



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: June 23, 2005  
RE: Hoosier Energy REC / 147-21289-00001  
FROM: Paul Dubenetzky  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

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

Enclosures  
FNPER.dot 1/10/05



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

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Mr. Darrell Bayless  
Hoosier Energy REC, Inc. – Midway Station  
PO Box 908  
Bloomington, IN 47402-0908

June 23, 2005

Re: Source Specific Operation Status  
**S 147-21289-00001**

Dear Mr. Bayless:

Your application for Source Specific Operation Status was received on May 17, 2005 and has been reviewed. Based on the data submitted and the provisions in 326 IAC 2, it has been determined that your emission source, a stationary peaking power generation source located at State Road 245, Lamar, Indiana 47550, has met the criteria required to obtain a Source Specific Operating Agreement.

Pursuant to IC 4-21.5-3-5(a) and (b), approval of this Source Specific Operating Agreement shall not be effective until fifteen (15) days from the date of this letter.

The facilities and processes of this source are hereby granted the Source Specific Operating Agreement provided that the following requirements of 326 IAC 2-9 are satisfied:

**Section A: Internal Combustion Operation: [326 IAC 2-9-14]**

1. The fuel usage for the units listed in this Source Specific Operating Agreement (SSOA) shall be limited to less than three hundred seventy-six and seventy-two hundredths (376.72) kilogallons of diesel fuel per year, based on a straight twelve (12) month total.
2. The source shall keep the following records from the external combustion unit:
  - (a) the hours operated for each internal combustion unit approved under this Source Specific Operating Agreement (SSOA),
  - (b) records of the annual fuel usage for each internal combustion unit approved under this SSOA, and
  - (c) records of all routine maintenance conducted on the internal combustion units approved under this SSOA.

These records shall be kept for a minimum period of five (5) years, and made available upon request of the Office of Air Quality (OAQ).

**Section B: General Requirements: [326 IAC 2-9-1]**

1. The source shall provide an annual notice to the commissioner, stating that the source is in operation, and certifying that its operations are in compliance with the requirements of this Source Specific Operating Agreement. The above annual notice shall be submitted to:

**Compliance Data Section  
Office of Air Quality  
100 North Senate Avenue  
Indianapolis, IN 46204**

no later than January 30 of each year, with the annual notice being submitted in the format attached.

2. Any exceedance of any requirement contained in this operating agreement shall be reported, in writing, within one (1) week of its occurrence. Said report shall include information on the actions taken to correct the exceedance, including measures to reduce emissions, in order to comply with the established limits. If an exceedance is the result of a malfunction, then the provisions of 326 IAC 1-6 apply.
3. Pursuant to 326 IAC 2-9-1(i), the owner or operator is hereby notified that this operating agreement does not relieve the permittee of the responsibility to comply with the provisions of any applicable federal, state, or local rules, or any New Source Performance Standards (NSPS), 40 CFR Part 60, or National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 and 63.

Any change or modification which will alter operations in such a way that it will no longer comply with the applicable restrictions and conditions of this operating agreement, must obtain the appropriate approval from the Office of Air Quality (OAQ) under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, and 326 IAC 2-8, before such change may occur.

Sincerely,

Original signed by  
Kathy Moore, Section Chief  
Permit Branch  
Office of Air Quality

JLA

cc: File – Spencer County  
Spencer County Health Department  
Air Compliance Section – Derrick Ohning  
Permit Tracking  
Compliance Data Section  
IDEM, Southwest Regional Office

<b>Source Specific Operating Agreement Annual Notification</b>
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This form should be used to comply with the notification requirements under 326 IAC 2-9.

<b>Company Name:</b>	<b>Hoosier Energy REC, Inc. – Midway Station</b>
<b>Address:</b>	<b>State Road 245</b>
<b>City:</b>	<b>Lamar, Indiana 47043</b>
<b>Contact Person:</b>	
<b>Phone #:</b>	
<b>SSOA #:</b>	<b>S 147-21289-00001</b>

I hereby certify that Hoosier Energy REC, Inc. – Fairview Station is still in operation and is in compliance with the requirements of Source Specific Operating Agreement (SSOA) S 147-21289-00001.

<b>Name (typed):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>