



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: January 20, 2006

RE: Criterion Catalysts and Technologies, L.P. / 091-21226-00053

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, 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 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) 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.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

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.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

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.



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January 20, 2006

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Thomas W. Easterly
Commissioner

Mr. Michael Burke
Criterion Catalysts and Technologies, L.P.
1800 East US 12
Michigan City, Indiana 46360

Re: 091-21226-00053
Significant Source Modification to:
Part 70 permit No.: T091-6789-00053

Dear Mr. Burke:

Criterion Catalyst and Technologies, L.P. was issued Part 70 operating permit T091-6789-00053 on May 1, 2001 for an alumina catalyst manufacturing facility. An application to modify the source was received on May 24, 2005. Pursuant to 326 IAC 2-7-10.5 the following emission units are approved for modification and construction at the source:

- (p) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956, and modified in 1995 and 2006, with a burner rated at 80.0 MMBtu/hr, with three (3) baghouses and a cyclone (integral to the process) for particulate control, and exhausting to stack B.
- (s) One (1) bulk loading process containing one rail car loading system, identified as P-BLR, to be constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.

The following construction conditions are applicable to the proposed project:

General Construction Conditions

1. The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).
2. This approval to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.
3. Effective Date of the Permit
Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.
4. Pursuant to 326 IAC 2-1.1-9 and 326 IAC 2-7-10.5(i), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.
5. All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

6. Pursuant to 326 IAC 2-7-10.5(l) the emission units constructed under this approval shall not be placed into operation prior to revision of the source's Part 70 Operating Permit to incorporate the required operation conditions.

This significant source modification authorizes construction of the new emission units. Operating conditions shall be incorporated into the Part 70 operating permit as a significant permit modification in accordance with 326 IAC 2-7-10.5(l)(2) and 326 IAC 2-7-12. Operation is not approved until the significant permit modification has been issued.

Pursuant to Contract No. A305-5-65, IDEM, OAQ has assigned the processing of this application to Eastern Research Group, Inc., (ERG). Therefore, questions should be directed to Heather Jackson, ERG, 1600 Perimeter Park Drive, Morrisville, North Carolina 27560, or call (919) 468-7802 to speak directly to Ms. Jackson. Questions may also be directed to Duane Van Laningham at IDEM, OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call (800) 451-6027 and ask for Duane Van Laningham or extension 3-6878, or dial (317) 233-6878.

Sincerely,

Original signed by
Paul Dubenetzky, Assistant Commissioner
Office of Air Quality

Attachments

ERG/HJ

cc: File – Laporte County
Laporte County Health Department
Northwest Regional Office
Air Compliance Section Inspector - Letty Zepeda
Compliance Data Section
Administrative and Development
Technical Support and Modeling - Michele Boner



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PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

Criterion Catalysts and Technologies, L.P.
1800 East US 12
Michigan City, Indiana 46360-2074

(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 2-7 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.: T091-6789-00053	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality <i>Original signed by Janet McCabe</i>	Issuance Date: May 1, 2001 Expiration Date: May 1, 2006

- 1st Administrative Amendment 091-14560-00053, Issuance Date: July 26, 2001
- 2nd Administrative Amendment 091-14707-00053, Issuance Date: August 24, 2001
- 3rd Administrative Amendment 091-15004-00053, Issuance Date: November 26, 2001
- 1st Significant Permit Modification 091-15164-00053, Issuance Date: March 12, 2002
- 4th Administrative Amendment 091-20884-00053, Issuance Date: March 18, 2005
- 5th Administrative Amendment 091-21117-00053, Issuance Date: June 23, 2005

2 nd Significant Source Modification No.: 091-21226-00053	Pages Amended: Entire permit
Issued by: Original signed by: Paul Dubenetzky, Assistant Commissioner Office of Air Quality	Issuance Date: January 20, 2006 Expiration Date: May 1, 2006

SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). 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 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary alumina powder and specialty chemical production plant.

Responsible Official:	Michael Burke
Source Address:	1800 East US 12, Michigan City, Indiana 46360
Mailing Address:	1800 East US 12, Michigan City, Indiana 46360
SIC Code:	2819
County Location:	Laporte
Source Location Status:	Nonattainment for 8-hour Ozone Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules; 1 of 28 listed Source Categories

Permitted Emission Units and Pollution Control Equipment

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

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

- (a) One (1) storage bin, identified as P-SB1 (T-32), constructed in 1951, exhausting to stack V, and with one baghouse for particulate control.
- (b) One (1) storage bin, identified as P-SB2 (T-87), constructed in 1951, exhausting to stack K, and with one baghouse for particulate control.
- (c) Ten (10) silos collectively identified as P-SILOS constructed in 1956, 1978, and 1987, individually identified as silo 1 (segments E-195, E-196, E-197, E-198) exhausting to stacks AA1, AA2, AA3, and AA4, silo 2 (segments E-216, E-217) exhausting to stacks AA7, AA8, silo 3 (segment E-199) exhausting to stack AA5, silo 4 (segment E-200) exhausting to stack AA6, silo 5 (segments E-204, EA-130-012) exhausting to stacks AA9 and C, silo 6 (segment E-201) exhausting to stack AA10, silo 7 (segment EA-130-009) exhausting to stack FF, silo 8 (segment E-202) exhausting to stack AA11, silo 9 (segments E-30, E-193) exhausting to stacks AA13 and D and silo 10 (segments E203, E-194) exhausting to stacks AA12 and AA14, and each segment is equipped with fabric filter for a total of 17 fabric filters.
- (d) Two (2) day bins, identified as S-DBE (EX-120-005A) and S-DBW (EX-120-005B), each constructed in 1975, each with a baghouse for particulate control, and exhausting to stacks Q1 and Q2, respectively.
- (e) Two (2) sodium aluminate reactors, identified as P-SAR1 (T-33) constructed in 1968, and P-SAR2 (T-128) constructed in 1972, exhausting to stacks R and S, respectively.
- (f) Two (2) aluminum sulfate reactors, identified as P-ASR1 (T-30) constructed in 1968, and P-ASR2 (T-129) constructed in 1972, exhausting to stacks T and U, respectively.

- (g) One (1) bulk bag loading processes, identified as P-BBL, constructed in 1983, with two baghouses (E-160, E-176) for particulate control, and exhausting to stack BB.
- (h) One (1) bulk loading process containing one rail car loading system, identified as P-BL (E-190) constructed in 1983, and one sealand container loading system, identified as P-BL (E-190) constructed in 1992 and both exhausting to stack CC and equipped with one baghouse for particulate control.
- (i) Two (2) mixers, identified as S-MIX (EX-120-007A and EX-120-007B), constructed in 1975 sharing one baghouse for particulate control, and exhausting to stack Y.
- (j) Two (2) calciners, identified as S-C1 (EX-300-25) constructed in 1965, exhausting to stacks P4, H1 and H2 and S-C2 (EX-130-005) constructed in 1975 exhausting to stacks P4, O1, O2 and O3, both equipped with one baghouse (the DCC baghouse) for particulate control. Nitrogen oxide emissions from S-C1 and S-C2 are controlled voluntarily by a natural gas fired selective catalytic reduction (SCR) system rated at less than 10 million British thermal units per hour (MMBtu/hr).
- (k) One (1) pneumatic transfer process from the fines grinder system, identified as S-PT (EX-104) constructed in 1975, equipped with one baghouse for particulate control, and exhausting to stack J.
- (l) Bag loadout, screener, fines grinder feed system and other particulate matter processes equipped with one (1) baghouse, identified as ADC #1 constructed in 1975, and exhausting to stack F. The screener and the fines grinder feed system were constructed in 2005.
- (m) One (1) natural gas dryer, identified as S-D1 (EX-300-23) constructed in 1965 and exhausting to stack P1.
- (n) One (1) natural gas fired high temperature dryer, identified as SEACAP dryer (EX-529), constructed in 1996 rated at 1.38 million British thermal units (MMBtu) per hour using a baghouse for particulate control, and exhausting to stack P3.
- (o) One (1) natural gas fired low temperature dryer, identified as SD-3 (EX-300-35), constructed in 1965, rated at five (5) million British thermal units (MMBtu) per hour using no controls, and exhausting to stack P2.
- (p) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956 and modified in 1995 and 2006, with a burner rated at 80MMBtu/hr, with three baghouses and a cyclone (integral to the process) for particulate control, and exhausting to stack B.
- (q) One (1) natural gas fired boiler constructed in 1961, identified as BLR 2 (E-68), constructed in 1961 and exhausting to Stack N.
- (r) One (1) natural gas fired catalyst dryer, identified as DCC (drying/calcining/cooling) unit (EX-376), constructed in 1997 rated at ten (10) million British thermal units (MMBtu) per hour using a baghouse for particulate control (the DCC baghouse), and exhausting to stack P4.
- (s) One (1) bulk loading process containing one rail car loading system identified as P-BLR, constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.

Maximum capacities and throughputs not listed in the descriptions above have been included in an OAQ confidential file.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

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

- (a) Degreasing not exceeding 145 gal/12 months. [326 IAC 8-3-2 and 8-3-5]
- (b) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors, and electrostatic precipitators including the following: deburring, buffing, polishing, abrasive blasting, pneumatic conveying, and woodworking operations maintenance. [326 IAC 6-3-2]
- (c) One (1) new Area Dust Collector, identified as ADC #2. This area dust collector will control all fugitive emissions from insignificant activities that exhaust inside the building.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B

GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

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.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6(a)]

- (a) This permit, T091-6789-00053, is issued for a fixed term of five (5) years from the issuance date of this permit, 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 of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal 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, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7]

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, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

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.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ 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 "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. 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.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (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 a responsible official 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. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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 July 1 of each year to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (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, 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 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) after issuance of this permit, 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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.11 Emergency Provisions [326 IAC 2-7-16]

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

- (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
Indianapolis, Indiana 46204-2251

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 2-7-5(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 "responsible official" as defined by 326 IAC 2-7-1(34).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ, 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 2-7 and any other applicable rules.
 - (g) 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.
 - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this

permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced 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 Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T091-6789-00053 and issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

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 2-7-3 and 326 IAC 2-7-4(a).

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

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(3).

(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit 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 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, 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 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ 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 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30)

days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. 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 "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) 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 on or before the date it is due.
- (c) 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 2-7 until IDEM, OAQ, 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, any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 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
Indianapolis, Indiana 46204-2251
- Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives,

marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a 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 preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in 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
Indianapolis, Indiana 46204-2251

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 trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (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 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (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 is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(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 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 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
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ 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, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), 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 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

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 forty percent (40%) 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. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

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). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

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
Indianapolis, Indiana 46204-2251

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 14-10-1, 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) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **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 to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

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

-
- (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
Indianapolis, Indiana 46204-2251

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 "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ 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 "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, 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 by issuing an order under 326 IAC 2-1.1-11. 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 2-7-5(1)] [326 IAC 2-7-6(1)]

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment.
- (b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification

requirements pursuant to 326 IAC 3-5.

- (c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employees of the Permittee or an independent contractors, to self-monitor the emissions from the emission unit stack.
 - (1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.
 - (2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at east four (4) hours between each set of readings, until a COMS is online.
 - (3) Method 9 readings may be discontinued once a COMS is online.
 - (4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing 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.13 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale.
- (d) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.
[326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.16 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records;
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
 - (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

- (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, 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 that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ

may extend the retesting deadline.

- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
 - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (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, on or before the date it is due.

C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this permit 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 physically present or electronically accessible 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner 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) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-3(II)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and 326 IAC 2-3-1(z)), may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) and 326 IAC 2-3-3 (mm)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee 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 "responsible official" as defined by 326 IAC 2-7-1(34).
- (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 Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- (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, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(II)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
 - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) and 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).
- (g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
 - (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management
Air Compliance Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

- (h) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

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 2-7-5(15)]:

- (a) One (1) storage bin, identified as P-SB1 (T-32), constructed in 1951, exhausting to stack V, and with one baghouse for particulate control.
- (b) One (1) storage bin, identified as P-SB2 (T-87), constructed in 1951, exhausting to stack K, and with one baghouse for particulate control.
- (c) Ten (10) silos collectively identified as P-SILOS constructed in 1956, 1978, and 1987, individually identified as silo 1 (segments E-195, E-196, E-197, E-198) exhausting to stacks AA1, AA2, AA3, and AA4, silo 2 (segments E-216, E-217) exhausting to stacks AA7, AA8, silo 3 (segment E-199) exhausting to stack AA5, silo 4 (segment E-200) exhausting to stack AA6, silo 5 (segments E-204, EA-130-012) exhausting to stacks AA9 and C, silo 6 (segment E-201) exhausting to stack AA10, silo 7 (segment EA-130-009) exhausting to stack FF, silo 8 (segment E-202) exhausting to stack AA11, silo 9 (segments E-30, E-193) exhausting to stacks AA13 and D and silo 10 (segments E203, E-194) exhausting to stacks AA12 and AA14, and each segment is equipped with fabric filter for a total of 17 fabric filters.
- (d) Two (2) day bins, identified as S-DBE (EX-120-005A) and S-DBW (EX-120-005B), each constructed in 1975, each with a baghouse for particulate control, and exhausting to stacks Q1 and Q2, respectively.
- (e) Two (2) sodium aluminate reactors, identified as P-SAR1 (T-33) constructed in 1968, and P-SAR2 (T-128) constructed in 1972, exhausting to stacks R and S, respectively.
- (f) Two (2) aluminum sulfate reactors, identified as P-ASR1 (T-30) constructed in 1968, and P-ASR2 (T-129) constructed in 1972, exhausting to stacks T and U, respectively.
- (g) One (1) bulk bag loading processes, identified as P-BBL, constructed in 1983, with two baghouses (E-160, E-176) for particulate control, and exhausting to stack BB.
- (h) One (1) bulk loading process containing one rail car loading system, identified as P-BL (E-190) constructed in 1983, and one sealand container loading system, identified as P-BL (E-190) constructed in 1992 and both exhausting to stack CC and equipped with one baghouse for particulate control.
- (i) Two (2) mixers, identified as S-MIX (EX-120-007A and EX-120-007B), constructed in 1975 sharing one baghouse for particulate control, and exhausting to stack Y.
- (j) Two (2) calciners, identified as S-C1 (EX-300-25) constructed in 1965, exhausting to stacks P4, H1 and H2 and S-C2 (EX-130-005) constructed in 1975 exhausting to stacks P4, O1, O2 and O3, both equipped with one baghouse (the DCC baghouse) for particulate control. Nitrogen oxide emissions from S-C1 and S-C2 are controlled voluntarily by a natural gas fired selective catalytic reduction (SCR) system rated at less than 10 million British thermal units per hour (MMBtu/hr).
- (k) One (1) pneumatic transfer process from the fines grinder system, identified as S-PT (EX-104) constructed in 1975, equipped with one baghouse for particulate control, and exhausting to stack J.

Facility Description [326 IAC 2-7-5(15)] (Continued):

- (l) Bag loadout, screener, fines grinder feed system and other particulate matter processes equipped with one (1) baghouse, identified as ADC #1 constructed in 1975, and exhausting to stack F. The screener and fines grinder system were constructed in 2005.
- (m) One (1) natural gas dryer, identified as S-D1 (EX-300-23) constructed in 1965 and exhausting to stack P1.
- (n) One (1) natural gas fired high temperature dryer, identified as SEACAP dryer (EX-529), constructed in 1996 rated at 1.38 million British thermal units (MMBtu) per hour using a baghouse for particulate control, and exhausting to stack P3.
- (o) One (1) natural gas fired low temperature dryer, identified as SD-3 (EX-300-35), constructed in 1965, rated at five (5) million British thermal units (MMBtu) per hour using no controls, and exhausting to stack P2.
- (p) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956 and modified in 1995 and 2006, with a burner rated at 80MMBtu/hr, with three baghouses and a cyclone (integral to the process) for particulate control, and exhausting to stack B.
- (s) One (1) bulk loading process containing one rail car loading system identified as P-BLR, constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.

Maximum capacities and throughputs for each unit have been included in an OAQ confidential file.

(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 2-7-5(1)]

D.1.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Process Operations), the allowable PM emission rate from each of the facilities listed below shall be limited by the following:

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

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

or

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

Unit ID
P-SB1 (T-32)
P-SB2 (T-87)
P-SILOS*
S-DBE (EX-120-005A)
S-DBW (EX-120-005B)
P-SAR1 (T-33)

Unit ID
P-SAR2 (T-128)
P-ASR1 (T-30)
P-ASR2 (T-129)
P-BBL (E-160)
P-BL (E-190)
S-MIX (EX-120-007A/7B)
S-C1 (EX-300-25)
S-C2 (EX-130-005)
S-PT (EX-104)
ADC #1
P-SD (E-110)
S-D1 (EX-300-23)
SEACAP dryer
SD-3
P-BLR

Emission limits for the units listed in this table are not documented because the process throughputs are considered confidential. These emission limits are included in an OAQ confidential file.

D.1.2 PSD Minor Limit for PM and PM10 [326 IAC 2-2]

The PM and PM10 emissions from the bulk loading process identified as P-BLR shall be limited to 0.12 lbs/hr and 0.53 tons/yr. The PM and PM10 emissions from the spray dryer identified as P-SD (E-110) shall be limited to 6.62 lbs/hr and 29.0 tons per year. Compliance with these limits will limit the potential to emit to less than twenty-five (25.0) tons per year of PM and fifteen (15.0) tons per year of PM10 from this modification project and make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable to the bulk loading process identified as P-BLR and the spray dryer identified as P-SD (E-110). Compliance with these limits shall also satisfy 326 IAC 6-3-2.

Compliance Determination Requirements

D.1.3 Particulate Matter (PM)

- (a) In order to comply with D.1.1, each baghouse associated with a specific process shall be in operation and control emissions at all times that the specific process is in operation. The specific processes that are equipped with baghouses are:
- (1) One (1) storage bin identified as P-SB1 (T-32).
 - (2) One (1) storage bin identified as P-SB2 (T-87).
 - (3) One (1) day bin identified as SDBE (EX-120-005A).
 - (4) One (1) day bin identified as S-DBW (EX-120-005B).
 - (5) One (1) bulk bag loading process identified as P-BBL with two baghouses (E-160, -176).
 - (6) One (1) bulk loading process containing one rail car loading system, identified as P-BL (E-190) and one sealand container loading system identified as P-BL (E-190).
 - (7) Two (2) mixers identified as S-MIX (EX-120-007A and EX-120-007B).
 - (8) Two (2) calciners identified as S-C1 (EX-300-25) and SC-2 (EX-130-005), equipped with one baghouse (DCC baghouse).

- (9) One (1) pneumatic transfer process for the fines grinder system identified as ADC#1.
- (10) Bag loadout, screener, and other particulate matter processes identified as ADC #1.
- (11) One (1) high temperature dryer identified as SEACAP dryer (EX-529).
- (12) One (1) bulk loading process containing one rail car loading system, identified as P-BLR, equipped with one baghouse.
- (b) In order to comply with D.1.1 the fabric filters for PM control shall be in operation and control the emissions from P-SILOS at all times that the silos are in operation.
- (c) In order to comply with D.1.1 the baghouses and cyclone integral to the spray dryer P-SD (E-110) shall be in operation and control emissions at all times the spray dryer is in operation.
- (d) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.1.4 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11] [326 IAC 2-2]

Within sixty (60) days after achieving the maximum rate, but no later than one hundred eighty days (180) after startup, the Permittee shall perform PM and PM-10 testing for the spray dryer identified as P-SD (E-110), in order to demonstrate compliance with Condition D.1.2, utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. Testing shall be conducted in accordance with Section C- Performance Testing.

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

D.1.5 Visible Emissions Notations

- (a) Visible emission notations of the exhaust from stacks PSAR1 (T-33), P-SAR2 (T-128), P-ASR1 (T-30), and P-ASR2 (T-129), shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.6 Parametric Monitoring

The Permittee shall record the pressure drop across the baghouses used in conjunction with the spray dryer identified as P-SD (E-110), at least once per day when the spray dryer is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions and Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.7 Record Keeping Requirements

- (a) To document compliance with Condition D.1.5, the Permittee shall maintain records of visible emission notations of the stacks exhaust from the stacks mentioned in D.1.5 once per day.
- (b) To document compliance with Condition D.1.6, the Permittee shall maintain daily records of the total static pressure drop during normal operation when venting to the atmosphere.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.8 General Provisions Relating to NSPS [326 IAC 12-1-1] [40 CFR Part 60, Subpart A]

Pursuant to 40 CFR Part 60, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1-1, for the one (1) spray dryer identified as P-SD (E-110) as specified in Appendix A of 40 CFR Part 60, Subpart UUU in accordance with schedule in 40 CFR Part 60, Subpart UUU.

D.1.9 New Source Performance Standards for Calciners and Dryers in Mineral Industries [40 CFR Part 60, Subpart UUU]

Pursuant to 40 CFR Part 60, Subpart UUU, the one (1) spray dryer identified as P-SD (E-110) shall comply with the following provisions:

Subpart UUU—Standards of Performance for Calciners and Dryers in Mineral Industries

§ 60.732 Standards for particulate matter.

Each owner or operator of any affected facility that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test required by §60.8 is completed, but not later than 180 days after the initial startup, whichever date comes first. No emissions shall be discharged into the atmosphere from any affected facility that:

- (a) Contains particulate matter in excess of 0.057 g/dscm (0.025 gr/dscf) for dryers; and
- (b) Exhibits greater than 10 percent opacity, unless the emissions are discharged from an affected facility using a wet scrubbing control device.

§ 60.734 Monitoring of emissions and operations.

- (a) With the exception of the process units described in paragraphs (b), (c), and (d) of this section, the

owner or operator of an affected facility subject to the provisions of this subpart who uses a dry control device to comply with the mass emission standard shall install, calibrate, maintain, and operate a continuous monitoring system to measure and record the opacity of emissions discharged into the atmosphere from the control device.

§ 60.735 Recordkeeping and reporting requirements.

(a) Records of the measurements required in §60.734 of this subpart shall be retained for at least 2 years.

(c) Each owner or operator shall submit written reports semiannually of exceedances of control device operating parameters required to be monitored by §60.734 of this subpart. For the purpose of these reports, exceedances are defined as follows:

(1) All 6-minute periods during which the average opacity from dry control devices is greater than 10 percent; or

(d) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this section provided that they comply with the requirements established by the State.

§ 60.736 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.732 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and volume for each test run shall be at least 2 hours and 1.70 dscm.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity from stack emissions.

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (r) One (1) natural gas fired catalyst dryer, identified as DCC (drying/calcining/cooling) unit (EX-376), constructed in 1997 rated at ten (10) million British thermal units (MMBtu) per hour using a baghouse for particulate control (the DCC baghouse), and exhausting to stack P4

(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 2-7-5(1)]

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

Pursuant to 326 IAC 6-3-2 (Process Operations), the allowable PM emission note from the DCC dryer shall not exceed the pounds per hour limitation calculated using the following equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

The emission limit is not included because the process throughputs are considered confidential. These emission units are included in an OAQ confidential file.

D.3.2 Particulate Matter [326 IAC 12, (40 CFR 60.730, Subpart UUU)]

Each owner and operator that is subject to 40 CFR 60.730 shall comply with the emission limitations set forth in this condition on and after the date on which the initial performance test required by 40 CFR 60.80 is completed, but not later than 180 days after initial startup, whichever date comes first. No emissions shall be discharged into the atmosphere for any affected facility (DCC) that:

- (a) Contains particulate matter in excess of 0.057 g/dscm
- (b) Exhibits greater than 10 percent opacity

Compliance Determination Requirements

D.3.3 Testing Requirements [326 IAC12, (40 CFR 60.730, Subpart UUU)]

- (a) The PM test conducted at the facility on June 12, 1998 was validated by IDEM Compliance Data Section and satisfies the NSPS testing requirements. Therefore, pursuant to 40 CFR 60.8(b)(4), OAQ has decided to waive the requirement for performance tests because the source has demonstrated to the administrator's satisfaction that the affected facility is in compliance with the PM standard.

IDEM may require compliance testing when necessary to determine if the facility is in compliance.

D.3.4 Particulate Matter (PM)

- (a) In order to comply with D.3.1 and D.3.2, the baghouse for PM control shall be in operation and control emissions from the DCC dryer at all times that the DCC dryer is in operation.
- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

D.3.5 Baghouse Parametric Monitoring

The Permittee shall record the pressure drop across the baghouse used in conjunction with the DCC dryer, at least once per day when the process is in operation when venting to the atmosphere. When for any one (1) reading, the pressure drop across the baghouse is outside the normal range of 1.0 and 4.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instruments Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.3.6 Monitoring of Emissions and Operations [326 IAC12], (40 CFR 60.730, Subpart UUU)

The source meets the conditions stated by George T. Czerniak, Jr., Chief Air Enforcement and Compliance Assurance Branch of the U. S. EPA in a letter dated May 25, 2000 in an approval of an alternative monitoring requirement, because the stack test conducted on June 12, 1998 demonstrated that the DCC dryer emits less than 11 tons per year. Therefore, OAQ waives the requirement for continuous opacity monitoring at the facility or performing daily visible emission observations by Method 9 of Appendix A of part 60. In lieu of these monitoring requirements, the source shall monitor the pressure drop across the baghouse for the DCC dryer once per day to ensure that the pressure drop is within the range of 1 to 4 inches of water. In addition, the source shall perform daily non-method 9 visual stack observations of the baghouse exhaust when in operation.

D.3.7 Broken or Failed Bag Detection

- (a) For single compartment baghouses controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired and replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.3.8 Record Keeping Requirements

- (a) To document compliance with Condition D.3.6, the Permittee shall maintain records of three 6-minute averages of the opacity of visible emission notations of DCC dryer stack exhaust each day of operation.
- (b) To document compliance with Condition D.3.5, the Permittee shall maintain the following:
 - (1) Records once per day of the pressure drop across the baghouse.
 - (2) Documentation of the dates vents are redirected.

D.3.9 Reporting Requirements [326 IAC12, (40 CFR 60.730, Subpart UUU)]

Each owner or operator shall submit written reports semiannually of exceedances of control device operating parameters required to be monitored by the condition D.3.7 for monitoring of emissions and operations. For the purpose of these reports, exceedances are defined as follows:

- (a) All periods during which the pressure drop across the baghouse is outside the pressure drop range of 2-4 inches of water or a range established during the latest stack test.

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

**Addendum to the
Technical Support Document (TSD) for a
Part 70 Significant Source Modification**

Source Description and Location

Source Name:	Criterion Catalyst and Technologies, L.P.
Source Location:	1800 East US 12, Michigan City, Indiana 46360
County:	LaPorte
SIC Code:	2819
Operation Permit No.:	T091-6789-00053
Operation Permit Issuance Date:	May 1, 2001
Significant Source Modification No.:	091-21226-00053
Permit Reviewer:	ERG/HJ

On November 25, 2005, the Office of Air Quality (OAQ) had a notice published in the LaPorte Herald Argus in LaPorte, Indiana, stating that Criterion Catalyst and Technologies, L.P. had applied for a Significant Source Modification to their Title V Operating Permit to operate an alumina catalyst manufacturing facility with control. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On December 22, 2005, Criterion Catalyst and Technologies, L.P. ("Criterion") submitted comments on the proposed Significant Source Modification. The summary of the comments is as follows:

Comment 1:

Condition D.1.2 creates limitations on annual material throughput to the bulk loading process (P-BLR) and to the spray dryer (P-SD) to assure that Prevention of Significant Deterioration (PSD) rules are not triggered. Criterion requests that the annual throughput limits on the bulk loading process and spray dryer be removed from the permit. Criterion believes that alternate limitations can be developed which will provide assurance that PSD rules will not be triggered. For the spray dryer, Criterion suggests that PM/PM-10 emissions be limited to 6.62 pounds per hour (equivalent to 29.0 tons per year) and 0.0094 grains per actual cubic foot (acf) of exhaust gas. For the Railcar Loading operation, Criterion suggests that PM/PM-10 emissions be limited to 0.12 pounds per hour (equivalent to 0.53 tons per year) and 0.01 grains per acf of exhaust gas. Criterion believes that these limits provide sufficient short term and long term limitations to avoid PSD applicability and that these limits are enforceable as a practical matter. Criterion is willing to work with the Office of Air Quality to develop acceptable language for this condition without the need for throughput limitations.

Response to Comment 1:

The throughput limits were removed and the lbs/ton material limits for PM/PM10 were replaced with lbs/hr PM/PM10 limits as requested. A grain loading limit was not included as the lbs/hr and tons/yr PM/PM10 limits are sufficient to assure that this source modification is minor for PSD. Condition D.1.1 was also modified to clarify that the bulk loading process (P-BLR) is subject to 326 IAC 6-3-2.

D.1.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Process Operations), the allowable PM emission rate from each of the

facilities listed below shall be limited by the following:

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

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

or

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

Unit ID
P-SB1 (T-32)
P-SB2 (T-87)
P-SILOS*
S-DBE (EX-120-005A)
S-DBW (EX-120-005B)
P-SAR1 (T-33)
P-SAR2 (T-128)
P-ASR1 (T-30)
P-ASR2 (T-129)
P-BBL (E-160)
P-BL (E-190)
S-MIX (EX-120-007A/7B)
S-C1 (EX-300-25)
S-C2 (EX-130-005)
S-PT (EX-104)
ADC #1
P-SD (E-110)
S-D1 (EX-300-23)
SEACAP dryer
SD-3
P-BLR

Emission limits for the units listed in this table are not documented because the process throughputs are considered confidential. These emission limits are included in an OAQ confidential file.

D.1.2 PSD Minor Limit for PM and PM10 [326 IAC 2-2]

The PM and PM10 emissions from the bulk loading process identified as P-BLR shall be limited to ~~0.006 lbs/ton throughput~~ **0.12 lbs/hr** and 0.53 tons/yr. ~~The throughput to the bulk loading process identified as P-BLR shall be limited to 175,200 tons per year.~~ The PM and PM10 emissions from the spray dryer identified as P-SD (E-110) shall be limited to ~~0.476 lbs/ton throughput~~ **6.62 lbs/hr** and 29.0 tons per year. ~~The throughput to the spray dryer identified as P-SD (E-110) shall be limited to 328,500 tons per year.~~ Compliance with these limits will limit the potential to emit to less than twenty-five (25.0) tons per year of PM and fifteen (15.0) tons per year of PM10 from this modification project and make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable to the bulk loading process identified as P-BLR and the spray dryer identified as P-SD (E-110). Compliance with these limits shall also satisfy 326 IAC 6-3-2.

Comment 2:

Condition D.1.3(a) identifies control equipment associated with specific units for particulate control. Criterion believes that the baghouse described for item (8), two calciners, should be changed from "EX-631-011" to "DCC baghouse".

Response #2

The control equipment identifier was changed.

D.1.3 Particulate Matter (PM)

- (a) In order to comply with D.1.1, each baghouse associated with a specific process shall be in operation and control emissions at all times that the specific process is in operation. The specific processes that are equipped with baghouses are:
. . . .
- (8) Two (2) calciners identified as S-C1 (EX-300-25) and SC-2 (EX-130-005), equipped with one baghouse (~~EX-631-011~~) **(DCC baghouse)**.
. . .

Comment 3:

Condition D.1.7(a) creates record keeping requirements for visible emission notations described earlier in the permit. Criterion believes that the reference to Condition D.1.4 should be changed to Condition D.1.5.

Response to Comment 3:

The reference to Condition D.1.4 was changed to Condition D.1.5.

D.1.7 Record Keeping Requirements

- (a) To document compliance with Condition D.1.45, the Permittee shall maintain records of visible emission notations of the stacks exhaust from the stacks mentioned in D.1.45 once per day.
. . .

Comment 4:

Condition D.1.8 establishes reporting requirements to show compliance with annual throughput limits created in Condition D.1.2. This requirement should be removed from the permit with the removal of the throughput limits in Condition D.1.2.

Response 4:

Condition D.1.8 was removed as the throughput limits were deleted from the permit.

D.1.8 Reporting Requirements

~~A quarterly summary of the information to document compliance with Condition D.1.2 shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, 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. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

Comment 5:

Quarterly Report Forms – The proposed permit contains two forms to be used by Criterion to file quarterly reports to demonstrate compliance with the throughput limits for the spray dryer and bulk loading process.

With the elimination of the annual throughput limits for these units, these forms should be removed from the proposed permit.

Response to Comment 5:

The quarterly reporting forms were removed as the throughput limits were deleted from the permit.

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

Part 70 Quarterly Report

Source Name: _____ Criterion Catalyst Company, L.P.
 Source Address: _____ 1800 East U.S. 12, Michigan City, Indiana 46360-2074
 Mailing Address: _____ 1800 East U.S. 12, Michigan City, Indiana 46360-2074
 Part 70 Permit No.: _____ T091-6789-00053
 Facility: _____ One spray dryer identified as P-SD (E-110)
 Parameter: _____ PM and PM10
 Limit: _____ 29.0 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

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

No deviation occurred in this quarter.

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**

Part 70 Quarterly Report

Source Name: Criterion Catalyst Company, L.P.
Source Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Mailing Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Part 70 Permit No.: T091-6789-00053
Facility: One bulk loading process identified as P-BLR
Parameter: PM and PM10
Limit: 0.53 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

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

No deviation occurred in this quarter.

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.

Comment 6:

The Technical Support Document should be amended as necessary (in the Addendum to the Technical Support Document) to reflect the changes described above.

Response to Comment 6:

No changes have been made to the TSD because the OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

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

**Technical Support Document (TSD) for a Part 70 Significant Source Permit
Modification and a Part 70 Significant Permit Modification**

Source Description and Location

Source Name:	Criterion Catalyst and Technologies, L.P.
Source Location:	1800 East US 12, Michigan City, Indiana 46360
County:	Laporte
SIC Code:	2819
Operation Permit No.:	T091-6789-00053
Operation Permit Issuance Date:	May 1, 2001
Significant Source Modification No.:	091-21226-00053
Significant Permit Modification No.:	091-21489-00053
Permit Reviewer:	ERG/HJ

Existing Approvals

The source was issued a Part 70 Operating Permit 091-6789-00053 on May 1, 2001. The source has since received the following approvals:

- (a) 1st Administrative Amendment No. 091-14560-00053, issued July 26, 2001;
- (b) 2nd Administrative Amendment No. 091-14707-00053, issued August 24, 2001;
- (c) 3rd Administrative Amendment No. 091-15004-00053, issued November 26, 2001;
- (d) 1st Significant Permit Modification No. 091-15164-00053, issued March 12, 2002;
- (e) 4th Administrative Amendment No. 091-20884-00053, issued March 18, 2005; and
- (f) 5th Administrative Amendment No. 091-21117-00053, issued June 23, 2005

County Attainment Status

The source is located in Laporte County.

Pollutant	Status
PM10	Attainment
PM2.5	Attainment
SO ₂	Attainment
NO ₂	Attainment
1-hour Ozone	Attainment
8-hour Ozone	Nonattainment
CO	Attainment
Lead	Attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. Laporte County has been designated as nonattainment for the 8-hour ozone standard. Therefore,

VOC and NO_x emissions were reviewed pursuant to the requirements for emission offset, 326 IAC 2-3.

- (b) Laporte County has been classified as attainment for PM_{2.5}. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM_{2.5} emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM_{2.5} emissions, it has directed states to regulate PM₁₀ emissions as a surrogate for PM_{2.5} emissions.
- (c) Laporte County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) Fugitive Emissions
 Since this type of operation is in one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
P-SB1 (T-32)	2.98	2.98	--	--	--	--	--
P-SB2 (T-87)	2.98	2.98	--	--	--	--	--
P-SILOS	3.89	3.89	--	--	--	--	--
S-DBE (EX-120-005A)	24.1	24.1	--	--	--	--	--
S-DBW (EX-120-005B)	24.1	24.1	--	--	--	--	--
P-SAR1 (T-33)	38.2	38.2	--	--	--	--	--
P-SAR2 (T-128)	38.2	38.2	--	--	--	--	--
P-ASR1 (T-30)	68.8	68.6	1.93	--	--	--	--
P-ASR2 (T-129)	68.8	68.6	1.93	--	--	--	--
P-BBL (E-160)	0.404	0.404	--	--	--	--	--
P-BL (E-190)	0.09	0.09	--	--	--	--	--
S-MIX (EX-120-007A/7B)	0.33	0.33	--	--	--	--	--
S-C1 (EX-300-25)	8.2	8.2	--	--	--	534	--
S-C2 (EX-130-005)	8.2	8.2	--	--	--	534	--
S-PT (EX-104)	1.28	1.28	--	--	--	--	--
ADC#1 (formerly S-DC1 (EX-631-023))	1.73	1.73	--	--	--	--	--
P-SD (E-110) (spray dryer)	17.8	17.8	0.13	1.20	18.4	11.0	0.41
S-D1 (EX-300-23)	0.5	0.5	--	0.3	5.1	6	0.114
BLR2 (E-68)	0.5	0.5	--	0.4	5.6	6.6	0.125
DCC (EX-376)	0.3	0.3	5.1	24.8	32.8	0.95	--

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
SEACAP dryer	2.79	2.79	0.78	3.72	4.03	0.36	--
SD-3 (EX-300-35)	0.31	0.31	3.18	12.1	7.29	0.28	--
Total Emissions	376	376	13.0	42.6	73.2	1090	0.65

-- Emissions are insignificant (less than 0.1 tons per year).
 The PTE figures are from the TSD for T091-6789-00053, issued on May 1, 2001.

This existing source is a major stationary source, under PSD (326 IAC 2-2), because regulated pollutants are emitted at a rate of 100 tons per year or more, and it is in one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

This existing source is a major stationary source, under Emission Offset (326 IAC 2-3), as a nonattainment regulated pollutant is emitted at a rate of 100 tons per year or more.

These emissions are based upon the TSD for T091-6789-00053 issued on May 1, 2001.

The table below summarizes the potential to emit HAPs for the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

HAPs	Potential To Emit (tons/year)
TOTAL	0.65

This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because HAPs emissions are less than ten (10) tons per year for a single HAP and twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2003 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	27.0
PM10	27.0
SO ₂	0.0
VOC	1.0
CO	13.0
NO _x	10.0
HAP (specify)	not reported

Background and Description of Proposed Modification

- (a) Criterion Catalysts and Technologies, L.P. is an existing alumina catalyst manufacturing facility and a PSD major source. A Part 70 permit (T091-6789-00053) was issued May 1, 2001. On May 24, 2005, the Permittee submitted an application to OAQ to modify the spray dryer identified as P-SD (E-110) by the installation of a larger burner, modifications to the current fan, installation of an expansion joint, and installation of a third baghouse. These modifications to the spray dryer will allow an increase in the maximum throughput

to the spray dryer. The following is a list of the newly constructed and modified emission units and pollution control devices:

- (1) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956, and modified in 1995 and 2006, with a burner rated at 80.0 MMBtu/hr, with three (3) baghouses and a cyclone (integral to the process) for particulate control, and exhausting to stack B.
- (2) One (1) bulk loading process containing one rail car loading system, identified as P-BLR, constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.
- (b) Due to the increased throughput from the spray dryer, there will be a corresponding increase in throughput at downstream storage and loadout operations. There will be no modification to the baghouses controlling the downstream storage and loadout operations, thus no resultant change in emissions.
- (c) Criterion also plans to install a new bulk loading process containing one rail car loading system identified as P-BLR. The source proposed to limit the emissions from the proposed project to less than twenty-five (25) tons per year for PM and fifteen (15) tons/yr for PM10. Therefore, the requirements of 326 IAC 2-2 are not applicable.

“Integral Part of the Process” Determination

The following justification was incorporated into this permit from the previous Part 70 permit (T091-6789-00053, issued May 1, 2001):

The cyclone and baghouses are considered as an integral part of the spray dryer P-SD (E-110). The purpose of the cyclone and baghouses is for product capture. All of the aluminum oxide throughput from the dryer are pneumatically conveyed through the cyclone that captures 80 percent of the product, and then to the baghouses which capture nearly 20 percent. The baghouses operate in parallel. Neither the cyclone nor the baghouses vent directly to the atmosphere. Emissions are routed through a heat recovery system before they are emitted to the atmosphere. Financial data on the cost of the equipment in comparison to the cost savings experienced through product captured is contained in an OAQ confidential file.

The spray dryer is currently controlled by two baghouses. The modification in 2006 will add one additional baghouse. The new baghouse is being added to provide additional airflow to accommodate the increased product throughput. The new third baghouse will serve the same product capture function as the existing baghouses. The same assumptions used in making the integral control determination for the existing baghouses apply to the new baghouse.

IDEM, OAQ evaluated the justifications and agreed that the cyclone and baghouses will be considered as an integral part of the spray dryer, P-SD (E-110). Therefore, the permitting level will be determined using the potential to emit after the cyclone and baghouses. Operating conditions in the proposed permit specify that the cyclone and baghouses shall operate at all times when the spray dryer is in operation.

Enforcement Issues

There are no pending enforcement actions related to this modification.

Stack Summary

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (°F)
B	Spray Dryer	80	7	63,700	120
GG	Bulk Loading Process	22	NA	1,400	Ambient

Emission Calculations

See Appendix A of this document for detailed emission calculations.

Permit Level Determination – Part 70

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

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Potential to Emit (PTE) of New Emission Units	
Pollutant	Potential To Emit (tons/year)
PM	52.6
PM10	52.6
SO ₂	0.0
VOC	0.0
CO	0.0
NO _x	0.0

Potential to Emit of Modified Emission Units			
Pollutant	PTE Before Modification (tons/year)	PTE After Modification (tons/year)	Net Difference (tons/year)
PM	17.8	33.4	15.6
PM10	17.8	33.4	15.6
SO ₂	0.13	0.21	0.08
VOC	1.20	1.93	0.73
CO	18.4	29.4	11.0
NO _x	11.0	17.5	6.50
HAPs	0.41	0.66	0.25

Total Potential to Emit of Source Modification			
Pollutant	PTE New Emission Units (tons/year)	Net Increase to PTE of Modified Emission Units (tons/year)	Total PTE for New and Modified Units (tons/year)
PM	52.6	15.6	68.2
PM10	52.6	15.6	68.2
SO ₂	0.0	0.08	0.08
VOC	0.0	0.73	0.73
CO	0.0	11.0	11.0
NO _x	0.0	6.5	6.5
HAPs	0.0	0.25	0.25

This source modification is being performed through a Part 70 Significant Source Modification because the potential to emit PM and PM10 is each greater than 25 tons per year pursuant to 326 IAC 2-7-10.5(f)(4). Additionally, the modification will be incorporated into the Part 70 Operating Permit through a Significant Permit Modification issued pursuant to 326 IAC 2-7-12(d) because this is a modification under provisions of Title 1 of the Clean Air Act.

Permit Level Determination – PSD or Emission Offset

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/Emission Unit	Potential to Emit (tons/year)						
	PM	PM10	SO ₂	VOC	CO	NO _x	HAPs
Bulk Loading Process identified as P-BLR	0.53	0.53	0.00	0.00	0.00	0.00	0.00
Spray Dryer identified as P-SD (E-110)	29.0**	29.0**	0.21	1.93	29.4	11.0	0.41
Total for Modification	29.5	29.5	0.21	1.93	29.4	11.0	0.41
Past Actuals for Spray Dryer identified as P-SD (E-110)	15.4	15.4	0.11	1.03	15.8	9.46	0.35
Future Potential-Past Actuals *	14.1	14.1	0.10	0.90	13.6	1.54	0.06
Significant Level or Major Source Threshold	25.0	15.0	40.0	40.0	100	40.0	NA

*The past actual data is for 2003 and 2004.

**The source has chosen to limit emissions from the spray dryer to 29.0 tons per year and 6.62 lbs/hr to make this modification project a PSD minor modification. The source conducted stack testing for the spray dryer in the past which indicated that the spray dryer can comply with this 6.62 lbs/hr limit after the modification. Pursuant to 40 CFR 60.736, the source will be required to conduct a performance test to demonstrate compliance with the particulate limits in NSPS UUU. This performance test will also demonstrate compliance with the PSD minor limit for the modified spray dryer.

This modification to an existing major stationary source is not major because the emissions increase is less than the PSD significant levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

This modification to an existing major stationary source is not major because the emissions increase is less than the Emission Offset significant levels. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply.

Since this source is considered a major PSD source and the unrestricted potential to emit of this modification is greater than twenty-five (25) tons of PM per year and fifteen (15) tons of PM10 per year, this source has elected to limit the potential to emit of this modification as follows:

The source has accepted limits on the PM and PM10 emissions from the spray dryer and bulk loading process to ensure this modification project is a federally enforceable PSD minor modification. The PM and PM10 limits for the bulk loading process are the potential PM and PM10 emissions after controls. The PM and PM10 limits for the spray dryer are based on stack test data which indicates that the actual particulate emissions from the spray dryer are lower than the potential to emit calculated using simple baghouse specifications.

Compliance with these emission limits will ensure that the future potential to emit from this modification minus the past actual emissions from the spray dryer do not exceed twenty-five (25) tons of PM per year, and fifteen (15) tons of PM10 per year and therefore will render the requirements of 326 IAC 2-2 not applicable.

Federal Rule Applicability Determination

The following federal rules are applicable to the source due to this modification:

- (a) The requirements of the New Source Performance Standard for Metallic Mineral Processing Plants (326 IAC 12, 40 CFR 60, Subpart LL) are not included in this permit. This source is not a metallic mineral processing plant, as that term is defined in 40 CFR 60.381. This plant does not process metallic mineral ores with the intent to create metallic mineral concentrates which are then transferred to facilities at non-adjacent locations that will subsequently process metallic concentrates into purified metals (or other products).
- (b) The one (1) spray dryer identified as P-SD (E-110) is subject to the requirements of the New Source Performance Standards for Calciners and Dryers in Mineral Industries, 40 CFR 60, Subpart UUU because this facility is being modified after April 23, 1986 and is an affected facility as described in 60.370(a).

Pursuant to 40 CFR 60.370(a), the affected source that is subject to the requirements of 40 CFR 60, Subpart UUU consists of each calciner and dryer at a mineral processing plant.

Pursuant to 40 CFR 60.730(c), the one (1) spray dryer identified as P-SD (E-110) is an affected source because it was constructed, modified, or reconstructed after April 23, 1986 and is a dryer at a metallic mineral processing plant.

Non applicable portions of the NSPS are not included in the permit. The affected source is subject to the following portions of 40 CFR 60, Subpart UUU.

- (1) 40 CFR 60.732(a),(b)
 - (2) 40 CFR 60.734(a)
 - (3) 40 CFR 60.735(a),(c)(1),(d)
 - (4) 40 CFR 60.736 (a), (b)(1),(b)(2)
- (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14, 326 IAC 20 and 40 CFR Part 63) applicable to this proposed modification.
 - (d) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to new or modified emission units that involve a pollutant-specific emission unit and meet the following criteria:
 - (1) has a potential to emit before or after controls equal to or greater than the major source threshold for the pollutant involved;
 - (2) is subject to an emission limitation or standard for that pollutant; and
 - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The following table is used to identify the applicability of each of the applicability criteria, under 40 CFR 64.1, to each new or modified emission unit involved:

Emission Unit	Control Device Used	Emission Limitation (Y/N)	Uncontrolled PTE (tons/year)	Major Source Threshold (tons/year)	CAM Applicable (Y/N)	Large Unit (Y/N)
Spray Dryer P-SD (E110)	yes	Y	33.4	100	N	N
Bulk Loading Process	Yes	Y	53.6	100	N	N

Based on this evaluation, the requirements of 40 CFR Part 64, CAM are not applicable to any of the new or modified units as part of this modification.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

326 IAC 2-2 and 2-3 (PSD and Emission Offset)

PSD and Emission Offset applicability is discussed under the Permit Level Determination - PSD and Emission Offset section.

326 IAC 2-4.1 (New Source Toxics)

The operation of bulk loading process and spray dryer P-SD(110) will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

State Rule Applicability - Individual Facilities

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

The Permittee has opted to limit PM emissions to render 326 IAC 2-2 (PSD) not applicable. Compliance with this limit will satisfy compliance with 326 IAC 6-3-2.

The baghouses shall be in operation at all times the spray dryer identified as P-SD (E-110) and bulk loading process identified as P-BLR are in operation, in order to comply with this limit.

326 IAC 8-1-6 (General Reduction Requirements)

The proposed bulk loading process and spray dryer are not sources of VOC. Therefore, 326 IAC 8-1-6 does not apply.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance determination requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance determination requirements applicable to this modification are as follows:

1. The spray dryer identified as P-SD (E-110) has applicable compliance determination conditions as specified below:

- (a) The spray dryer identified as P-SD (E-110) shall use a continuous opacity monitoring system to measure and record the opacity of emissions discharged into the atmosphere from the baghouse pursuant to 40 CFR 60.734. Pursuant to 40 CFR 60.735, the Permittee shall submit written reports semiannually of exceedances of control device operating parameters required to be monitored by 40 CFR 60.734.

The Permittee shall record the pressure drop across the baghouses used in conjunction with the spray dryer identified as P-SD (E-110), at least once per day when the spray dryer is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions and Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

- (b) The Permittee shall conduct performance tests pursuant to 40 CFR 60.736 for particulate matter concentration and opacity from the spray dryer P-SD (E-110). This testing in conjunction with the use of a continuous opacity monitor shall be used to demonstrate compliance with 40 CFR 60, Subpart UUU and the PM limits established in condition D.1.2 of this Significant Permit Modification.

Within sixty (60) days after achieving the maximum rate, but no later than one hundred eighty days (180) after startup, the Permittee shall perform PM-10 testing for the spray dryer identified as P-SD (E-110), in order to demonstrate compliance with Condition D.1.2, utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensible PM-10. Testing shall be conducted in accordance with Section C- Performance Testing.

- (c) No monitoring or testing is required for the bulk loading process identified as P-BLR. The bulk loading process identified as P-BLR shall comply with 326 IAC 6-3-2 and 326 IAC 2-2 by the use of a baghouse at all times the process is in operation.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. 091-6789-00053. Deleted language appears as ~~strike throughs~~ and new language appears in **bold**:

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary alumina powder and specialty chemical production plant.

Responsible Official:	Michael Burke
Source Address:	1800 East US 12, Michigan City, Indiana 46360
Mailing Address:	1800 East US 12, Michigan City, Indiana 46360
SIC Code:	2819
County Location:	Laporte
Source Location Status:	Nonattainment for 8-hour Ozone

Source Status: Attainment for all **other** criteria pollutants
Part 70 Permit Program
Major Source, under PSD ~~or~~ **and** Emission Offset Rules;
1 of 28 **listed** Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]
[326 IAC 2-7-5(15)]

...

(p) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956 and **modified in 1995 and 2006**, with a burner rated at ~~5080~~**80**MMBtu/hr, **a with three** baghouses and **a cyclone (integral to the process) and a scrubber** for particulate control, and exhausting to stack B.

...

(s) **One (1) bulk loading process containing one rail car loading system identified as P-BLR, constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.**

SECTION D.1 FACILITY OPERATION CONDITIONS

<p>Facility Description [326 IAC 2-7-5(15)]</p> <p>...</p> <p>(p) One (1) natural gas fired spray dryer, identified as P-SD (E-110), constructed in 1956 and modified in 1995 and 2006, with a burner rated at 508080MMBtu/hr, a with three baghouses and a cyclone (integral to the process) and a scrubber for particulate control, and exhausting to stack B.</p> <p>(s) One (1) bulk loading process containing one rail car loading system identified as P-BLR, constructed in 2006, exhausting to stack GG and equipped with one baghouse for particulate control.</p> <p>Maximum capacities and throughputs for each unit have been included in an OAQ confidential file.</p> <p>(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)</p>

D.1.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Process Operations), the allowable PM emission rate from each of the facilities listed below shall be limited by the following:

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

Unit ID
P-SB1 (T-32)
P-SB2 (T-87)
P-SILOS*
S-DBE (EX-120-005A)
S-DBW (EX-120-005B)
P-SAR1 (T-33)
P-SAR2 (T-128)
P-ASR1 (T-30)
P-ASR2 (T-129)
P-BBL (E-160)
P-BL (E-190)
S-MIX (EX-120-007A/7B)
S-C1 (EX-300-25)
S-C2 (EX-130-005)
S-PT (EX-104)
ADC #1
P-SD (E-110)
S-D1 (EX-300-23)
SEACAP dryer
SD-3

Emission limits for the units listed in this table are not documented because the process throughputs are considered confidential. These emission limits are included in an OAQ confidential file.

~~D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]~~

~~A Preventive Maintenance Plan, in accordance with Section B – Preventive Maintenance Plan, of this permit, is required for P-SB1 (T-32), P-SB2 (T-87), P-SILOS, PSAR1 (T-33), P-SAR2 (T-128), P-ASR1 (T-30), P-ASR2 (T-129), P-BL (E-190), and P-SD (E-110) their control devices.~~

D.1.2 PSD Minor Limit for PM and PM10 [326 IAC 2-2]

The PM and PM10 emissions from the bulk loading process identified as P-BLR shall be limited to 0.006 lbs/ton of material loaded and 0.53 tons/yr. The material throughput to the bulk loading process identified as P-BLR shall be limited to 175,200 tons per year. The PM and PM10 emissions from the spray dryer identified as P-SD (E-110) shall be limited to 0.176 lbs/ton of material dried and 29.0 tons per year. The material dried at the spray dryer identified as P-SD (E-110) shall be limited to 328,500 tons per year. Compliance with these limits will limit the potential to emit to less than twenty-five (25.0) tons per year of PM and fifteen (15.0) tons per year of PM10 from this modification project and make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable to the bulk loading process identified as P-BLR and the spray dryer identified as P-SD (E-110). Compliance with these limits shall also satisfy 326 IAC 6-3-2.

D.1.3 Particulate Matter (PM)

(a) In order to comply with D.1.1, each baghouse associated with a specific process shall be in operation and control emissions at all times that the specific process is in operation. The specific processes that are equipped with baghouses are:

....

(12) One (1) bulk loading process containing one rail car loading system, identified as P-BLR, equipped with one baghouse.

...

- (c) In order to comply with D.1.1 the baghouses and cyclone integral to the spray dryer P-SD (E-110) shall be in operation and control emissions at all times the spray dryer is in operation. ~~The scrubber controlling particulate matter from the spray dryer is not necessary to meet the allowable PM emission rate and does not have to be in operation at all times.~~
- (d) **In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.**

D.1.4 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11] [326 IAC 2-2]

Within sixty (60) days after achieving the maximum rate, but no later than one hundred eighty days (180) after startup, the Permittee shall perform Pm and PM-10 testing for the spray dryer identified as P-SD (E-110), in order to demonstrate compliance with Condition D.1.2, utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensible PM-10. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.45 Visible Emissions Notations

- (a) Visible emission notations of the exhaust from the stacks PSAR1 (T-33), P-SAR2 (T-128), P-ASR1 (T-30), and P-ASR2 (T-129), and ~~P-SD (E-110)~~ shall be performed once per shift **day** during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- ...
- (e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit. If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.~~

D.1.6 Parametric Monitoring

The Permittee shall record the pressure drop across the baghouses used in conjunction with the spray dryer identified as P-SD (E-110), at least once per day when the spray dryer is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions and Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.1.57 Record Keeping Requirements

- (a) To document compliance with Condition D.1.45, the Permittee shall maintain records of

visible emission notations of the stacks exhaust from the stacks mentioned in D.1.4 once per shift-day.

(b) To document compliance with Condition D.1.6, the Permittee shall maintain daily records of the total static pressure drop during normal operation when venting to the atmosphere.

~~(b)~~**(c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.**

D.1.8 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.2 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, 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. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

D.1.9 General Provisions Relating to NSPS [326 IAC 12-1-1] [40 CFR Part 60, Subpart A]

Pursuant to 40 CFR Part 60, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1-1, for the one (1) spray dryer identified as P-SD (E-110) as specified in Appendix A of 40 CFR Part 60, Subpart UUU in accordance with schedule in 40 CFR Part 60, Subpart UUU.

D.1.10 New Source Performance Standards for Calciners and Dryers in Mineral Industries [40 CFR Part 60, Subpart UUU]

Pursuant to 40 CFR Part 60, Subpart UUU, the one (1) spray dryer identified as P-SD (E-110) shall comply with the following provisions:

Subpart UUU—Standards of Performance for Calciners and Dryers in Mineral Industries

§ 60.732 Standards for particulate matter.

Each owner or operator of any affected facility that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test required by §60.8 is completed, but not later than 180 days after the initial startup, whichever date comes first. No emissions shall be discharged into the atmosphere from any affected facility that:

(a) Contains particulate matter in excess of 0.057 g/dscm (0.025 gr/dscf) for dryers; and

(b) Exhibits greater than 10 percent opacity, unless the emissions are discharged from an affected facility using a wet scrubbing control device.

[57 FR 44503, Sept. 28, 1992, as amended at 65 FR 61778, Oct. 17, 2000]

§ 60.734 Monitoring of emissions and operations.

(a) With the exception of the process units described in paragraphs (b), (c), and (d) of this section, the owner or operator of an affected facility subject to the provisions of this subpart who uses a dry control device to comply with the mass emission standard shall install, calibrate, maintain, and operate a continuous monitoring system to measure and record the opacity of emissions discharged into the atmosphere from the control device.

§ 60.735 Recordkeeping and reporting requirements.

(a) Records of the measurements required in §60.734 of this subpart shall be retained for at least 2 years.

(c) Each owner or operator shall submit written reports semiannually of exceedances of control device operating parameters required to be monitored by §60.734 of this subpart. For the purpose of these reports, exceedances are defined as follows:

(1) All 6-minute periods during which the average opacity from dry control devices is greater than 10 percent; or

(d) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this section provided that they comply with the requirements established by the State.

§ 60.736 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.732 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and volume for each test run shall be at least 2 hours and 1.70 dscm.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity from stack emissions.

SECTION D.3 FACILITY OPERATION CONDITIONS

~~D.3.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]~~

~~A Preventive Maintenance Plan, in accordance with Section B – Preventive Maintenance Plan, of this permit, is required for this facility and its control device.~~

D.3.43 Testing Requirements [326 IAC12, (40 CFR 60.730, Subpart UUU)]

D.3.54 Particulate Matter (PM)

- (a) In order to comply with D.3.1 and D.3.2, the baghouse for PM control shall be in operation and control emissions from the DCC dryer at all times that the DCC dryer is in operation.
- (b) **In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.**

D.3.65 Baghouse Parametric Monitoring

The Permittee shall record the ~~total static~~ pressure drop across the baghouse used in conjunction with the DCC dryer, at least once per ~~shift~~ **day** when the process is in operation when venting to the atmosphere. ~~Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 1.0 and 4.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.~~ **When for any one (1) reading, the pressure drop across the baghouse is outside the normal range of 1.0 and 4.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit.** Failure to take response steps in accordance with Section C - ~~Compliance Monitoring Plan – Failure to Take Response Steps~~ **Response to Excursions or Exceedances**, shall be considered a ~~violation of~~ **deviation from** this permit.

The instrument used for determining the pressure shall comply with Section C - ~~Pressure Gauge and Other~~ Instruments Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.3.76 Monitoring of Emissions and Operations [326 IAC12], (40 CFR 60.730, Subpart UUU)

~~D.3.8 Baghouse Inspections~~

~~An inspection of the baghouses shall be performed each calendar quarter. In the event that a unit is under production at the end of the quarter and the unit is operating within normal visible emissions levels and pressure drop levels, then the Permittee may postpone the inspection no later than 30 days after the end of the quarter. Defective bags shall be replaced. A record shall be kept of the results of the inspection and the number of bags replaced. This condition replaces operation condition no. 11(d) from the GP 091-8507-00053 issued on July 31, 1997.~~

D.3.97 Broken or Failed Bag Detection

In the event that bag failure has been observed:

- (a) ~~For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if there are no visible emissions or if the event qualifies as an emergency and the Permittee~~

~~satisfies the emergency provisions of this permit (Section B – Emergency Provisions). Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response in accordance with Section C – Compliance Monitoring Plan – Failure to Take Response Steps, shall be considered a violation of this permit.~~

- (ba) For single compartment baghouses **controlling emissions from a process operated continuously, a failed units and the associated process will shall** be shut down immediately until the failed units ~~have~~ **has** been repaired and replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) **For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).**

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

D.3.408 Record Keeping Requirements

- (a) To document compliance with Condition D.3.76, the Permittee shall maintain records of three 6-minute averages of the opacity of visible emission notations of DCC dryer stack exhaust each day of operation.
- (b) To document compliance with Condition D.3.65, the Permittee shall maintain the following:
- (1) Records once per ~~shift~~ **day** of the following ~~operational parameters during normal operation when venting to the atmosphere~~ **pressure drop across the baghouse:**
 - (A) ~~Inlet and outlet differential static pressure; and~~
 - (B) ~~Cleaning cycle operation.~~
 - (2) Documentation of the dates vents are redirected.
- (c) ~~To document compliance with Condition D.3.8, the Permittee shall maintain records of the results of the inspections required under Condition D.3.8 and the dates the vents are redirected.~~

D.3.449 Reporting Requirements [326 IAC12, (40 CFR 60.730, Subpart UUU)]

Upon further review, IDEM has decided to make the following changes to the permit.

1. The address has been changed throughout the whole permit as shown below:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015 **46204-2251**

2. Changes have been made to Section B, General Conditions, and Section C, Source Operation Conditions, to reflect the latest rules and regulations.

SECTION B GENERAL CONDITIONS

~~B.1 Definitions [326 IAC 2-7-1]~~

~~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.2 Permit Term [326 IAC 2-7-5(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.3 Enforceability [326 IAC 2-7-7]~~

~~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, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.~~

~~B.4 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]~~

~~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 2-7-3 and 326 IAC 2-7-4(a).~~

~~B.5 Severability [326 IAC 2-7-5(5)]~~

~~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.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]~~

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

~~B.7 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)] [326 IAC 2-7-6(6)]~~

~~(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~~

~~The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(b) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, 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 "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, 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 2-7-5(6)(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.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]~~

- ~~(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act and is grounds for:~~

- ~~(1) Enforcement action;~~
~~(2) Permit termination, revocation and reissuance, or modification; or~~
~~(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.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]~~

- ~~(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 a responsible official 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) A responsible official is defined at 326 IAC 2-7-1(34).~~

~~B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]~~

- ~~(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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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 July 1 of each year 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~~

~~United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch – Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590~~

~~(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, 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 2-7-5(3); and~~
- ~~(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.~~

~~The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

~~B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]~~

~~(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, 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.~~

~~If, due to circumstances beyond the Permittee’s control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:~~

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

~~The PMP and the PMP extension notification do not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

~~(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, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, 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 "responsible official" as defined by 326 IAC 2-7-1(34).~~
- ~~(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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~

~~B.12 Emergency Provisions [326 IAC 2-7-16]~~

- ~~(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 2-7-16.~~
- ~~(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 describe 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, Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;~~
- ~~Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or~~
~~Telephone Number: 317-233-5674 (ask for Compliance Section)~~
~~Facsimile Number: 317-233-5967~~
~~Telephone Number: 219-881-6712 (Regional Office)~~
~~Facsimile Number: 219-881-6745~~
- ~~(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~~

~~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 2-7-5(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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(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, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4 (c)(10) be revised in response to an emergency.~~

~~(f) Failure to notify IDEM, OAQ, 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 2-7 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 materials of substantial economic value.~~

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

~~B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]~~

~~(a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The~~

~~Indiana statutes from IC 13 and rules from 326 IAC, referenced 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 Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.~~

~~This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.~~

- ~~(b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. All previously issued operating permits are superseded by this permit.~~
- ~~(c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~
- ~~(d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.~~
- ~~(e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - ~~(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;~~
 - ~~(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;~~
 - ~~(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and~~
 - ~~(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.~~~~
- ~~(f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).~~
- ~~(g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]~~
- ~~(h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(7)]~~

B.14 Multiple Exceedances [326 IAC 2-7-5(1)(E)]

~~Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.~~

~~B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

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

- ~~using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. 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.~~

~~The notification by the Permittee 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 or a rule. It does not include:~~
- ~~(1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or~~
 - ~~(2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.~~

~~A Permittee’s failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.~~

- ~~(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 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]~~

- ~~(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit 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 2-7-5(6)(C)] The notification by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

- ~~(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, 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 2-7-9(a)(3)]~~

- ~~(c) Proceedings by IDEM, OAQ, 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 2-7-9(b)]~~

- ~~(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]~~

~~B.17 Permit Renewal [326 IAC 2-7-4]~~

- ~~(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, shall include the information specified in 326 IAC 2-7-4. 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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~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, Indiana 46206-6015~~

- ~~(b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]~~

- ~~(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, on or before the date it is due.~~

~~(2) If IDEM, OAQ, 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, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

- ~~(c) Right to Operate After Application for Renewal [326 IAC 2-7-3]
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 2-7 until IDEM, OAQ, 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, any additional information identified as being needed to process the application.~~

- ~~(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

~~B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]~~

- ~~(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 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

Any such application should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) _____ The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

~~B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12(b)(2)]~~

(a) _____ No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) _____ Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

~~B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]~~

(a) _____ The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a 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 preconstruction approval required by 326 IAC 2-7-10.5 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

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 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.~~

~~Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (c)(2).~~

~~(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 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:~~

- ~~_____ (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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) Emission Trades [326 IAC 2-7-20(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 2-7-20(c).~~

~~(d) Alternative Operating Scenarios [326 IAC 2-7-20(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 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.~~

~~B.21 Source Modification Requirement [326 IAC 2-7-10.5]~~

~~A modification, construction, or reconstruction is governed by 326 IAC 2 and 326 IAC 2-7-10.5.~~

~~B.22 Inspection and Entry [326 IAC 2-7-6] [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, U.S. EPA, or an authorized representative to perform the following:~~

- ~~(a) Enter upon the Permittee's premises where a Part 70 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 any records that must be kept under the conditions of this permit;~~
- ~~(c) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;~~
- ~~(d) Sample or monitor 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.23 ~~Transfer of Ownership or Operational Control [326 IAC 2-7-11]~~

- ~~(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 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~~

~~The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]~~

B.24 ~~Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]~~

- ~~(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.~~
- ~~(b) Except as provided in 326 IAC 2-7-19(e), 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 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.~~

B.1 ~~Definitions [326 IAC 2-7-1]~~

~~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.2 ~~Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6(a)]~~

- ~~(a) This permit, T091-6789-00053, is issued for a fixed term of five (5) years from the issuance date of this permit, 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 of this permit.~~
- ~~(b) If IDEM, OAQ, upon receiving a timely and complete renewal 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, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

B.3 ~~Term of Conditions [326 IAC 2-1.1-9.5]~~

~~Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:~~

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7]

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, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

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.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ 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 "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. 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.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (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 a responsible official 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. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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 July 1 of each year to:

**Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

and

**United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590**

- (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, 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 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

**B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]**

-
- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) after issuance of this permit, 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.

If, due to circumstances beyond the Permittee’s control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management

**Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

The PMP extension notification does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).**
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.**

B.11 Emergency Provisions [326 IAC 2-7-16]

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

**Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967**

- (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
Indianapolis, Indiana 46204-2251**

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 2-7-5(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 “responsible official” as defined by 326 IAC 2-7-1(34).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.**
- (f) Failure to notify IDEM, OAQ, 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 2-7 and any other applicable rules.**
- (g) 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.**
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.**

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced 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 Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T091-6789-00053 and issued pursuant to permitting programs approved into the state implementation plan have been either
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

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 2-7-3 and 326 IAC 2-7-4(a).

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

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(3).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit 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 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, 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 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ 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 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. 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 “responsible official” as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) 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 on or before the date it is due.
- (c) 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 2-7 until IDEM, OAQ, 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, any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 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
Indianapolis, Indiana 46204-2251**

Any such application shall be certified by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request.
[326 IAC 2-7-11(c)(3)]

**B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]**

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a 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 preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in 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
Indianapolis, Indiana 46204-2251**

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 trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (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 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
- (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 is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) **Emission Trades [326 IAC 2-7-20(c)]**
The Permittee may trade emissions increases and decreases at 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 2-7-20(c).
- (d) **Alternative Operating Scenarios [326 IAC 2-7-20(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 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]

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, U.S. EPA, or an

authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 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
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ 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, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), 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 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

~~C.1 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]~~

~~Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

~~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 forty percent (40%) 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. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.~~

~~C.4 Incineration [326 IAC 4-2][326 IAC 9-1-2]~~

~~The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.~~

~~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). 326 IAC 6-4-2(4) is not federally enforceable.~~

~~C.6 Operation of Equipment [326 IAC 2-7-6(6)]~~

~~Except as otherwise provided by statute or 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 unit vented to the control equipment is in operation.~~

~~C.7 Stack Height [326 IAC 1-7]~~

~~The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.~~

~~C.8 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~~

~~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 2-7-6(1)]

C.9 Performance Testing [326 IAC 3-6]

~~(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~~

~~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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(b) The Permittee shall notify IDEM, OAQ 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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the source submits to IDEM, OAQ, 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.10 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 2-7-5(1)] [326 IAC 2-7-6(1)]

C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

~~Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:~~

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

~~in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.~~

~~The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.~~

~~C.12 Maintenance of Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

- ~~(a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less often than once an hour until such time as the continuous monitor is back in operation.~~
- ~~(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.~~

~~C.13 Maintenance of Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

- ~~(a) In the event that a breakdown of the continuous opacity monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.~~
- ~~(b) Whenever the continuous opacity monitor is malfunctioning or will be down for repairs or adjustments for a period of four (4) hours or more, visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time.~~
- ~~(c) If the reading period begins less than one hour before sunset, readings shall be performed until sunset. If the first required reading period would occur between sunset and sunrise, the first reading shall be performed as soon as there is sufficient daylight.~~
- ~~(d) Method 9 opacity readings shall be repeated for a minimum of one (1) hour at least once every four (4) hours during daylight operations, until such time that the continuous opacity monitor is back in operation.~~
- ~~(e) The opacity readings during this period shall be reported in the quarterly Compliance Monitoring Reports, unless there are ANY observed six minute averaged exceedances, in which case, these shall be reported to the air compliance inspector within four (4) working hours.~~
- ~~(f) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary opacity monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.~~

~~C.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]~~

~~Any monitoring or testing 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.15 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(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) The Permittee may request the IDEM, OAQ 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 2-7-5] [326 IAC 2-7-6]

C.16 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

~~Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):~~

- ~~(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.~~

- ~~(b) These ERPs shall be submitted for approval to:~~

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

~~within ninety (90) days after the date of issuance of this permit.~~

~~The ERP does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.~~
- ~~(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.~~
- ~~(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.~~
- ~~(f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]~~

C.17 Risk Management Plan [326 IAC 2-7-5(12)] [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).~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

C.18 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

- ~~(a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole of information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:~~
- ~~(1) This condition;~~
 - ~~(2) The Compliance Determination Requirements in Section D of this permit;~~
 - ~~(3) The Compliance Monitoring Requirements in Section D of this permit;~~
 - ~~(4) The Record Keeping and Reporting Requirements in Section C (General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and~~
 - ~~(5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAQ upon request and shall be subject to review and approval by IDEM, OAQ. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - ~~(A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and~~
 - ~~(B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted.~~~~
- ~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps may constitute a violation of the permit.~~
- ~~(c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:~~
- ~~(1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.~~
 - ~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.~~
 - ~~(3) An automatic measurement was taken when the process was not operating.~~
 - ~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~
- ~~(d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~

- (e) ~~All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.~~
- (f) ~~At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides adequate justification and documents that such failures do not exceed five percent (5%) of the operating time in any quarter. Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.~~

~~C.19 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]~~

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

~~The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]~~

~~C.20 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]~~

- (a) ~~The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:~~
- ~~(1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);~~
- ~~(2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1) from the source, for purposes of Part 70 fee assessment.~~
- ~~(b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission 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~~

~~The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- (c) ~~The annual 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, on or before the date it is due.~~

~~G.21 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]~~

- (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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner 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.~~

~~G.22 General Reporting Requirements [326 IAC 2-7-5(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 "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(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 Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015~~

- ~~(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, 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 reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.~~

Stratospheric Ozone Protection

~~C.23 Compliance with 40 CFR 82 and 326 IAC 22-1~~

~~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.~~

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

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 forty percent (40%) 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. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

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). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

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
Indianapolis, Indiana 46204-2251**

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 14-10-1, 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) Demolition and renovation**

The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) 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 to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

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

- (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
Indianapolis, Indiana 46204-2251

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 "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ 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 "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, 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 by issuing an order under 326 IAC 2-1.1-11. 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 2-7-5(1)] [326 IAC 2-7-6(1)]

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment.
- (b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.
- (c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employees of the Permittee or an independent contractors, to self-monitor the emissions from the emission unit stack.
 - (1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.
 - (2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at east four (4) hours between each set of readings, until a COMS is online.
 - (3) Method 9 readings may be discontinued once a COMS is online.
 - (4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing 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.13 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale.

- (d) **The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.**

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) **The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.**
- (b) **Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.
[326 IAC 1-5-3]**

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.16 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

-
- (a) **Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.**
 - (b) **The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:**
 - (1) **initial inspection and evaluation;**
 - (2) **recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or**
 - (3) **any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.**
 - (c) **A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:**
 - (1) **monitoring results;**
 - (2) **review of operation and maintenance procedures and records;**
 - (3) **inspection of the control device, associated capture system, and the process.**

- (d) **Failure to take reasonable response steps shall be considered a deviation from the permit.**
- (e) **The Permittee shall maintain the following records:**
 - (1) **monitoring data;**
 - (2) **monitor performance data, if applicable; and**
 - (3) **corrective actions taken.**

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

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

The response action documents submitted pursuant to this condition do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) **Pursuant to 326 IAC 2-6-3(b)(2), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:**
 - (1) **Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);**
 - (2) **Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) (“Regulated pollutant, which is used only for purposes of Section 19 of this rule”) from the source, for purpose of fee assessment.**

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (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, on or before the date it is due.

C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this permit 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 physically present or electronically accessible 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner 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) If there is a reasonable possibility that a “project” (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-3(II)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and 326 IAC 2-3-1(z)), may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1 (rr) and 326 IAC 2-3-3 (mm)), the Permittee shall comply with following:
- (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
- (A) A description of the project.
- (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
- (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
- (i) Baseline actual emissions;
- (ii) Projected actual emissions;
- (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3); and
- (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year

on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee 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 “responsible official” as defined by 326 IAC 2-7-1(34).
- (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 Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- (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, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any “project” (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(II)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) and 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

- (g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management
Air Compliance Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

- (h) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

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.

3. The Quarterly Report Forms at the end of the permit have been changed as follows:

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

Part 70 Quarterly Report

Source Name: Criterion Catalyst Company, L.P.
Source Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Mailing Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Part 70 Permit No.: T091-6789-00053
Facility: One spray dryer identified as P-SD (E-110)
Parameter: ~~PM and PM10~~ **Product Throughput**
Limit: ~~29.0~~ **328,500** tons per twelve (12) consecutive month period with compliance determined at the end of each month.

...

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

Part 70 Quarterly Report

Source Name: Criterion Catalyst Company, L.P.
Source Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Mailing Address: 1800 East U.S. 12, Michigan City, Indiana 46360-2074
Part 70 Permit No.: T091-6789-00053
Facility: One bulk loading process identified as P-BLR
Parameter: ~~PM and PM10~~ **Product Throughput**
Limit: ~~0.53~~ **175,000** tons per twelve (12) consecutive month period with compliance determined at the end of each month.

...

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 091-21226-00053 and Significant Permit Modification 091-21489-00053. The staff recommend to the Commissioner that this Part 70 Significant Source and Significant Permit Modification be approved.

**Appendix A: Emission Calculations
Particulate Emissions from the Railcar Loading Process**

**Company Name: Criterion Catalysts & Technologies, L.P.
Address: 1800 East US 12, Michigan City, IN 46360
SSM: 091-21226-00053
Reviewer: ERG/HJ
Date: November 7, 2005**

Process	Emission Point ID#	Process Rate (Throughput) (lbs/hr)	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	Control Efficiency (%)	PTE of PM/PM10 After Control (lbs/hr)	PTE of PM/PM10 After Control (tons/yr)	PTE of PM/PM10 Before Control (lbs/hr)	PTE of PM/PM10 Before Control (tons/yr)
Railcar Loading	P-BLR	40,000	0.01	1,400	99.0%	0.12	0.53	12.0	52.6

Compliance with 326 IAC 6-3-2(e) - Particulate Matter Emissions Limitations	
Maximum Allowable Emissions = $E = 4.10 * P^{0.67}$	
Where: P= Process Rate in tons per hour =	20
E = Rate of Emissions in pounds per hour	
Maximum Allowable Emissions =	30.5 lbs/hr
The baghouse(s) must be in operation at all times that the rail car unloading process is in operation in order to ensure compliance with 326 IAC 6-3-2(e).	

Assume all PM emissions equal PM10 emissions.

Methodology

PTE of PM/PM10 After Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 (mins/hr) x 1/7000 (lb/gr)

PTE of PM/PM10 After Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 (mins/hr) x 1/7000 (lb/gr) x 8760 (hrs/yr) x 1 ton/2000 lbs

PTE of PM/PM10 Before Control (lbs/hr) = PTE of PM/PM10 After Control (lbs/hr) / (1-Control Efficiency%)

PTE of PM/PM10 Before Control (tons/yr) = PTE of PM/PM10 After Control (tons/yr) / (1-Control Efficiency%)

**Appendix A: Emission Calculations
Particulate Emissions For the Spray Dryer (P-SD)**

Company Name: Criterion Catalysts & Technologies, L.P.
Address: 1800 East US 12, Michigan City, IN 46360
SSM: 091-21226-00053
Reviewer: ERG/HJ
Date: November 7, 2005

Process	Process Rate (Throughput) (lbs/hr)	Emission Point ID#	Outlet Grain Loading (grain/ascf)	Air Flow Rate (acfm)	PTE of PM/PM10 (tons/yr)	PTE of PM/PM10 (lbs/hr)
Spray Dryer	73,000	P-SD	0.01	81,800	30.7	7.01

Note: IDEM has determined that the cyclone and baghouse are integral to the spray dryer process. PTE is calculated after the cyclonic baghouse.

Compliance with 326 IAC 6-3-2(e) - Particulate Matter Emissions Limitations
<p>Maximum Allowable Emissions = $E = 4.10 * P^{0.67}$</p> <p>Where: P= Process Rate in tons per hour = 36.5 E = Rate of Emissions in pounds per hour</p> <p>Maximum Allowable Emissions = 45.7 lbs/hr</p> <p>The baghouse(s) must be in operation at all times that the spray dryer is in operation in order to ensure compliance with 326 IAC 6-3-2(e).</p>

Methodology

PTE of PM/PM10 (tons/yr) = Outlet Concentration (grain/ascf) x Air Flow (acfm) x 60 (min/hr) x 8760 (hr/yr) x 1/7000 (lb/grain) x 1/2000 (ton/lb)
 PTE of PM/PM10 (lbs/hr) = Outlet Concentration (grain/ascf) x Air Flow (acfm) x 60 (min/hr) x 1/7000 (lb/grain)

**Appendix A: Combustion Emission Calculations
Spray Dryer (P-SD) Burner**

Company Name: Criterion Catalysts & Technologies, L.P.
Address: 1800 East US 12, Michigan City, IN 46360
SSM: 091-21226-00053
Reviewer: ERG/HJ
Date: November 7, 2005

Description
Spray Dryer Burner

Total Heat Input Capacity (MMBtu/hr)
80.0

Total Max. Potential Throughput (MMCF/yr)
701

Pollutant Emission Factors (lbs/MMCF)						
PM*	PM10*	SO ₂	NO _x **	CO	VOC	HAPs
7.6	7.6	0.6	50	84.0	5.5	1.89

Potential To Emit (tons/yr)							
Emission Unit ID	PM	PM10	SO ₂	NO _x	CO	VOC	HAPs
Spray Dryer Burner	2.66	2.66	0.21	17.5	29.4	1.93	0.66

*PM and PM10 emission factor are for condensable and filterable PM and PM10 combined.

**Emission factors for NO_x: Low Nox Burner = 50 lbs/MMCF

Emission factors from AP-42, Chapter 1.4 - Natural Gas Combustion, Tables 1.4-1, 1.4-2, 1.4-3 and 1.4-4. SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03. (AP-42 Supplement D 7/98)

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF - 1,000,000 Cubic Feet of Gas

1000 Btu per cubic foot of natural gas

Methodology

Max. Potential Throughput (MMCF/yr) = Heat Input Capacity (MMBtu/hr) x 8,760 (hrs/yr) x 1 MMCF/1,000 MMBtu

PTE (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF) x 1ton/2000 lbs