The facilities subject to this approval may not operate until a final air approval is issued by OAQ.

#### OAQ Contact

If you have any questions regarding this interim petition approval, please contact Ms. Iryn Calilung of my staff at 317/233-5692 or at [icalilun@dem.state.in.us](mailto:icalilun@dem.state.in.us).

Sincerely,

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

Attachments: Interim Checklist  
Interim Petition Application  
cc: File -- Madison County  
Madison County Health Department  
Anderson Air pollution  
Madison County Air Inspector - - JLD  
Permit Writer [095-19303-00114](#)

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

**Interim Significant Source Modification**

Company Name:	<b>Advanced Magnesium Alloys Corporation (AMACOR)</b>
Location:	1820 East 32 <sup>nd</sup> Street, Anderson, IN 46013
Permit No:	<b>095-19303I-00114</b>
Permit Writer:	Iryn Calilung 317/233-5692 icalilun@dem.state.in.us
Application Receipt Date:	June 25, 2004
Description of the interim construction:	
	(a) one (1) magnesium melting electric crucible furnace, and
	(b) one (1) scrap washing/drying system

<b>Interim Petition Applicability:</b>	<b>326 IAC 2-13-1</b>
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- (a) Existing Source with valid permit;
- (b) Exemptions:
- (1) construction of a PSD source or PSD modification;
  - (2) construction or modification in nonattainment area that would emit those pollutants for which the nonattainment designation is based.
  - (3) any modification subject to 326 IAC 2-4.1.
- (c) Approve or deny the interim significant source modification in writing within 19 calendar days, or it becomes the enforceable interim significant permit revision or significant source modification. [326 IAC 2-13-1(d)]

<b>Instructions:</b>	<b>Check (T) appropriate answers and make a recommendation.</b>
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1. Did the applicant submit a written petition for an interim significant source modification?  
 Yes Go to question 2.  
**The petition was received by OAQ on June 25, 2004.**  
**The regular application was received on June 25, 2004.**  
 No Ignore verbal request.
2. Did the applicant pay the \$500 interim permit fee?  
 Yes Go to question 3.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).
3. Did the applicant state acceptance of federal enforceability of an interim significant permit revision or significant source modification?  
 Yes Go to question 4.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(D).
4. Did the applicant or its authorized agent sign the application?  
 Yes Go to question 5.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(E).
5. Did the applicant submit a notarized affidavit stating that the applicant will proceed at its own risk (if the interim significant permit revision or significant source modification is issued), including, but not limited to:

- (a) Financial risk,  
(b) Risk that additional emission controls may be required,  
(c) Risk that the final registration may be denied.
- Yes Go to question 6.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(F).
6. Did the applicant begin construction prior to submitting the interim significant permit revision or significant source modification application?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(6).  
 No Go to question 7.
7. What is the type of the interim construction?  
 New Source Deny the application, pursuant to 326 IAC 2-13-1(a)  
 Modification to an existing source Go to question 8.
8. Did the applicant present data in the interim significant permit revision or significant source modification that is sufficient to determine PSD, NSPS, NESHAP, and state rule compliance?  
 Yes Go to question 9.  
 No Deny the application pursuant to:  
326 IAC 2-13-1(c)(2)(B), for PSD ;  
326 IAC 2-13-1(c)(2)(C), for NSPS or NESHAP;  
326 IAC 2-13-1(c)(2)(C), for state rules.
9. Is the proposed modification to be located in a nonattainment area?  
 Yes Go to question 10.  
 No. Go to question 11. County: **Madison County**  
**Madison County has been designated as nonattainment for the 8-hour ozone standard. The main pollutant of concern for this proposed interim is not VOC and NOx.**
10. Will the proposed modification emit the pollutant for which the area is nonattainment in quantities greater than the significant levels?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(a)(2).  
 No Go to question 11.
11. Did the petition include a complete description of the process?  
 Yes Go to question 12.  
 No Deny the petition, pursuant to 326 IAC 2-13-1(c)(2)(B).
12. Did the interim significant permit revision or significant source modification petition contain conditions accepting either emission controls (baghouse, afterburners, scrubbers, etc.) or enforceable limits or other suitable restriction to avoid PSD applicability; as well as control parameters (incinerator operating temperature, baghouse pressure drop, etc.)? The specific limits must be explicitly spelled out (i.e.: The gas consumption of the boiler shall not exceed 29 million cubic feet per month.) A statement such as that the company agrees to conditions such that PSD rules are not applicable is not acceptable.  
 Yes Go to question 13.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).
13. Do the emission controls and/or throughput limits prevent PSD applicability?

- Yes     Go to question 14.  
 No     Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).
14. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable New Source Performance Standards (NSPS) (40 CFR 60)?  
 Yes     Go to question 15.  
 No     Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
15. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP)?  
 Yes     Go to question 16.  
 No     Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
16. Will the modification, after application of all emission controls and/or throughput limitations, comply with all applicable state rules?  
 Yes     Go to question 17.  
 No     Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
17. Does the applicant dispute applicability of any applicable state or federal rule?  
 Yes     Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).  
 No     Go to question 18.
18. Is there good reason to believe that the applicant does not intend to construct in accordance with the interim significant permit revision or significant source modification petition?  
 Yes     Deny the application, pursuant to 326 IAC 2-13-1(h)(1).  
 No     Go to question 19.
19. Is there a good reason to believe that information in the petition has been falsified?  
 Yes     Deny the application, pursuant to 326 IAC 2-13-1(h)(7).  
 No     Approve the interim significant source modification petition.
20. Additional Comments

**The petition was published on July 1, 2004, in The Herald Bulletin.**

**The public comment period ended on July 14, 2004.**