



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

November 4, 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: Harris Kayot, Inc. / 003-19834-00177
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted 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

November 4, 2004

Mr. Mark Schaefer
Harris Kayot, Inc.
2801 West State Boulevard
Fort Wayne, IN 46808

Re: 003-19834-00177
First Administrative Amendment to
SSM 003-16250-00177

Dear Mr. Schaefer:

Harris Kayot, Inc. was issued a Significant Source Modification (003-16250-00177) on March 19, 2003 for the construction of (1) one HVLP spray gun, (3) three mechanical resin application guns, and (4) four 500,000 BTU/hr space heaters for the expansion of their fiberglass boat manufacturing plant.

A letter requesting a 12 month extension of the deadline for beginning construction on the emission units was received by IDEM on August 16, 2004.

In the letter Harris Kayot, Inc. explained they have not begun construction on the emission units for the following reasons:

They are currently in the process of evaluating the growth and operational needs for the company. This includes the original proposal and the possible need for manufacturing a partial or complete set of smaller boat parts on site. When this evaluation and the appropriate negotiations are complete, they will begin construction of the permitted expansion as it fulfills the future needs of the company.

Based on 326 IAC 2-1.1-9(5) General Provisions (Revocation) any permit to construct granted by the commissioner may be revoked for any of the following reasons:

(5) For a permit authorizing construction, failure to commence construction of the source or emissions unit within eighteen months from the date of issuance of the permit, or if during the construction of the source or emission unit, work is suspended for a continuous period of one (1) year or more.

This source (with the extension) has the potential to emit less than 100 tons per year of VOC and less than 100 tons per year of NOx, therefore this extension does not trigger any non-attainment NSR requirements.

After reviewing the reasons submitted by Harris Kayot, Inc. for the delay in installing the expansion equipment, IDEM, OAQ has decided to not revoke permit (003-16250-00177) provided Harris Kayot, Inc. commences construction on the equipment covered under this permit by September 19, 2005.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment to the front of the original permit.

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 Walter Habeeb, (317) 232-8422.

Sincerely,

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

WVH

cc: File - Allen County
U.S. EPA, Region V
Air Compliance Section Inspector - Patrick Burton
Compliance Data Section
Administrative and Development